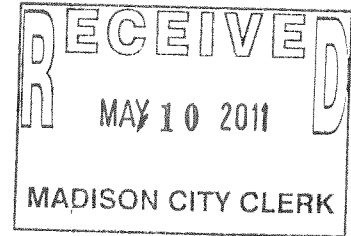


# THIEL LAW OFFICE

P.O. Box 7560 Appleton, WI 54912-7075

May 10, 2011



**HAND DELIVERED**

Ms. Maribeth Witzel-Behl  
Clerk, City of Madison  
Room 103  
City-County Building  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53703

RE: Hooters of East Madison LLC  
Amended Change of Licensed Premise

Dear Ms. Witzel-Behl:

On behalf of the above-referenced entity, we are filing with you today the following:

1. AMENDED CHANGE OF LICENSED PREMISE.

This Amended Change of Licensed Premise Application is being submitted in conjunction with a Conditional Use Application with the Madison Plan Commission as requested by the Alcohol License Review Committee on April 21, 2011. The Committee requested that we file a copy of the Conditional Use Permit application paperwork with the Committee. That is the reason we are filing this "amendment".

Please mark a copy of this cover letter and amended Application as received so that we may have evidence in our files of this filing.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

JOHN E. THIEL LAW OFFICE, LLC.

A handwritten signature in black ink that reads "John E. Thiel".

John E. Thiel

JET/jdf  
Encs.

cc: Hooters of America, LLC. (via e-mail; w/encs.)

AMENDED  
**Application for Change of Licensed Premise**

**\$25 filing fee charged at time of application, and is not refundable. Complete application is due at 12 noon two weeks before ALRC meeting. Detailed floor plans (no larger than 8 1/2 x 14) must accompany this form, or the request will not be presented to the ALRC. Applicants must appear before the ALRC.**

**Please contact City Zoning (MMB LL-100, 608-266-4560). A Conditional Use Permit may be required. There is a fee for the Conditional Use Permit.**

**Prior to your appearance before the Alcohol License Review Committee (ALRC), you must contact**

- **The Alderperson of the District in which you intend to do business.**
- **The representative of the appropriate neighborhood association (if any).**
- **The Madison Police Department.**

Alderperson Joseph Clausius can be reached at 608-244-5066,  
at the Common Council Office (266-4071), or via e-mail at council@cityofmadison.com.

The name of the neighborhood association representative can be obtained by calling the Planning and Development Department at 266-4635 or online at www.ci.madison.wi.us/neighborhoods/contacts.htm.

Police Department Central District Captain Carl Gloede (Sector 400) can be reached at 261-9694.

Police Department East District Captain Tom Snyder (Sector 600) can be reached at 267-2100.

Police Department North District Captain Cam McLay (Sector 500) can be reached at 245-3652.

Police Department West District Captain Jay Lengfeld (Sectors 100-200) can be reached at 243-0503.

Police Department South District Captain Joe Balles (Sector 300) can be reached at 267-8687.

The Alcohol Policy Coordinator, Mark Woulf can be reached at 264-9295

**Corporate/Owner Name** Hooters of East Madison, LLC

**DBA** Hooters of East Madison

**Address** 2639 East Springs Drive, Madison, WI 53704

**Current Capacity (Indoor):** No Change      **Proposed Capacity (Indoor):** No Change

**Current Capacity (Outdoor):** 0      **Proposed Capacity (Outdoor):** 50-100

**Description of Proposed Changes:** Note: This amends our April 6, 2011 application to change the day of the events to permit the sale of alcohol in a controlled area in the restaurant's parking lot for special events held each Thursday beginning after approval and ending on September 29,

2011. Please see attached Exhibit A (Amended) for additional event details.

THIS IS AN AMENDED APPLICATION. SIGNATURE APPEARS ON APPLICATION FILED ON APRIL 6, 2011.

**Signature of Applicant** \_\_\_\_\_ **Date** \_\_\_\_\_

Application to be considered at the \_\_\_\_\_ ALRC meeting and the \_\_\_\_\_ Council meeting.

License Type \_\_\_\_\_ License # \_\_\_\_\_ Legistar # \_\_\_\_\_

Routed:  City Zoning  Building Inspection  Madison Police Sector \_\_\_\_\_  Alder \_\_\_\_\_ (District \_\_\_\_\_)

Exhibit A  
(Amended)

Hooters of East Madison, LLC would like to host a weekly Bike Night in the parking lot of its restaurant located at 2639 East Springs Drive, Madison, WI 53704. The event dates are as follows:

July 7, 2011  
July 14, 2011  
July 21, 2011  
July 28, 2011

August 4, 2011	September 1, 2011
August 11, 2011	September 8, 2011
August 18, 2011	September 15, 2011
August 25, 2011	September 22, 2011
	September 29, 2011

The event would take place from 6:00 p.m. to 9:00 p.m. Alcoholic beverages will be sold during the event. Two beer tubs and one liquor bar will be set up in the event area. Licensed bartenders will operate these areas under the direct supervision of both management and the liquor agent. These individuals are also licensed bartenders. All alcohol will be served in either plastic or cans. No glass is allowed outside during the event.

Hooters Management personnel will be hired as security for each event to ensure alcohol does not leave the designated event area. The attached diagram shows the temporary fencing that will be utilized to control the areas in which there will be consumption of alcohol.

Two port-a-potties will be available in the parking lot. The restrooms inside the restaurant will also remain available for the convenience of all guests.

We will also have security monitoring all the flow of traffic in our parking lot. We will have designated parking areas for all bikes and cars. We will also have two handicap stalls available for our guests.

Food will not be sold outside of our dining room. Guests may order and pick up food inside the restaurant.



# LAND USE APPLICATION Madison Plan Commission

215 Martin Luther King Jr. Blvd; Room LL-100  
PO Box 2985; Madison, Wisconsin 53701-2985  
Phone: 608.266.4635 | Facsimile: 608.267.8739

- The following information is required for all applications for Plan Commission review except subdivisions or land divisions, which should be filed with the Subdivision Application.
- Before filing your application, please review the information regarding the **LOBBYING ORDINANCE** on the first page.
- Please read all pages of the application completely and fill in all required fields.
- This application form may also be completed online at [www.cityofmadison.com/planning/plan.html](http://www.cityofmadison.com/planning/plan.html)
- All Land Use Applications should be filed directly with the Zoning Administrator.

