

Citizens against the proposed Olbrich Biergarten
March 3, 2017

Mayor Soglin and Members of the Madison Common Council
210 Martin Luther King Jr. Blvd. Room 417
Madison, WI 53703

Dear Mayor Soglin and Members of the Madison Common Council:

We, the concerned Madison Residents listed below, are in **strong opposition** to, and respectfully request that you vote against the proposed Olbrich Biergarten Use Agreement and Alcohol License. This project does not promote the safety, health and the general well-being of our community; moreover, it does not represent fiscal responsibility or preserve the quality of life of Madison Residents. Our letter addresses seven significant areas of concern that we ask you to take into consideration when making a decision to vote for or against this proposal.

1. Community Involvement

By **failing to solicit community input** prior to issuing the RFP the “Two Madisons” are being further separated. Although the project was not required to conduct a racial equity analysis, it was a significant oversight by the Parks Department to not conduct such an analysis. The Parks Department relied on their own cultural sensibilities and that of BKM’s to determine what constitutes a desirable community gathering space. The Biergarten will **deny access to individuals under the age of 21** (unless appropriately accompanied) and charge \$6 for a craft beer. It is not a true community gathering space where all Community members will feel welcome and a sense of belonging.

The absence of opportunity for community input and involvement has been disconcerting. Residents have worked hard to learn information and express their concerns; they have attended City meetings and written letters, yet their concerns have not been addressed and their voices have not been included in the decision making process. There is a pervasive feeling in the Community that this proposal is ‘a done deal.’ While the developers state that they have excelled at community outreach, from the perspective of many in the community, is this a

charade. Decisions to allow a biergarten to be built in Olbrich Park were made behind closed doors with an arrogance and lack of respect of the wishes and needs of the greater Community.

2. Placemaking

The genesis for this RFP was a desire to revitalize an underutilized (neglected) beach house and provide placemaking services. The two most important pillars of placemaking are community involvement and recognition that each community has unique characteristics. This proposal omitted these well established and recognized industry standards. There were no attempts to work with the community prior to issuing the RFP, there were no park use studies. Instead of studying our community, the Parks Department, Parks Commission and BKM Developers told the community what this placemaking project **must** be and based the proposed Olbrich biergarten on the Milwaukee biergartens.

3. BKM Group, LLC.

BKM Group, LLC. formed in June of 2016. Despite being a new business with almost no service industry experience, they have been granted the opportunity to embark on this brand new endeavor. The proposed biergarten has a capacity of 240 people. Following through on this proposal would create one of the largest capacity bars in the City of Madison. Somehow, the City expects these new business owners, who have not served alcohol before, to responsibly and safely manage this open air bar without doors or walls. Their inexperience was evident as they stumbled through the ALRC process. An experienced vendor would not have required 3 appearances and many wasted hours in front of the Committee. They would have had a security plan at their first appearance. BKM Developers were unprepared with this document and had not consulted with Madison Police East District Captain Snyder when they presented at their **third** appearance. This project warrants significant scrutiny. Beyond the risks involved with opening any bar and the steep learning curve associated with operating any new business, there is the troubling fact that this outdoor bar is acknowledged by the Parks Department as a pilot study for additional alcohol sales venues in other Madison parks.

4. Safety and Security

At the February ALRC meeting Captain Snyder indicated that MPD staffing levels are unlikely to allow for dispatch of non-urgent calls at the biergarten. Additionally, calls are not dispatched during shift change which coincides with BKM's 9:30 last serve and 10pm close. Captain Snyder stated "We heard from the Speakers some of the issues: ID disputes, noise issues, parking complaints, littering, overcrowding, even underage drinking and public urination. **Those calls may never be dispatched to an officer.** They may be held in the queue and officers will be on other priorities."

The Park Ranger program does not have jurisdiction to address issues related to alcohol or more escalated scenarios. Summer staffing is minimal with **only 3 Rangers covering approximately 300 parks**. With last served at 9:30 pm, the expectation will be able to consume a beer in under 30 minutes and that staff will be able to perform end-of-shift responsibilities as well as get everyone out of the biergarten by 10 pm. The park closes at 10 pm: who will make sure everyone is out of the park and the parking lot by 10 pm every night? Is it a responsible decision to have last served so close to the biergarten's closing?

This project does not implement safety improvements for the anticipated increase in bicyclists and pedestrians who are referenced as a substantial portion of the proposed biergarten's patrons. Despite being a lighted intersection, crossing Walter St. and Atwood Ave. is an existing challenge. There is no crosswalk at the parking lot closest to the Thai Pavilion across Atwood; **pedestrians frequently dart across the street today**. Adding more people and alcohol to Olbrich Park increases the risk for potential bike, pedestrian and vehicle collisions.

The decrease in crime in the Milwaukee biergartens is often referenced as a reason to build a biergarten at Olbrich Park. It is more likely that the increased eyes and ears in the park contribute to this, not a biergarten specifically. There are many ways to improve safety and decrease crime in public spaces. Adding alcohol to address these issues is a drastic and a misguided remedy.

