

**TOWN OF NEW CASTLE
RESOLUTION NO. TC-2013-11**

A Resolution of the Town Council of the Town of New Castle Regarding an Application from Rolling Fork Grill, LLC dba Lazy Bear Restaurant for a Hotel and Restaurant Liquor License.

WHEREAS, Rolling Fork Grill, LLC dba Lazy Bear Restaurant (Applicant) has applied for a hotel and restaurant liquor license at 285 West Main Street, New Castle, Colorado; and

WHEREAS, the Town Council of the Town of New Castle opened a duly noticed public hearing on May 21, 2013, to consider the application; and

WHEREAS, the Town Council listened to testimony from staff, the Applicant, and members of the public concerning the application and also considered the written staff report from Police Chief Sadler; and

WHEREAS, based on the contents of the application and the evidence presented during the public hearing, the Town Council makes the findings and decisions set forth below.

WHEREAS, the Town Council finds:

1. Within the previous 2 years, the Town Council has not denied an application for the same class of license at this location or within 500 feet of this location for the reason that the reasonable requirements of the neighborhood and the desires of the adult inhabitants were satisfied by the existing outlets;
2. The Applicant is entitled to possession of the premises to be licensed by ownership, lease, rental, or other arrangement;
3. The sale of alcohol beverages at the premises is permitted under the zoning regulations applicable to the premises;
4. The building in which the alcohol beverages are to be sold is not located within 500 feet of any public or parochial school or the principal campus of any college, university, or seminary;
5. The Applicant's officers, and members holding 10 percent or more interest in the Applicant, are of good moral character;
6. The reasonable requirements of the neighborhood for the type of license for which application has been made; the desires of the adult inhabitants; and the number, type, and availability of alcohol beverage outlets located in or near the neighborhood under consideration justify the granting of the license; and

WHEREAS, based on the application and the testimony, the Town Council desires to approve the application.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of New Castle, Colorado:

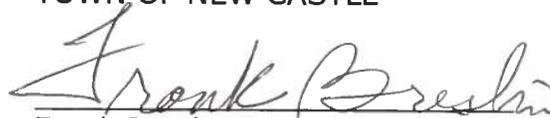
1. Recitals. The Town Council adopts the foregoing recitals as findings of fact and determinations of the Council.
2. Definition of the Application. The Application consists of the documents and information identified by the Town Clerk on Exhibit A, plus all representations of the

Applicant reflected in the minutes of the Town Council public hearing on May 21, 2013.

3. Approval. The Town Council approves the Application.

Introduced, Read and Adopted at a regularly scheduled meeting of the Town Council of the Town of New Castle, Colorado, on May 21, 2013.

TOWN OF NEW CASTLE


Frank Breslin, Mayor

ATTEST:


Melody Harrison, Town Clerk