FOR OFFICE USE ONLY:	
Amt. Paid _____	Receipt No. _____
Date Received _____	
Received By _____	
Parcel No. _____	
Aldermanic District _____	
GQ _____	
Zoning District _____	
For Complete Submittal	
Application _____	Letter of Intent _____
IDUP _____	Legal Descript. _____
Plan Sets _____	Zoning Text _____
Alder Notification _____	Waiver _____
Nbrhd. Assn Not. _____	Waiver _____
Date Sign Issued _____	

**1. Project Address:** 2639 East Springs Drive, Madison, WI 53704 **Project Area in Acres:** 1.10440 acres

**Project Title (if any):** Hooters of East Madison -- Bike Night

**2. This is an application for:**

<b>Zoning Map Amendment</b> (check the appropriate box(es) in only one of the columns below)		
<input type="checkbox"/> <b>Rezoning to a Non-PUD or PCD Zoning Dist.:</b> Existing Zoning: _____ to _____ Proposed Zoning (ex: R1, R2T, C3): _____	<b>Rezoning to or Amendment of a PUD or PCD District:</b> <input type="checkbox"/> Ex. Zoning: _____ to PUD/PCD-GDP <input type="checkbox"/> Ex. Zoning: _____ to PUD/PCD-SIP <input type="checkbox"/> Amended Gen. Dev. <input type="checkbox"/> Amended Spec. Imp. Plan	
<input checked="" type="checkbox"/> <b>Conditional Use</b>	<input type="checkbox"/> <b>Demolition Permit</b>	<input type="checkbox"/> <b>Other Requests (Specify):</b> _____

**3. Applicant, Agent & Property Owner Information:**

Applicant's Name: Laura Clark, Manager Company: Hooters of East Madison, LLC  
 Street Address: 2639 East Springs Drive City/State: Madison, WI Zip: 53704  
 Telephone: (608) 244-2319 Fax: ( ) Email: eastmadison@hooters.com

Project Contact Person: Laura Clark Company: Hooters of East Madison, LLC  
 Street Address: 2639 East Springs Drive City/State: Madison, WI Zip: 53704  
 Telephone: (608) 244-2319 Fax: ( ) Email: eastmadison@hooters.com

Property Owner (if not applicant): JTF East Grand Springs, LLC, Jonathan Zeier, Registered Agent  
 Street Address: 2209 N. Stoughton Road City/State: Madison, WI Zip: 53704

**4. Project Information:**

Provide a brief description of the project and all proposed uses of the site: Permit the sale of alcohol in a controlled area  
in the restaurant's parking lot for special events held each Thursday after approval and ending on September 29, 2011. Similar events in future years.

Development Schedule: Commencement First Thursday after approval Completion September 29, 2011

**5. Required Submittals:**

- Plans** submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:
  - **7 copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
  - **7 copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
  - **1 copy** of the plan set reduced to fit onto 8 1/2 inch by 11 inch paper
- Letter of Intent (12 copies):** describing this application in detail including, but not limited to: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.
- Legal Description of Property:** Lot(s) of record or metes and bounds description prepared by a land surveyor. For any application for rezoning, the description must be submitted as an electronic word document via CD or e-mail. For applications proposing rezoning to more than one district, a separate description of each district shall be submitted.
- Filing Fee:** \$ 550.00 See the fee schedule on the application cover page. Make checks payable to: *City Treasurer*.
- Electronic Submittal:** All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as Adobe Acrobat PDF files on a non-returnable CD to be included with their application materials, or in an e-mail sent to pcapplications@cityofmadison.com. The e-mail shall include the name of the project and applicant. Applicants unable to provide the materials electronically should contact the Planning Division at (608) 266-4635 for assistance.

**In Addition, The Following Items May Also Be Required With Your Application:**

- For any applications proposing demolition or removal of existing buildings, the following items are required:
  - Prior to the filing of an application, the applicant or his/her agent is required to notify a list of interested persons registered with the City **30 or 60 days prior to filing** their application using the online notification tool found at: https://www.cityofmadison.com/developmentCenter/demolitionNotification/
  - A photo array (6-12 photos) of the **interior and exterior** of the building(s) to be demolished or removed. A written assessment of the condition of the building(s) to be demolished or removed is highly recommended.
  - Note: A Reuse and Recycling Plan approved by the City's Recycling Coordinator is required prior to issuance of wrecking permits and the start of construction.
- Zoning Text (12 copies):** must accompany Planned Community or Planned Unit Development (PCD/PUD) submittals.

**6. Applicant Declarations:**

- Conformance with adopted City plans:** Applications shall be in accordance with all adopted City of Madison plans:
  - The site is located within the limits of East Town - Burke Heights Plan, which recommends: Regional-Commercial for this property.
- Pre-application Notification:** Section 28.12 of the Zoning Code requires that the applicant notify the district alder and any nearby neighborhood & business associations in writing no later than **30** days prior to filing this request:
  - List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:  
Alder Joseph Clausius, April 1, 2011, (a waiver was granted and is attached)

*NOTE: If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.*
- Pre-application Meeting with staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning and Planning Division staff; note staff persons and date.
  - Planning Staff: Not available Date: \_\_\_\_\_ Zoning Staff: Matt Tucker/Pat Anderson Date: May 6, 2011
- Check here if this project will be receiving a public subsidy.** If so, indicate type in your Letter of Intent.

**The signer attests that this form is accurately completed and all required materials are submitted:**

Printed Name Laura Clark, Manager Date May 10, 2011  
 Signature *Laura Clark* Relation to Property Owner Lessee

Authorizing Signature of Property Owner *Jonathan Zeier* Date May 9, 2011  
Jonathan Zeier, Managing Member, JFT East Grand Springs, LLC

**5. Required Submittals:**

- Plans** submitted as follows below and depicts all lot lines; existing, altered, demolished or proposed buildings; parking areas and driveways; sidewalks; location of any new signs; existing and proposed utility locations; building elevations and floor plans; landscaping, and a development schedule describing pertinent project details:
  - **7 copies** of a full-sized plan set drawn to a scale of one inch equals 20 feet (collated and folded)
  - **7 copies** of the plan set reduced to fit onto 11 inch by 17 inch paper (collated, stapled and folded)
  - **1 copy** of the plan set reduced to fit onto 8 ½ inch by 11 inch paper
- Letter of Intent (12 copies):** describing this application in detail including, but not limited to: existing conditions and uses of the property; development schedule for the project; names of persons involved (contractor, architect, landscaper, business manager, etc.); types of businesses; number of employees; hours of operation; square footage or acreage of the site; number of dwelling units; sale or rental price range for dwelling units; gross square footage of building(s); number of parking stalls, etc.
- Legal Description of Property:** Lot(s) of record or metes and bounds description prepared by a land surveyor. For any application for rezoning, the description must be submitted as an electronic word document via CD or e-mail. For applications proposing rezoning to more than one district, a separate description of each district shall be submitted.
- Filing Fee:** \$ 550.00 See the fee schedule on the application cover page. Make checks payable to: *City Treasurer.*
- Electronic Submittal:** All applicants are required to submit copies of all items submitted in hard copy with their application (including this application form, the letter of intent, complete plan sets and elevations, etc.) as Adobe Acrobat PDF files on a non-returnable CD to be included with their application materials, or in an e-mail sent to [pcapplications@cityofmadison.com](mailto:pcapplications@cityofmadison.com). The e-mail shall include the name of the project and applicant. Applicants unable to provide the materials electronically should contact the Planning Division at (608) 266-4635 for assistance.

