



## Report to the Plan Commission

August 8, 2011

**Legistar I.D. #23481**  
**1124 Regent Street**  
**Conditional Use**

Report Prepared By:  
Kevin Firchow, AICP  
Planning Division

**Requested Action:** Approval of a conditional use to approve a beer garden in an existing parking lot for events at Camp Randall Stadium.

**Applicable Regulations & Standards:** Section 28.09(2)30 lists non-accessory uses associated with events taking place within Camp Randall Stadium limited to the sale of food and beverages to the public, and including the offering of live or amplified music as a conditional use in the C1 and C2 districts. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the conditional use request to approve a “beer garden” in an existing parking lot at 1124 Regent Street for events at Camp Randall Stadium, subject to input at the public hearing and the conditions from the Planning Division and other reviewing agencies.

### **Background Information**

**Applicant / Contact:** Steve Bartlett; Badger Honor Flight; 2105 Prairie Road; Madison, WI 53711

**Property Owner:** Roger Charly; Budget Bicycles; 1124 Regent Street; Madison, WI 53715

**Proposal:** The applicant proposes to establish a beer garden for home Badger Football games in a portion of an existing parking lot (Budget Bicycle Center) at 1124 Regent Street.

**Parcel Location:** The subject parcel is a 27,587 square foot parcel located on the north east corner of Regent and Charter Streets. The property is within Aldermanic District 8 and the Madison Metropolitan School District.

**Existing Conditions:** The site is currently includes a Budget Bicycle Center store and surface parking lot. No permanent site plan changes are proposed.

### **Surrounding Land Use and Zoning:**

North: University of Wisconsin physical plant building; zoned C3 (Highway Commercial District);

East: Fast food restaurant – zoned C2 (General Commercial District);

South: Other commercial buildings, zoned C2 with residential buildings beyond; and

West: Mixed-use development – zoned C2.

**Adopted Land Use Plan:** The Comprehensive Plan recommends neighborhood mixed use land uses for the subject site. This proposal is not inconsistent with that recommendation.

**Environmental Corridor Status:** This property is not located within a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services.

**Zoning Summary:** The property is zoned C2 (General Commercial District)

**Zoning Criteria:**

<b>Bulk Requirements</b>	<b>Required</b>	<b>Proposed</b>
Lot area	6,000 sq. ft.	27,587.36 sq. ft.
Lot width	50'	Adequate
Front / Side yard	0'	Adequate
Rear yard	10	Adequate
Floor area ratio	3.0	Less than 1

<b>Site Design</b>	<b>Required</b>	<b>Proposed</b>
Number parking stalls	N/A	N/A
Accessible stalls	N/A	N/A
Loading	N/A	N/A
Number bike parking stalls	N/A	N/A
Landscaping	Existing	Existing
Lighting	No	No change

<b>Other Critical Zoning Items</b>	
Urban Design	No
Historic District	No
Landmark Building	No
Floodplain	No
Utility Easements	None shown
Adjacent to Park	No
Barrier Free (ILHR 69)	Yes

*Prepared by Pat Anderson, Assistant Zoning Administrator*

**Project Description**

The applicant, Badger Honor Flight, requests approval of a conditional use to operate a temporary beer garden for events at Camp Randall Stadium in a portion of an existing parking lot. This proposal is subject to the conditional use standards of section 28.12 (11).

The applicant is a non-profit entity and the letter of intent states that this beer garden is intended to serve both fundraising and public awareness purposes. Further information on this non-profit is included in the letter of intent. Staff note another non-profit operates a game day beer garden at the "Campus Cars" site at 1337 Regent Street.

The subject site includes the Budget Bicycle Center building and a surface parking lot. No permanent physical changes are proposed. As shown on the attached plan, the beer garden would be located in a roughly 3,000 square foot area on the property's eastern side. The beer garden would be delineated by a four foot-tall temporary snow fence. The area is accessed through the parking lot, with a four-foot wide entrance gate located over 40 feet back from the sidewalk. This should provide room to allow patrons to enter without blocking other pedestrian traffic along Regent Street. A separate exit-only gate is provided along Regent Street.

Like all game day beer gardens, this use would be subject to the "Uniform Operating Conditions" approved in 1998. These conditions provide consistent standards for all approved game day beer gardens and address issues such as hours of operation, outdoor music, and site fencing. A copy of these standards is attached.

Follow up correspondence from the applicant requests that outdoor music, operated in accordance to the uniform operating conditions, be allowed. If approved by the Commission, staff recommend that the site plan be revised to show the location of any stages, stands, and speaker locations associated with the outdoor music. In regards to operation hours, the applicant indicates this beer garden would be closed during the first quarter of games. The applicant anticipates a maximum capacity between 450 and 475 patrons, though the final capacity must be approved by the City Fire Department. In conversations with staff, the applicant indicates that he will proceed with the Fire Department's approved capacity and understands the addition of other obstructions, including those associated with music, may lower the maximum site capacity. The applicant intends to serve pre-prepared food and canned beer.

Staff believe the conditional use standards are met and do not anticipate this beer garden, if well operated, would present new impacts on the area during football game days. At the time of report writing, Planning Division staff was not aware of any concerns or objections on this proposal.

### **Recommendations and Proposed Conditions of Approval**

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Major/Non-Standard Conditions are Shaded

#### **Planning Division Recommendation** (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find that the conditional use standards are met and **approve** the conditional use request to approve a "beer garden" in an existing parking lot at 1124 Regent Street for events at Camp Randall Stadium, subject to input at the public hearing and the conditions from the Planning Division and other reviewing agencies.

1. This use shall be operated in accordance with the Uniform Operating Conditions approved for beer gardens associated with events at Camp Randall Stadium, except that the beer garden shall be closed at the end of the first quarter of each football game.
2. Amplified sound is allowable so long as the applicant submits a revised site plan identifying the location of any stages, stands, speakers, and other obstructions associated with outdoor amplified music. This information shall be provided for approval by the Planning Division, Zoning, and the Madison Fire Department.

#### **City Engineering Division** (Contact Janet Dailey, 261-9688)

This agency submitted a report with no recommended conditions of approval.

#### **Traffic Engineering Division** (Contact Bryan Walker, 267-8754)

3. Applicant shall submit two different parking lot plans, one showing the layout of the parking with the beer garden area during Camp Randall events, and one showing the layout of the parking without the beer garden during normal working hours.
4. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building

placement, and stalls, adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'.

**Zoning Administrator** (Contact Pat Anderson, 266-5978)

5. Meet applicable building and fire codes for the additional outdoor capacity and for ingress and egress of the establishment with the areas and uses for the site.
6. Beer garden site plan shall be in effect only for Big 10 Wisconsin Badger home football games and stadium concerts, as outlined in the 1998 uniform operating conditions letter.

**Fire Department** (Contact Bill Sullivan, 261-9658)

7. The Madison Fire Department does not object to this proposal provided the project complies with all applicable fire codes and ordinances.

**Water Utility** (Contact Dennis Cawley, 261-9243)

8. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, nor need a copy of the approved plans.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response for this request.