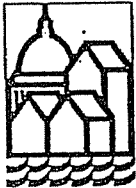


Department of Planning
and Development
Planning Unit

UNIFORM
OPERATING
CONDITIONS

City of
Madison



June 1, 1998

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
608 266 4635
FAX 608 267 8739

Dear Outdoor Eating Area Operator:

Last year City of Madison staff were asked by neighborhood residents and Alderpersons in the vicinity of Camp Randall Stadium to review the applications that have been approved over the last ten years for outdoor eating areas that operate on Saturdays of University of Wisconsin home football games. Some of these businesses still operate, others do not.

In an effort to get to common ground between nearby residents and business operators, the City intends to apply the following uniform conditions beginning this fall for all existing approved and future applications.

1. **HOURS OF OPERATION**

For University of Wisconsin, or Green Bay Packer afternoon football games the outdoor eating area shall be open no later than 8 p.m. For games with kick-off after 5 p.m. the outdoor eating area shall be open no later than 10 p.m.

2. **OUTDOOR MUSIC**

Outdoor live or amplified music or sound shall not be permitted before 10:00 a.m. and shall be allowed only if already specifically approved by the Plan Commission at the time of granting your original conditional use permit. This is one of the biggest issues for nearby residents. Please try to keep music volume at a reasonable level. The City will be applying the decibel level limitations in the provisions of the proposed noise ordinance if complaints are received regarding the operation of any outdoor facility that has music or amplified sound (copy attached). If complaints are received that are found to exceed this level, we will schedule a new public hearing before the Plan Commission which may result in the modification or revocation of your conditional use permit.

3. **FENCE ENCLOSURE, SECURITY GUARDS, LITTER CONTROL AND PORTABLE TOILETS**

If you have a license to sell alcohol in an outdoor eating area, the Alcohol License Review Committee has established conditions for operation for these applications that involve fencing, security guards, toilet facilities, litter, etc. All businesses that sell alcohol must comply with the requirements imposed by the Alcohol License Review Committee at the time of issuance of your original application to expand or change your licensed premise to include the outdoor eating area.

4. STADIUM CONCERTS

If you open the outdoor eating area for any proposed stadium concerts (U2, Rolling Stones, etc.) the outdoor eating area shall close no later than 1 hour after the start of the concert and remain closed for the evening.

These guidelines will be applied to all businesses operating outdoor eating areas operating near the stadium on University of Wisconsin or Green Bay football game days.

We are sending this letter out to all businesses that operate outdoor eating areas well in advance of the first 1998 Fall football game to allow time for you to plan your business operations.

Those businesses having Plan Commission conditional use approvals which either don't address some of the proposed uniform standards or whose requirements vary slightly from these uniform standards will have the conditions amended through the minor alteration process with a waiver of the application fee. ~~In the event that you feel these uniform standards should not apply to your situation the fee will also be waived so that you can return to the Plan Commission for a public hearing and review of your full conditional use permit.~~

Attached is a copy of a minor alteration form that should be completed and returned to our office. If you have questions, please call Peter Laritson of our office at 266-4551 and he will be glad to discuss your specific situation with you in more detail.

Thank you very much for your cooperation.



George Carran
Zoning Administrator



Bill Roberts
Planner IV

cc: Ald. Golden
Ald. Smith
Ald. Amato
Judy Olson-Plaenert, Mayor's Office
City Clerk



Department of Planning & Community & Economic Development
 Planning/Building Inspection/Economic Development/Community Development
 Steven Cover, Director

Bradley J. Murphy
 Planning Division
 215 Martin Luther King, Jr. Boulevard
 P.O. Box 2985
 Madison, WI 53701-2985
 (608) 266-4635

REVIEW REQUEST FOR:

- PRELIMINARY PLAT
- FINAL PLAT
- LOT DIVISION/CSM
- CONDITIONAL USE
- DEMOLITION
- REZONING
- INCLUSIONARY ZONING
- OTHER

1445 Regent Street
 Establish non-accessory event area (beer garden) for events at Camp
 Randall Stadium
 Ed Tallard/Charlene Malueg - Agrace HospiceCare
 charlene.malueg@agracehospicecare.com

PLANNING DIVISION CONTACT: Kevin Firchow

RETURN COMMENTS BY: 06 August 2012

PLEASE ALSO EMAIL OR FAX ANY COMMENTS TO THE APPLICANT:

Applicant E-mail: _____ Fax: 327-7180
 Date Submitted: 20 June 2012 Plan Commission: 06 August 2012
 Date Circulated: 25 June 2012 Common Council: _____