**In Addition, The Following Items May Also Be Required With Your Application:**

- For any applications proposing demolition or removal of existing buildings, the following items are required:
  - Prior to the filing of an application, the applicant or his/her agent is required to notify a list of interested persons registered with the City **30 or 60 days prior to filing** their application using the online notification tool found at: <https://www.cityofmadison.com/developmentCenter/demolitionNotification/>
  - A photo array (6-12 photos) of the **interior and exterior** of the building(s) to be demolished or removed. A written assessment of the condition of the building(s) to be demolished or removed is highly recommended.
  - Note: A Reuse and Recycling Plan approved by the City's Recycling Coordinator is required prior to issuance of wrecking permits and the start of construction.
- Zoning Text (12 copies):** must accompany Planned Community or Planned Unit Development (PCD/PUD) submittals.

**6. Applicant Declarations:**

- Conformance with adopted City plans:** Applications shall be in accordance with all adopted City of Madison plans:
  - The site is located within the limits of East Town - Burke Heights Plan, which recommends: Regional-Commercial for this property.
- Pre-application Notification:** Section 28.12 of the Zoning Code requires that the applicant notify the district alder and any nearby neighborhood & business associations in writing no later than **30** days prior to filing this request:
  - List below the Alderperson, Neighborhood Association(s), Business Association(s) AND dates you sent the notices:  
Alder Joseph Clausius, April 1, 2011, (a waiver was granted and is attached)
  - NOTE: If the alder has granted a waiver to this requirement, please attach any such correspondence to this form.
- Pre-application Meeting with staff:** Prior to preparation of this application, the applicant is required to discuss the proposed development and review process with Zoning and Planning Division staff; note staff persons and date.
  - Planning Staff: Not available Date: \_\_\_\_\_ Zoning Staff: Matt Tucker/Pat Anderson Date: May 6, 2011

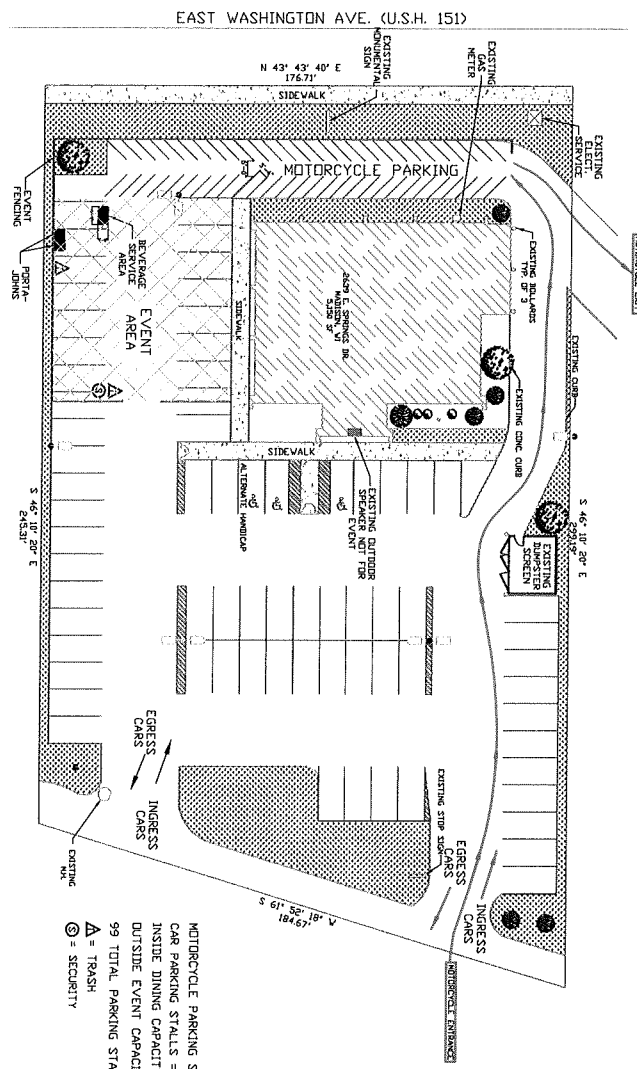
**Check here if this project will be receiving a public subsidy.** If so, indicate type in your Letter of Intent.

**The signer attests that this form is accurately completed and all required materials are submitted:**

Printed Name Laura Clark, Manager Date May, 2011  
 Signature \_\_\_\_\_ Relation to Property Owner Lessee

Authorizing Signature of Property Owner \_\_\_\_\_ Date May, 2011  
Jonathan Zeier, Managing Member, JFT East Grand Springs, LLC

Effective May 1, 2009



PIZZA HUT

HARDEES

NORTH

MOTORCYCLE PARKING STALLS = 54  
 CAR PARKING STALLS = 59 (3 HANDICAP INCLUDED)  
 INSIDE DINING CAPACITY = 240 PATRONS  
 OUTSIDE EVENT CAPACITY = 3982 SQ-FT / 5 SQ-FT PER PERSON = 796 PERSONS CAPACITY  
 99 TOTAL PARKING STALL (APPLY 30% CAPACITY RULE) = 380 PATRON CAPACITY  
 △ = TRASH  
 ⊙ = SECURITY

SITE PLAN  
 SCALE: 1/2" = 20'-0" (11" X 17" SHEET SIZE)  
 SCALE: 1" = 20'-0" (22" X 34" SHEET SIZE)  
 1.104 ACRE LOT

SHEET S1	TITLE: <u>Hooters of East Madison, LLC</u>		DATE: 5-05-10
	OWNER: <u>Hooters of East Madison, LLC</u> 7639 East Spring Drive Madison, WI OWNER: FT East Grand Springs, LLC	DRAWING PRODUCED BY: QUALITY DESIGN SERVICES, LLP 7007 PARKVIEW DRIVE - SUITE A GREENVILLE, WI 54942 (920)757-9505	CO: <u>QUALITY DESIGN SERVICES</u> 7007 PARKVIEW DR. STE A GREENVILLE, WI

**LETTER OF INTENT FILED IN COMPLIANCE WITH LAND USE APPLICATION  
MADISON PLAN COMMISSION, SECTION 5, REQUIRED SUMMITTALS "LETTER  
OF INTENT"**

