

RESOLUTION NO. 2170

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLDEN AMENDING THE PROVISIONS OF RESOLUTION 1989, APPROVING A PUBLIC SIDEWALK SALES AND DISPLAY PERMIT AT 1299 WASHINGTON AVENUE, SUITE 140

WHEREAS, in 2009, Washington Square Golden, LP, as owner of 1299 Washington Avenue, Suite 140, applied for a public sidewalk sales and display permit in accordance with the provisions of Chapter 4.90 of the Golden Municipal Code for property located at 1299 Washington Avenue, Suite 140; and

WHEREAS, the Golden City Council reviewed the application for compliance with the requirements of Section 4.90.050 and 4.90.060 of the Golden Municipal Code, and approved the request with several conditions via Resolution 1989 on August 27th, 2009; and

WHEREAS, Washington Square Golden LP has requested authorization for seating not included in the original approval, and to construct shade structures within the 13th Street portion of the approved seating area.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. City Council authorizes the construction of shade structures within the 13th Street seating area originally approved by Resolution 1989, as generally depicted upon the application materials presented on December 8, 2011, subject to the requirement in Section 4.90.070(f) that all improvements (other than the reconfigured sidewalk) be removed upon termination of the sidewalk seating permit, as well as conformance to all other applicable sections of Chapter 4.90 and all requirements of Resolution No. 1989.

Section 2. City Council authorizes the additional seating along the Washington Avenue frontage of the property subject to the operational and insurance and indemnification requirements of Section 4.90.060, and further subject to the following:

a. No alcoholic beverages will be served for any of the Washington Avenue seating areas shown on the permit application, including the tables adjacent to the premises, based upon the inability to contain the entire seating area.

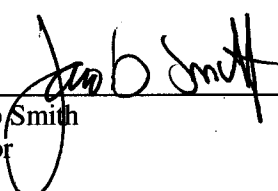
b. Maximum seating in this area will be three (3) tables and twelve (12) total seats.

c. The seating will be located adjacent to the building, with the minimum horizontal sidewalk clearance between the brick planter and the proposed seating seven (7) feet, as shown on the amended application.

d. The minimum vertical clearance height of any portable umbrella for any portion of the original seating will be seven (7) feet. No free-standing umbrellas are permitted for the Washington Ave seating.


Section 3. All other provisions of Resolution No. 1989 shall remain in full force and effect.

Adopted the 8th day of December, 2011.



Jacob Smith
Mayor





Susan M. Brooks, MMC
City Clerk

APPROVED AS TO FORM:


David S. Williamson
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a rescheduled regular business meeting thereof held on the 8th day of December, A.D., 2011.



ATTEST: 
Susan M. Brooks, City Clerk of the City of
Golden, Colorado