



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

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January 28, 2009

Harvey L. Temkin, Esq.
Reinhart Boerner Van Deuren SC
PO Box 2018
Madison, WI 53703

RE: Continuing Jurisdiction Hearing – 1419 Monroe Street (Stadium Sports Bar and Eatery)

Dear Mr. Temkin:

At its meeting of January 26, 2009, the Plan Commission, under its continuing jurisdiction of conditional uses, found that the conditional use standards were not met for operation of a beer garden at the above referenced property for the events described in your letter dated January 20, 2009. The events in that letter include: 1) The University of Wisconsin Spring Football Game, 2) The Crazy Legs Run, 3) The WIAA High School Football Championships, and 4) "Other similar events that may arise in the future." The Plan Commission specifically found that conditional use standards number 1 and 3 were not met and denied approval to operate a beer garden for the above-listed events.

The Plan Commission, at the same meeting, approved the following modifications and additional conditions determined necessary to bring the remaining aspects of your existing conditional use into compliance with the standards set forth in Section 28.12(11)(g) and previous conditions imposed by the Plan Commission.

1. That the Stadium Sports Bar and Eatery must comply with the June 1, 1998 Uniform Operating Conditions,
2. That the ornamental "Omega Fencing" indicated as part of the July 19, 2004 Conditional Use Alteration must be installed to replace the chain-link fence,
3. That the site plans and management plans shall be submitted for review by all relevant City agencies and approved by the Plan Commission. (Staff will circulate the site and management plans that have already been submitted. If you plan to modify the site and management plans, please submit copies of the plans which reflect any changes per the directions listed on the City's Land Use Application form to City Zoning by noon on February 4, 2009),
4. That conditions 1-8 recommended in the January 26, 2009 Planning Division Report be met, with the following clarification. References that specified submittal of only the "Two-Volleyball Court Seasonal Outdoor Recreation Plan" should be amended to allow for submittal of two and/or three court plans. The Commission specified that they would consider your client's request for an alternative Seasonal Recreational Plan with three volleyball courts, and
5. That this item return to the Plan Commission for the February 23, 2009 meeting for a decision to be made on points three and four above.

A separate approval letter will be prepared reflecting the Plan Commission's decision and any related conditions approved at the subsequent meeting(s) relating to the approval described in the above paragraph.

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An appeal from the decision of the Plan Commission may be taken to the Common Council by the applicant of the conditional use or by the alderperson of the district in which the use is located. Such appeal must specify the grounds thereof in respect to the findings of the Plan Commission and must be filed with the Secretary of the Plan Commission within ten (10) days of the date of this letter. The Secretary of the Plan Commission or his designee will transmit the appeal to the City Clerk for the scheduling of a public hearing on the appeal with the Common Council. Be advised that the Common Council may reverse or modify the action of the Plan Commission by a favorable vote of two-thirds (2/3) of the members of the Council.

If you have any questions or require additional information, please contact me at 267-1150 or the City Zoning Administrator, Matt Tucker at 266-4569.

Sincerely,

Kevin Firchow, AICP
Planner - Planning Division

Cc:

Matt Tucker
Brad Murphy
Katherine Noonan