1. **EXISTING CONDITIONS AND USES OF THE PROPERTY:** 2639 East Springs Drive, Madison, WI 53704 has been operated as a Restaurant by Hooters of East Madison, LLC since 2009. For many years prior, the site had been operated as a County Kitchen Restaurant.
2. **DEVELOPMENT SCHEDULE FOR THE PROJECT:** Formal "development" is not applicable. This is a request for a conditional use permit to allow for outside service of beer by the cup in conjunction with a "Bike Night Event" (patrons bring their motorcycles to be parked in a designated area for viewing by patrons with similar interests). The term development would mean that for the weekly event there will be a temporary fenced off area for the "Bike Night Event" as shown on accompanying drawings, temporary port-a-potties would be installed; temporary placement of trash containers; temporary placement of a beverage service area.
3. **NAMES OF PERSONS INVOLVED (CONTRATOR, ARCHITECT, LANDSCAPER, BUSINESS MANAGER, ETC.):** Laura Clark, Manager.
4. **TYPES OF BUSINESS:** Restaurant.
5. **NUMBER OF EMPLOYEES:**
6. **HOURS OF OPERATION:** For the "Bike Night Event" the hours requested are 6:00 p.m. to 9:00 p.m.
7. **SQUARE FOOTAGE OR ACREAGE OF THE SITE:** 48,108.84 square feet or 1.10440 acres for the entire leased premises. The area for the event is estimated to be 3,982 square feet.
8. **NUMBER OF DWELLING UNITS:** Not applicable.
9. **SALE OR RENTAL PRICE RANGE FOR DWELLING UNITS:** Not applicable.
10. **GROSS SQUARE FOOTAGE OF BUILDING(S):** City of Madison records list the building size as 5,102 square feet.
11. **NUMBER OF PARKING STALLS:** 55 cars (3 handicap), 54 motorcycle.
12. **OTHER RELEVANT INFORMATION:** Hooters of East Madison, LLC holds a "Class B" liquor license issued in 2009, and renewed each year, by the City of Madison. A "Bike Night" event will allow Hooters of East Madison, LLC a business marketing opportunity for which there is proven market demand for this type of event product in the City of Madison and surrounding communities. The event allows local motorcycle enthusiasts to meet and collaborate to discuss their mutual interests in motorcycles and to enjoy a meal in the restaurant and there will be limited outside beer service during the hours of the weekly events. There will be neither outside food service nor outside service of wine or sprits.

There will be Security Personnel in the form of Hooter's management personnel will be on site during the hours of the event. Wristbands will be issued to all patrons 21 years of age and over that desire to purchase beer at the event. All beverage service is provided by fully licensed alcohol beverage service servers that, in addition to receiving licensing



as required by the City of Madison which involves attended authorized alcohol serving training course, all servers have been educated in the appropriate methods of serving alcoholic beverages by use of Hooters of America, LLCs (parent company of Hooters of East Madison, LLC) programs.

The security fence will surround the entire event area. The Security Personnel will patrol the entire parking lot on a regular basis. After the end of the event, the Security Personnel shall be stationed outside the premises to assist and encourage patrons to leave safely. The Security Personnel shall regularly patrol both the women's and men's bathroom facilities of the event.

For all beverages service the beverages will be served in plastic bottles or aluminum cans. No glass bottles or glassware will be allowed. Any food consumed outside of the building will be sold inside the restaurant at the patrons request with carryout containers to be provided. There will be no outside seating designed for the consumption of food. This purpose and intent of the event is not to create an outside dining area, but patrons may desire to carry food out to the event area. Appropriate trash receptacles will be provided on site outside the building in the event area.

The only music planned for this event is the existing regular outside music that emanates from a speaker above the entrance door to the Restaurant. The decibel level is unknown, but will be no different than current existing sound level use that has been in place since the 2009 Restaurant opening.

In the event of any unruly patrons, such persons will be properly dealt with as Hooters of East Madison, LLC management acting as the Security Personnel are familiar with the provisions of Madison General Ordinances Section 38.06(10), the unruly patron ordinance. When a patron acts in a manner that is violent, abusive, indecent, profane, boisterous, or otherwise disorderly, Hooters of East Madison, LLC will immediately contact the police and request that the police invoke the provisions of the ordinance.

Hooters of East Madison, LLC and Hooters of America, LLC do not welcome intoxicated customers and has internal training procedures for dealing with such persons. In addition, management of Hooters of East Madison, LLC is aware of the prohibitions from selling, dispensing, or giving away of alcohol to any person who is "under the influence" as that term is defined in Madison General Ordinances Section 38.02.

The process, in general, to be used is that after refusal of service to any customer, the server will notify all other employees and the on-site Manager. Management will support the server's determination to terminate service to the customer. If a customer is too impaired to drive, Hooters will persuade the customer not to drive and direct them to a designated driver or offer a taxi. Should the customer refuse, management will notify the Madison Police Department.

In order to prevent inappropriate under-aged drinking, all identification used to prove age must be valid and governmental issued photo identification with valid date of birth in

order to receive a wrist band. If the identification appears questionable, Hooters of East Madison, LLC will request a second form of photo identification. Hooters of East Madison, LLC employees are encouraged to ask questions relating to the identification of anyone that requests a wrist band in order to verify under appropriate circumstances. Should the employee suspect that the identification is false, altered, counterfeit, or invalid in any way, the employee shall confiscate the identification and turn it over to Hooters management to be presented to the police.

The generally applied standard will be to require proof of age from anyone who appears to be 30 years of age or younger. Alcohol Service will be refused to anyone without proper identification. Identification will be required for each alcoholic beverage sold.

Any adult, including parents or guardians that request alcoholic beverage service for anyone that appears to be an underage child will be refused. A married person or partner of legal age that requests alcoholic service for any person that appears to be an underage spouse or partner shall be denied service.

The Madison Police Department shall be called in a timely manner anytime Management has information to believe a crime has been or is about to be committed, or when a threat or act of violence occurs on or near the premises.

Security Personnel will be authorized to ask any patron or customer making a disturbance to immediately leave the premises. If necessary, Security Personnel or Management will contact the Madison Police Department should assistance be deemed necessary. Hooters of East Madison, LLC shall permanently refuse admittance to any person that engages in chronic disturbing activity or a customer that presents multiple problematic incidences.

Management estimates that traffic control will only be needed after the event. This event is not anticipated to generate any more traffic than would occur on a Football Saturday and there has been no need for special traffic control during such events. Football Saturdays generate far more traffic than is expected by this "Bike Night" event. However, the plan is to have the Security Personnel assist with traffic movement at the close of the events.

Hooters of East Madison, LLC will develop a "Management Plan" with the Madison Police Department and any other agencies needed for such plan.

ATTACHMENT FOR LAND USE APPLICATION MADISON PLAN COMMISSION

APPLICANT: Hooters of East Madison, LLC  
 STREET ADDRESS: 2639 East Spring Drive, Madison, WI 53704

Section 5. Required Submittals, "Legal Description of Property"

Property Description:

REGIONAL EAST, PART OF LOTS 8, 9, 11 & 12, PRT DESC AS FOL, COM AT MOST NLY COR SD LOT 8, TH N 43 DEG 49 MIN 40 SEC E 86.43 FT TO POB, TH S 46 DEG 10 MIN 20 SEC E 299.19 FT, TH S 61 DEG 52 MIN 18 SEC W 153.36 FT TO PT OF CUR, TH ON CUR TO LEFT, RAD 150 FT, CHR D BRS S 56 DEG 09 MIN 24 SEC W 29.87 FT, TH N 46 DEG 10 MIN 20 SEC W 245.31 FT, TH N 43 DEG 49 MIN 40 SEC E 175 FT TO POB. SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER THE SELY 20 FT THEREOF.