CIRCULATED TO:

- | | | |
|---|---|---|
| <input type="checkbox"/> ZONING | <input type="checkbox"/> DISABILITY RIGHTS | <input type="checkbox"/> ALD. _____ DIST. _____ |
| <input type="checkbox"/> FIRE DEPARTMENT | <input type="checkbox"/> POLICE DEPT. - CHANDLER | <input type="checkbox"/> MADISON GAS & ELECTRIC |
| <input type="checkbox"/> TRAFFIC ENG | <input type="checkbox"/> CITY ASSESSOR - M. RICHARDS | <input type="checkbox"/> ALLIANT ENERGY |
| <input type="checkbox"/> PARKS DIVISION | <input type="checkbox"/> MADISON METRO - SOBOTA | <input type="checkbox"/> A T & T |
| <input type="checkbox"/> CITY ENG. - DAILEY | <input type="checkbox"/> MMSD BOARD, C/O SUPT. | <input type="checkbox"/> T D S |
| <input type="checkbox"/> CITY ENG. - MAPPING & ENV. | <input type="checkbox"/> PUBLIC HEALTH - SCHLENKE | <input type="checkbox"/> MT. VERNON TELE |
| <input type="checkbox"/> WATER UTILITY | <input checked="" type="checkbox"/> VILAS NEIGHBORHOOD ORGANIZATION | _____ |
| <input type="checkbox"/> CDBG | | _____ |
| <input type="checkbox"/> REAL ESTATE | | _____ |

- Review the above as per time schedule set in Chapter 16.23(5)(b)2; 16.23(5)(3)3; or Chapter 28, City of Madison Ordinance; OR your agency's comments cannot be considered prior to action.
- One copy for your files; one copy for file of appropriate telephone company; PLEASE RETURN one copy with joint comments.
- The above is located in your district. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.
- The above is located within or near the limits of your neighborhood organization. A copy is on file in the Planning Division Office for review. If you have any questions or comments, contact our office at 266-4635.

RETURN COMMENTS TO: PLANNING DIVISION, DEPT. OF PLANNING & COMMUNITY & ECONOMIC DEVELOPMENT, ROOM LL100 MMB, 215 MARTIN LUTHER KING JR. BLVD.

NO COMMENTS / YOUR COMMENTS: Agrace came to the June Vilas neighborhood Association meeting to request support for this Beer garden. The MNA Council voted unanimously to Not support this new beer garden. This was based in the fact that Alcohol induced behaviors cause significant harm during and after Camp Randall events. The fact that Agrace is a wonderful charity has no bearing on this decision.

4

Firchow, Kevin

From: Heidi Holmes [threeegen@charter.net]
Sent: Thursday, July 05, 2012 10:50 PM
To: Murphy, Brad; Firchow, Kevin
Subject: Support of Agrace Beer Garden

Hello-

I am a neighbor in the Vilas neighborhood and will be unable to attend the meeting regarding Agrace HospiceCare Beer Garden. I am in support of the Beer Garden at the Tallard property if it is for Agrace HospiceCare. I would rather have a beer garden that is subject to regulation than to have a party that is on private property and is not subject to time limits, noise moderation, monitoring of patrons and limitations for the number of patrons who can be present.

There are usually only 7 home games per season. This is not a weekly occurrence. Given the number of people who attend the games and want to tailgate, it is preferential to have patrons who are 21 or older near our homes than college aged students who may be drinking illegally.

My neighbors who oppose this tend to live right next to the stadium. The stadium and the football games have been going on prior to my neighbor's decision to buy homes that abut this annual event. I have lived next to the zoo for over 40 years and have to contend with noise, limited parking, traffic, littering, and occasional drunks on game days. Unlike my neighbors near the stadium, I also have to deal with extra noise, traffic, limited parking, littering and inconvenience every weekend on both Saturdays and Sundays from the moment the weather improves in the spring well into fall due to the fact that I live near the zoo. When I chose to live here, that is the price I pay for proximity to the zoo, the stadium, and the University.

Additionally, this beer garden is for a group who is seeking to use this event as a means to support hospice care in our community. I don't know of many beer gardens if any in our neighborhood that are for true non-profit organizations. Stadium Bar, Lucky's and Jordan's Big Ten Pub are generating profits for their owners. The beer gardens generate huge revenues for these owners. How much of those revenues go back to meet the needs of our neighbors?

I respectfully ask that you consider granting Agrace HospiceCare permits for their beer garden.

Thanks,

Mary Stuibler

1414 Vilas Ave
608-469-2679