5. Health and Well Being

Building a biergarten in Olbrich Park simply adds to the pervasive alcohol culture of our City. According to the 2016 report by the Wisconsin Epidemiological Profile on Alcohol and Other

Drugs “**The per capita alcohol consumption rate in Wisconsin is 1.3 times higher than the national rate.**” Additional access to alcohol increases alcohol consumption. This project sends a message that alcohol belongs everywhere. It increases the likelihood of drunk driving and intoxicated individuals in the park and neighborhood.

6. Fiscal Concerns

Including capital investments, the proposed Olbrich Biergarten is scheduled to create a minimal tax payer benefit of \$234,150 over the course of seven years. BKM Developers will be given access to 300 feet of lake front real estate with one of the most beautiful and accessible sunset views in the City. Of course, a price cannot be placed on the intangible value of the open green space and lake front access that Michael Olbrich recognized and sought to preserve for generations to come.

According to Parks Superintendent Eric Knepp, under the Draft Use Agreement BKM Developers were going to finance the bathroom improvements and an electrical upgrade as part of their capital investment. In the Final agreement the **Parks Department elected to pay for the bathroom improvements and 50% of the electrical upgrade.** When issued, the RFP was intended to generate income to repair the neglected beach house; instead, it is **costing the City money.**

In the Final Use Agreement BKM Developers are given exclusive rights to profit from beer and hard cider vending at Olbrich Park. However, the **City receives no financial gain based on BKM’s success.** No funds are earmarked for improvements to Olbrich Park. No funds have been budgeted for the increased costs to the Park Ranger program or to the Madison Police Department.

The minimal investments by the developers, the very nominal Use Fee and the lack of any financial benefit based on sales illustrate the financial flaws of this agreement.

7. Quality of Life

The introduction of a private tavern into Olbrich Park changes the park environment into one that promotes alcohol consumption. Instead, layering healthy activities that take advantage of

the park's natural features would add significant value to park users. Endorsing a private business focused on sitting and drinking in a public park is a strange endeavor for our city to engage in.

Open green space and lakefront access are two extremely limited and valuable commodities. Many animals make their homes along the lakefront; this proposed change to the environment will have a negative impact on wildlife habitats. Trees within the biergarten premise will be compromised as digging for the gravel pad takes place and by the additional hundreds of visitors who will compress the surrounding soil. Even with a plan to clean up and recycle, the addition of hundreds of people eating and drinking at the biergarten will inevitably increase the amount of trash that ends up in the lake.

With a capacity of 240 people the **noise** created by patrons will have a significant impact on opportunities for solitude in the park. We will lose an especially valuable resource in a busy city which has limited lake access. Sounds off the lake behave in bizarre ways. Neighbors report hearing conversations in their home from sports teams and visitors to the park. Music from events at Willow Island can be heard clearly inside neighborhood homes. The need to **close windows in the summer simply to avoid the noise pollution** from people at a tavern will cause a significant negative impact.

Olbrich Park has more parking than many parks in Madison. This Community park gets a lot of use. Unfortunately, the number of visitors often results in **overflowing parking lots** especially during the hours the biergarten plans to be open. Even if some biergarten patrons bike and walk to the park there will be new visitors who drive and need to park. Neighboring streets will be forced to absorb these cars and become back up parking lots. Again, any parking issues that arise are unlikely to be responded to due to limited MPD staffing resources.

We are extremely concerned about the future of this project and the precedent it sets. The negative impacts of this project far outweigh any potential benefits to the city. We strongly urge you to nullify the biergarten Use Agreement and alcohol license.

Sincerely,

The 94 undersigned Madison residents

Madison Residents in opposition to the proposed Olbrich Biergarten

District 3

Michael	Barnett	4714 Agate Ln	District 3
Nancy	Crassweller	10 Dorfmeister Ct	District 3
Robert	Hanssen	10 Dorfmeister Ct	District 3
Wendy	Schneider	201 Merryturn Rd	District 3
David	Soukup	109 Crystal Ln	District 3

District 5

Bill	Bright	2537 Chamberlain Ave	District 5
------	--------	----------------------	------------

District 6

Marie	Jacobson	2718 Willard Ave	District 6
CR	Kline	418 Clemons Av	District 6
Lauren	Lebwohl	105 Jackson St	District 6
Joseph	Lynch Ph.D.	258 Division	District 6
Chris	Moyer	1443 Williamson St	District 6
Roberta	Paterson	2117 Sommers Ave	District 6
Ajay	Rao	3114 Hermina St	District 6
Brandy	Stiteler	1443 Williamson St	District 6
Katie	Wilkin	105 Jackson St	District 6

District 10

Sheila	Faulkner	474 Togstad Glenn	District 10
Barbara	Boehm	5017 Sherwood Rd.	District 10

District 11

Leah	Varnadoe	302 Bordner Dr	District 11
------	----------	----------------	-------------