Tax Parcel ID No.: 081-272-0705-01

Applicant believes the metes and bounds description was prepared by a land surveyor, but is unaware of the name of the land surveyor. The information as to the metes and bounds description was obtained from the Dane County Tax Lister's web-page as follows:

**Public Access System**

Public Access | Public Agency Access | Subscription Access |

Thursday, May 5, 2011


Parcel information updated on Thursday, May 05, 2011 unless otherwise noted.

**Parcel Number - 251/0810-272-0705-1**

This [Return to Previous Page](#)  
 Parcel is

in the City of Madison. City of Madison parcel information is updated every Friday. Please view the [Assessor's Website](#) for the most up-to-date City of Madison information

**Parcel Status: Active Parcel**

 [Show Map](#)  
[Map Questions?](#)

**Parcel Information**

**Assessment Information**

Municipality	CITY OF MADISON	Assessment Year	2011	2010
State Municipality Code	251	Valuation Classification	G2	G2
Township		Assessment Acres	0	0
Township Direction		Land Value	\$403,000.00	\$403,000.00
Range		Improved Value	\$821,500.00	\$821,500.00
Range Direction		Total Value	\$1,224,500.00	\$1,224,500.00
Section		Valuation Date	04/18/2011	04/18/2011
Quarter				

Quarter-Quarter  
 Plat Name Plat Unknown - CITY OF MADISON  
 Block/Building

**About Annual Assessments**

**Zoning Information**

Contact your local city or village office for municipal zoning information.

**Owner Name**

Owner Status CURRENT OWNER  
 Name JTF EAST GRAND SPRINGS LLC

**Parcel Address**

Primary Address 2639 EAST SPRINGS DR

**Billing Address**

Attention  
 Street 2203 N STOUGHTON RD  
 City State Zip MADISON, WI 53704 2615  
 Country USA

**Tax Information**

**2010 Tax Values**

Category	Assessed Value	Average Assessment Ratio	Estimated Fair Market Value
Land	\$403,000.00 /	0.9792	\$411,561.00
Improvement	\$821,500.00 /	0.9792	\$838,951.00
Total	\$1,224,500.00 /	0.9792	\$1,250,511.00

2010 Taxes:	\$28,756.28
2010 Lottery Credit(-):	\$0.00
2010 First Dollar Credit(-):	\$83.64
2010 Specials(+):	\$1,037.11
2010 Amount:	\$29,709.75

[Show Tax Information Details](#) [Show Tax Payment History](#)

**District Information**

Type	State Code	Description
SCHOOL DISTRICT	5656	SUN PRAIRIE SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE

**Tax Property Description**

For a complete legal description, see the recorded documents

REGIONAL EAST, PART OF LOTS 8, 9, 11 & 12, PRT DESC AS FOL, COM AT MOST NLY COR SD LOT 8, TH N 43 DEG 49 MIN 40 SEC E 86.43 FT TO POB, TH S 46 DEG 10 MIN 20 SEC E 299.19 FT, TH S 61 DEG 52 MIN 18 SEC W 153.36 FT TO PT OF CUR, TH ON CUR TO LEFT, RAD 150 FT, CHR D BRS S 56 DEG 09 MIN 24 SEC W 29.87 FT, TH N 46 DEG 10 MIN 20 SEC W 245.31 FT, TH N 43 DEG 49 MIN 40 SEC E 175 FT TO POB. SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER THE SELY 20 FT THEREOF.

**Recorded Documents**

No document references available.

Document Types and their Abbreviations

Document Types and their Definitions

- For questions on property and assessment information, contact [Real Property Listing](#)
- For questions on zoning information, contact the [Division of Zoning](#)
- For questions on tax information, contact the [Treasurer's Office](#)
- For questions on real property transactions and Recordings, contact the [Register of Deeds Office](#)

## Judith Sommerfield-Fox

---

**From:** Clausius, Joe [district17@cityofmadison.com]  
**Sent:** Tuesday, April 26, 2011 3:07 PM  
**To:** Judith Sommerfield-Fox  
**Cc:** 'John Thiel'; Tucker, Matthew; Snyder, Tom  
**Subject:** RE: Hooters of East Madison

Dear Ms. Sommerfield-Fox,

It was a pleasure to visit with you this afternoon regarding the change of premises application for the above business.

I have no problem with waiving the 30 day required notice period for the necessary conditional use permit. Otherwise, if the Zoning Department agrees, you may use April 1, 2011 as the notification date for the conditional use permit.

I plan to attend the ALRC Meeting scheduled for Wednesday, April 27, 2011 at 5:30 PM and may see you at that time.

Sincerely,

Joe Clausius  
District 17 Alder  
608-244-5066

---

**From:** Judith Sommerfield-Fox [jfox@thiellawoffice.com]  
**Sent:** Tuesday, April 26, 2011 10:07 AM  
**To:** Clausius, Joe  
**Cc:** 'John Thiel'; Tucker, Matthew; Snyder, Tom  
**Subject:** RE: Hooters of East Madison

Mr. Clausius:

Thank you for responding to our e-mails regarding Hooters of East Madison. I am writing to update you on the status of our pending application for a Bike Night at Hooters of Madison.

First, we have submitted a Change of Licensed Premise application. This application will be heard before the ALRC this Wednesday, April 27, 2011. We amended our application to change the day from Wednesday to Thursday so as not to compete with a nearby establishment. I am attaching a copy of the Amended Change of Licensed Premise application.

On April 19, Laura Clark, Manager of Hooters of Madison, met with Lieutenant Strong of the City of Madison Police Department, East Division. They spoke about details of the event and Ms. Clark assured him that Hooters would comply with requests of the Police Department. Certain information was with regard to security and an additional bathroom. Our amended application addresses the issues discussed with Lieutenant Strong.

I have also spoken with Matt Tucker of the City of Madison Planning and Zoning regarding a Conditional Use Permit ("CUP"). It is my understanding that we are required to give the Alder 30 days' prior notice of the requirement of a CUP. Our first contact with you was April 1, 2011 regarding Hooters plans for a Bike Night. Mr. Tucker advised us, and we respectfully request, that you consider April 1, 2011 as notification of intent for a Conditional Use Permit, or waive the 30 days notice required.

Please be aware that Hooters is working diligently with the City in order to complete all required steps to conduct its Thursday evening Bike Nights. We would appreciate your assistance with our application. I am also sending a copy of this correspondence to Capt. Snyder.

Very truly yours,

*Judith D. Sommerfield-Fox*

Judith Sommerfield-Fox  
John E. Thiel Law Office, LLC  
P.O. Box 7560  
Appleton, WI 54912-7075  
Phone: 920-830-9900  
E-mail: [jfox@thiellawoffice.com](mailto:jfox@thiellawoffice.com)



Please consider the environment before printing this e-mail

Pursuant to Circular 230 promulgated by the Internal Revenue Service, if this email, or any attachment hereto, contains advice concerning any federal tax issue or submission, please be advised that it was not intended or written to be used, and that it cannot be used, for the purpose of avoiding federal tax penalties unless otherwise expressly indicated.

This is a transmission from the Thiel Law Office and may contain information which is privileged, confidential, and protected by the attorney-client or attorney work product privileges. If you are not the addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this transmission in error, please destroy it and notify us immediately at our telephone number (920) 830-9900.

---

**From:** Judith Sommerfield-Fox [<mailto:jfox@thiellawoffice.com>]  
**Sent:** Tuesday, April 05, 2011 12:29 PM  
**To:** 'Clausius, Joe'  
**Subject:** RE: Hooters of East Madison

Mr. Clausius

Thank you so much for your response. As counsel to Hooters of America, it is our job to make sure that they do anything and everything to comply with what the City of Madison would require of it. I have spoken to Captain McLay and he has told us that he would like to receive a copy of the application. We will be forwarding that to him as soon as it is complete. He said he would then send a patrol officer to Hooters to discuss any changes and to make any provisions that the Police Department would require in order to make this weekly event in compliance.

With regard to an additional conditional use permit, are you referring to a Special Events permit such as a Street Event permit? I have looked on the Planning Commission website and did see what would be appropriate.

We thank you for your information and input. We will make every effort to work with the City of Madison and the Madison Police Department.

Very truly yours,

*Judith D. Sommerfield-Fox*

Judith Sommerfield-Fox

Parcel Number 0810-272-0705-1

Situs 2639 East Springs Dr

Assessment Area

9913

<b>Owner</b> JTF EAST GRAND SPRINGS LLC 2203 N STOUGHTON RD MADISON, WI 53704-2615	<b>Parcel Class:</b> Commercial <b>Parcel Code:</b> <b>School District:</b> Sun Prairie <b>TIF District:</b> 0	<b>Property Type:</b> <b>Restaurant</b> <b>Property Code:</b> 255 <b>Property Data Revised:</b> 04/01/2011 <b>Building Data Revised:</b>
---	---	---

Record of Transfer of Ownership							
Grantor	Document #	Date	Parcels	Consideration	Convey	Mkt	Ratio
CK RESTAURANTS INC	94426213	4/2008	1	625,000	W.D.	I	I
ZEIER, RAYMOND C & LORAINA A ZEIER	94372287	10/2007	1	0	OTHER	I	I
ZEIER, RAYMOND & LORAINA	11360083	4/1988	4	0	OTHER	I	I

<b>Zoning:</b> C3 <b>Width:</b> 0 <b>Depth:</b> 0 <b>Lot Size:</b> 47,400 sqft <b>Acreage:</b> 1.09 acres <b>Buildability:</b> 1-Buildable Lot	<b>Lot Characteristics</b> 1-Regular 5-No St Frontage 1-Level 1-Light Traffic 0-None Wooded	<b>Utilities</b> <b>Water:</b> 2-Stubbed In <b>Sewer:</b> 2-Stubbed In <b>Gas:</b> 2-Stubbed In	<b>Street</b> Paved Curb-gutter No Sidewalk No Alley	<b>Frontage</b> <b>Primary:</b> 0 East Springs Dr <b>Secondary:</b> 175 E Washington Ave <b>Other 1:</b> 0 <b>Other 2:</b> 0 <b>Water:</b> 0 0-No Water Frontage
---	--	--	--	---

Parcel Building Summary			
Floor Area	GFA	PFA	Apartments
1st Floor:	5,102	5,102	Total Units:
2nd Floor:			Rooms:
3rd Floor:			Efficiency:
4th Floor:			1 Bdrm:
5th Floor:			2 Bdrm:
Above:			3 Bdrm:
Mezz Loft:			4 Bdrm:
Basement:			Other:
			<b>Building Summary</b>
<b>Parking</b>			Buildings: 1
Level 1:			Restaurant 5,102
Level 2:			
Level 3:			
Other lvls.:			
Total:			
<b>Total:</b>	<b>5,102</b>	<b>5,102</b>	



Notes:

Building Remarks: 71 parking stalls (3 ADA)

Assessment changes			
	Board of Assessor		
Year	1993		
Hearing #	0757		
Schedule #	009		
Change	0		

Assessment Record			
	2009	2010	2011
Change Code			/
Land	403,000	403,000	403,000
Improvement	556,700	821,500	821,500
Total	959,700	1,224,500	1,224,500

Parcel Number 0810-272-0705-1

Situs 2639 East Springs Dr

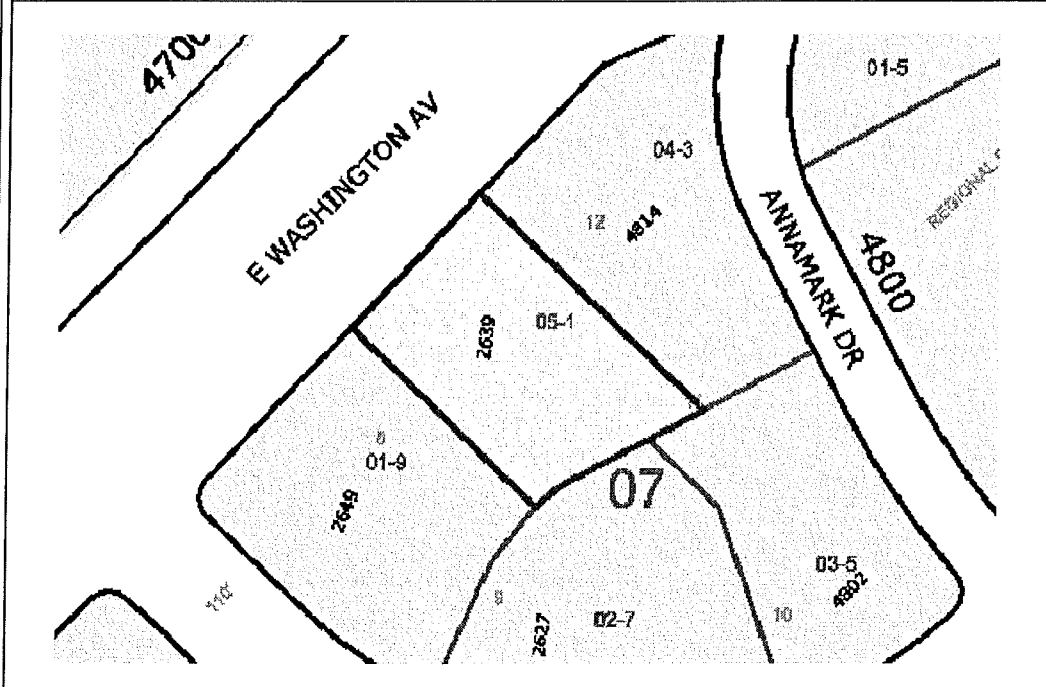
Assessment Area

9913






City of Madison, Wisconsin -- GeoSpatial Information System (MADMAPS)