District 12

Marcia	Finger	1522 Almo Ave	District 12
Gavin	Gordon	1734 Sheridan Dr	District 12
Tom	Humphrey	714 North Oak St	District 12

District 13

Dr. Timothy	Correll	950 W. Shore Dr	District 13
-------------	---------	-----------------	-------------

Madison Residents in opposition to the proposed Olbrich Biergarten

District 15

Michelle	Adams	149 Judd St	District 15
Rita	Benesh	121 Leon St	District 15
Barbara J.	Boerke	137 Cumberland Ln	District 15
Kathryn	Bronson	3706 Paus St.	District 15
Vernal	Bronson Jr.	3706 Paus St.	District 15
Vernal	Bronson Sr.	3706 Paus St.	District 15
Susan	Carroll	125 Harding St	District 15
Marliss	Christopherson	3538 Richard St	District 15
Hannah	Clavey	12 Dempsey Rd Apt 109	District 15
Mike	Clavey	141 Bradford Ln	District 15
Jan	Etnier	3528 Atwood Ave. #118	District 15
Carrie	Ezzell	3534 Richard St.	District 15
Elaine	Gauvin	3622 Busse St	District 15
Pauline	Gilbertson	145 Cumberland Ln	District 15
John	Halford	150 Cumberland Ln	District 15
Judy	Halford	150 Cumberland Ln	District 15
Eric	Hand	3449 Hargrove St	District 15
Jenn	Jackson	3730 Busse St	District 15
Jeanne	Kaether	3502 Dennett Dr	District 15
Rayond	Karas	3601 Busse St	District 15
Joyce	Karas	3601 Busse St	District 15
Russell	Knudson	238 Walter St.	District 15
Tom	Kuczynski	511 Bousman	District 15
Jennifer	Laack	121 Harding St	District 15
Leigh	Lambright	121 Cumberland Ln	District 15
Susan	Landsverk	3614 Atwood Ave	District 15
Denis	Lee	3621 Busse St	District 15
Samantha	Link	3528 Atwood Ave apt 207	District 15
Carol	Nickles	3617 Busse St	District 15
Barbara	Nowak	137 Bradford Lane	District 15
Marj	Pertzborn	3528 Atwood Ave	District 15
Rich	Pertzborn	3528 Atwood Ave	District 15
Virginia	Probst	3610 Atwood Ave	District 15
Al	Probst	3610 Atwood Ave	District 15

Madison Residents in opposition to the proposed Olbrich Biergarten

Jason	Reid	5004 Buckeye Rd	District 15
Nick	Rick	45 Cumberland Ln	District 15
Carl	Riemer	3528 Atwood Ave. #116	District 15
David	Silbernagel	3726 Atwood	District 15
Mary	Silbernagel	3726 Atwood	District 15
Elizabeth	Simon	3528 Atwood Ave. #116	District 15
Mary E.	Smith	3528 Atwood Ave	District 15
Jeanie	Verschay	3602 Atwood Ave	District 15
Tim	Wagner	3441 Hargrove St	District 15
Jude	Wagner	4717 Shaffer Ave	District 15
Mary	Waitrovich	3502 Dennette Dr apt 404	District 15
Cynthia	Watson	3726 Atwood	District 15
Edward A.	Woolsey	3802 Dawes St.	District 15
Dan	Zimmerman	3634 Dennett Dr	District 15
Irene	Zimmerman	3634 Dennett Dr	District 15
Terry	Shermeister	3502 Dennett Dr #304	District 15

District 16

Dominic	Johann-Brrkel	30 Stacy Ln	District 16
Michelle	Loeffler	1102 Vernon Rd	District 16
Liz	Meils	30 Stacy Ln	District 16
Lois A.	O'Neil	26 Stacy Ln	District 16
Barb	O'Neil	1113 Amsterdam	District 16
Dennis	Wicks	1113 Amsterdam	District 16

District 17

Gary M.	Bauer	1209 Southridge Dr. 5203 Autumn Leaf Ln	District 17
Anna	Johnson	#285	District 17
Jaymee	Meier	5222 Ridge Oak Dr	District 17

Madison Residents in opposition to the proposed Olbrich Biergarten

District 18

Danielle	Phelan	4605 Judy Ln	District 18
Aaron	Phelan	4605 Judy Ln	District 18
Jim	Powell	1311 Lake View Ave	District 18
Maria	Powell	1311 Lake View Ave	District 18
Anita	Weier	22 Golf Course Rd	District 18
Sandra	Westley	3705 Susan Ln	District 18
Kristen	Aasve	1426 Nevada St	District 18
Jon	Aasve	1426 Nevada St	District 18
Todd	Sweeney	1618 Mayfield Ln	District 18
Mary	Sweeney	1618 Mayfield Ln	District 18

District 19

Deanna	Herald	5423 Lake Mendota Dr	District 19
--------	--------	----------------------	-------------

District 20

William A.	Minardi	6310 Putnam Rd	District 20
Janice K.	Minardi	6310 Putnam Rd	District 20