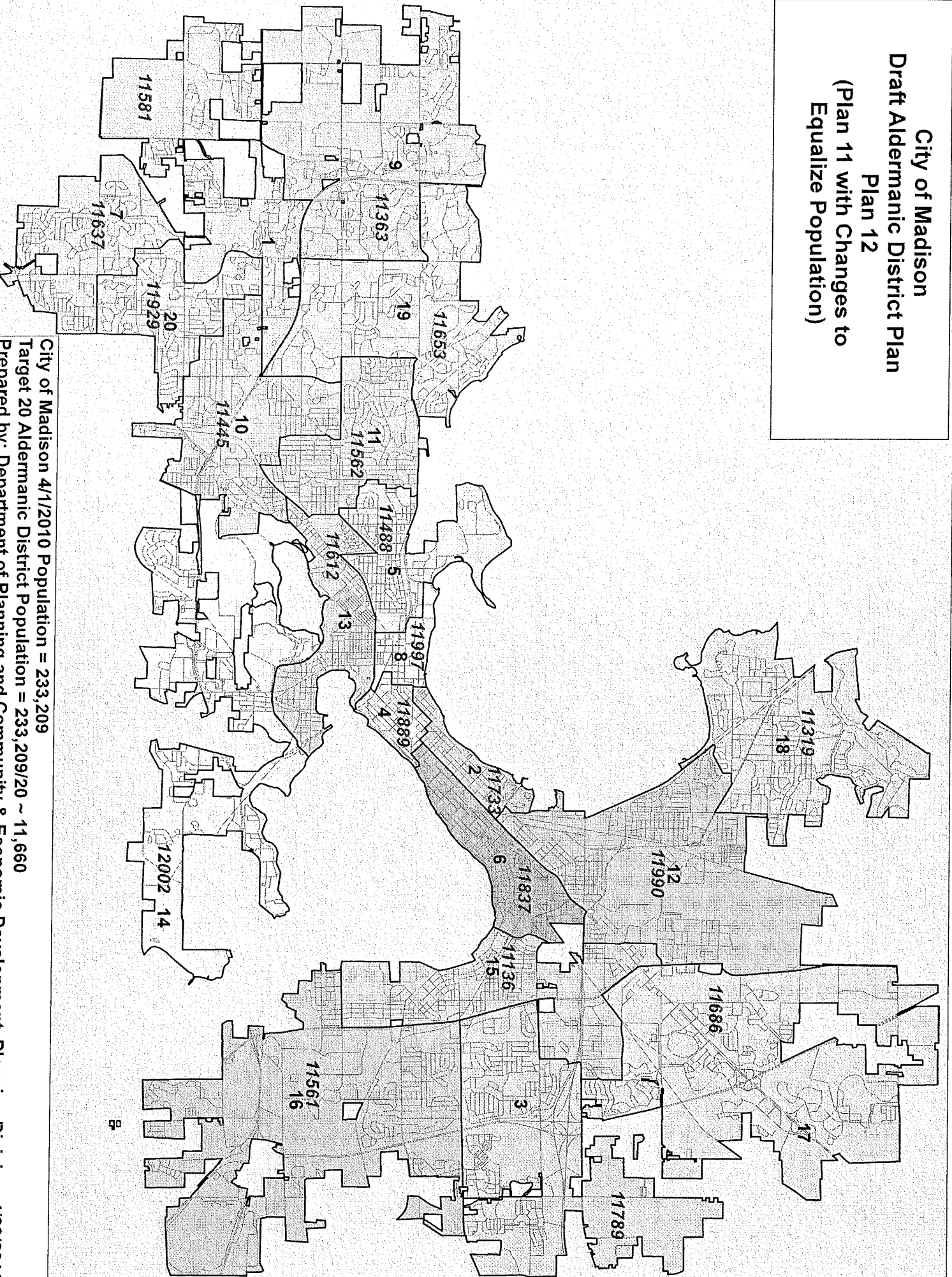
The map displays a residential neighborhood with several streets and lots. The streets shown are E Washington Av, Annmark Dr, and a street labeled 4700. A street labeled 4800 is also visible. The lots are numbered with various identifiers: 01-5, 04-3, 12, 4814, 05-1, 2639, 01-9, 2649, 07, 03-5, 10, 02-7, 2627, and 110. A street labeled 'RESIDENTIAL' is also present. The map is enclosed in a rectangular frame.

NAVIGATION



Close this window

**City of Madison  
Draft Aldermanic District Plan  
Plan 12  
(Plan 11 with Changes to  
Equalize Population)**



City of Madison 4/1/2010 Population = 233,209

Target 20 Aldermanic District Population = 233,209/20 ~ 11,660

Prepared by: Department of Planning and Community & Economic Development, Planning Division 4/28/2011

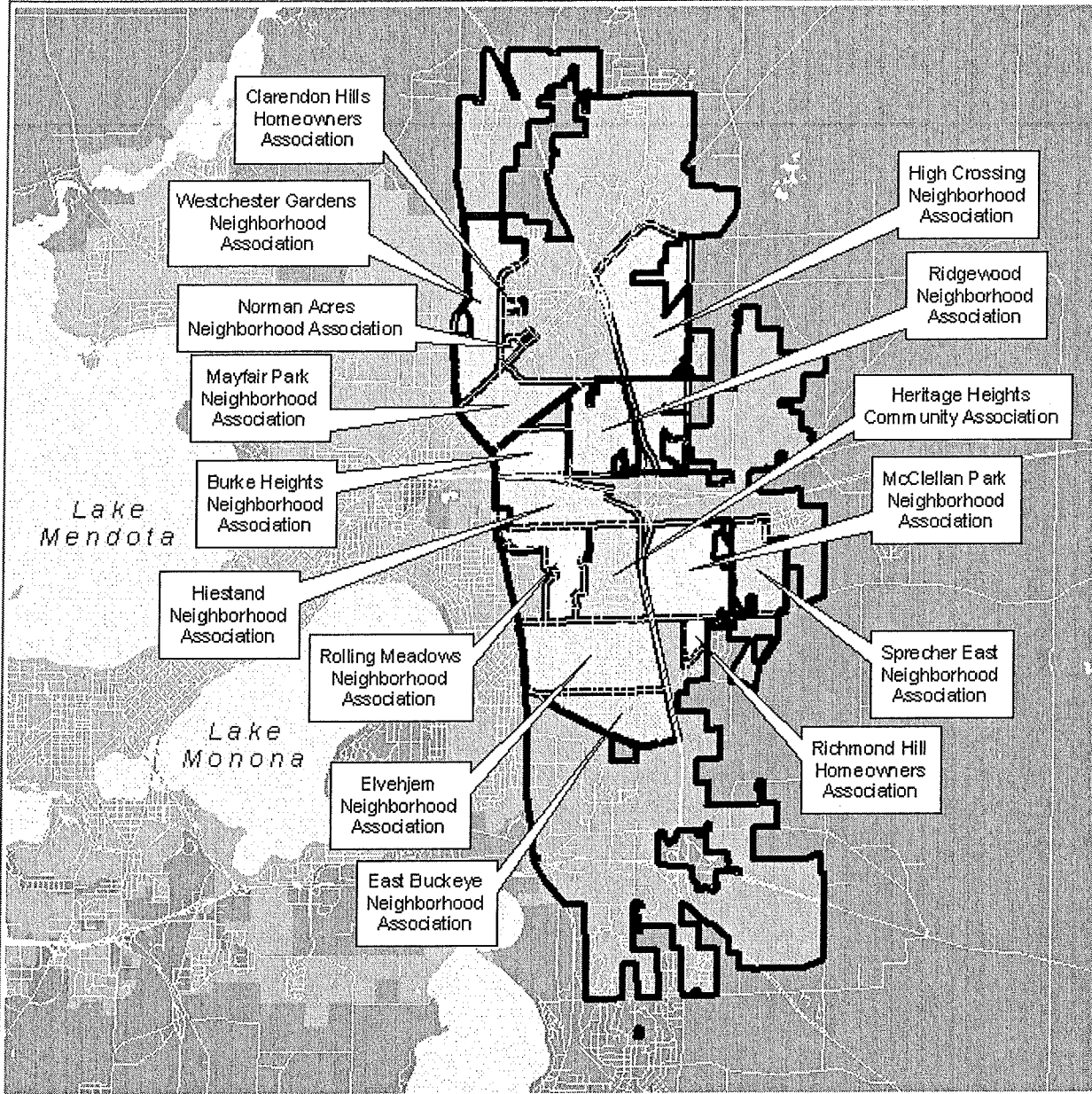
STRONG NEIGHBORHOOD \* STRONG CITY

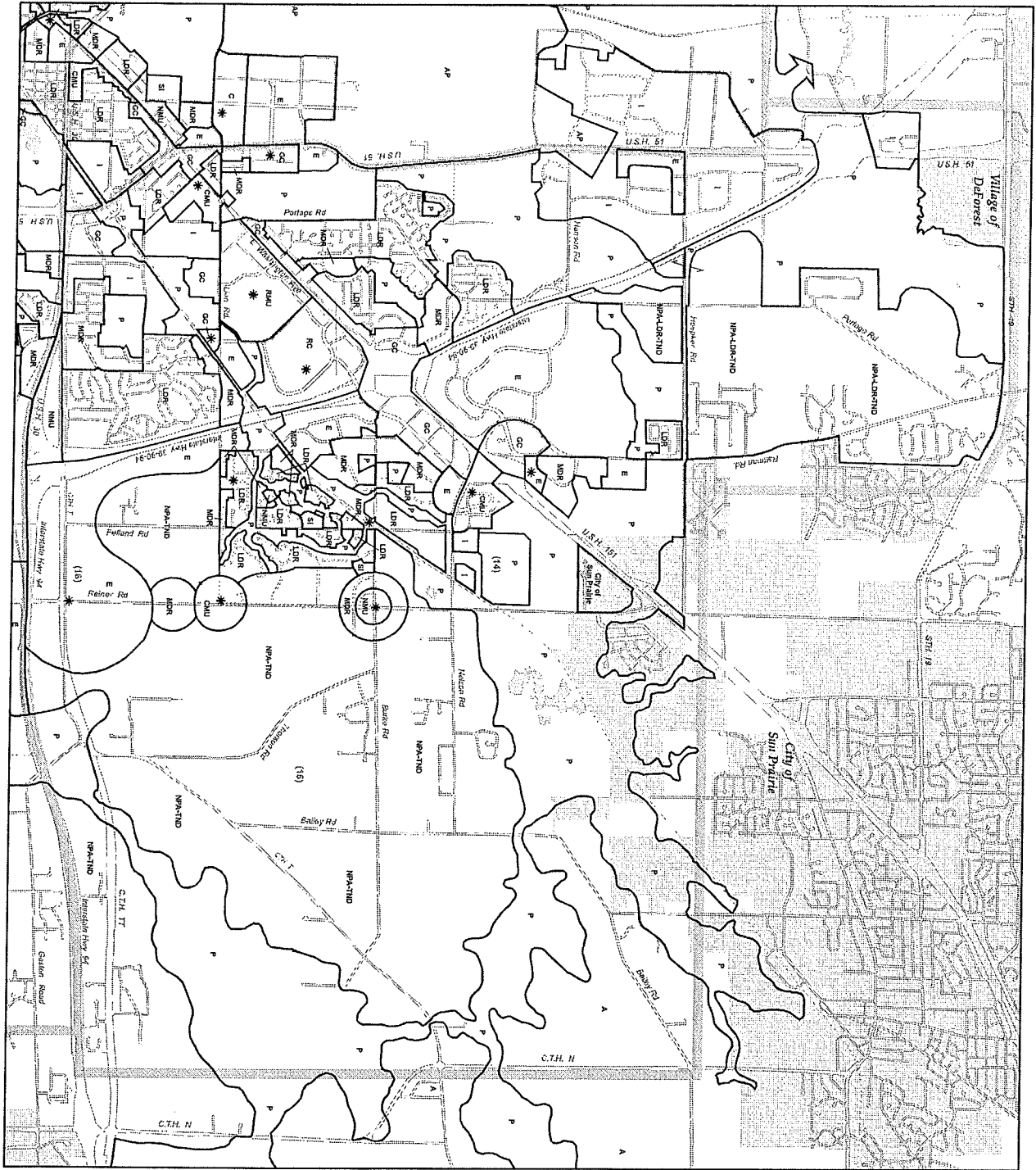
# CITY OF MADISON EAST NEIGHBORHOOD SECTOR

To find out more about a particular neighborhood, select the neighborhood association from the popup menu.

Go To Neighborhood

# NEIGHBORHOODS





VOLUME II MAP 2-2c

Generalized Future Land Use Plan

City of Madison  
January 2006

RESIDENTIAL DISTRICTS  
LDR Low Density (0 - 15 units/acre)  
MDR Medium Density (16 - 40 units/acre)  
HDR High Density (41 - 60 units/acre)

MIXED USE DISTRICTS  
NMU Neighborhood Mixed-Use  
CMU Community Mixed-Use  
RMU Regional Mixed-Use

COMMERCIAL/EMPLOYMENT DISTRICTS  
CC General Commercial  
RC Regional Commercial  
E Employment  
I Industrial

OPEN SPACE - AGRICULTURE DISTRICTS  
P Park and Open Space  
A Agricultural/Forest Use

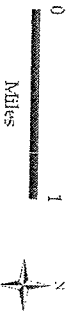
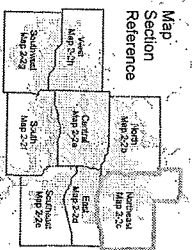
SPECIAL DISTRICTS  
SI Special Institutional  
AP Airport  
C Campus

Downtown Districts (See Volume II Map 2-3)  
NPA Neighborhood Planning Area (TND Encouraged)

\* SPECIAL OVERLAY DISCRECTIONS  
TOD Transit-Oriented Development  
(Conceptual locations)

TND Traditional Neighborhood Development  
(Conceptual locations, TND may be applied to NPA and residential districts as specified in neighborhood and special area plans.)  
Land Use Note Reference Number

Other Cities and Villages  
Center Street  
Conceptual Street



City of Madison  
COMPREHENSIVE PLAN



Data Source:  
City of Madison Department of Planning and Development, Planning Unit