

CITY OF MADISON

Proposed Conditional Use

Location: 1421 REGENT ST.

Project Name: LEUTKE'S OAK CREST TAVERN

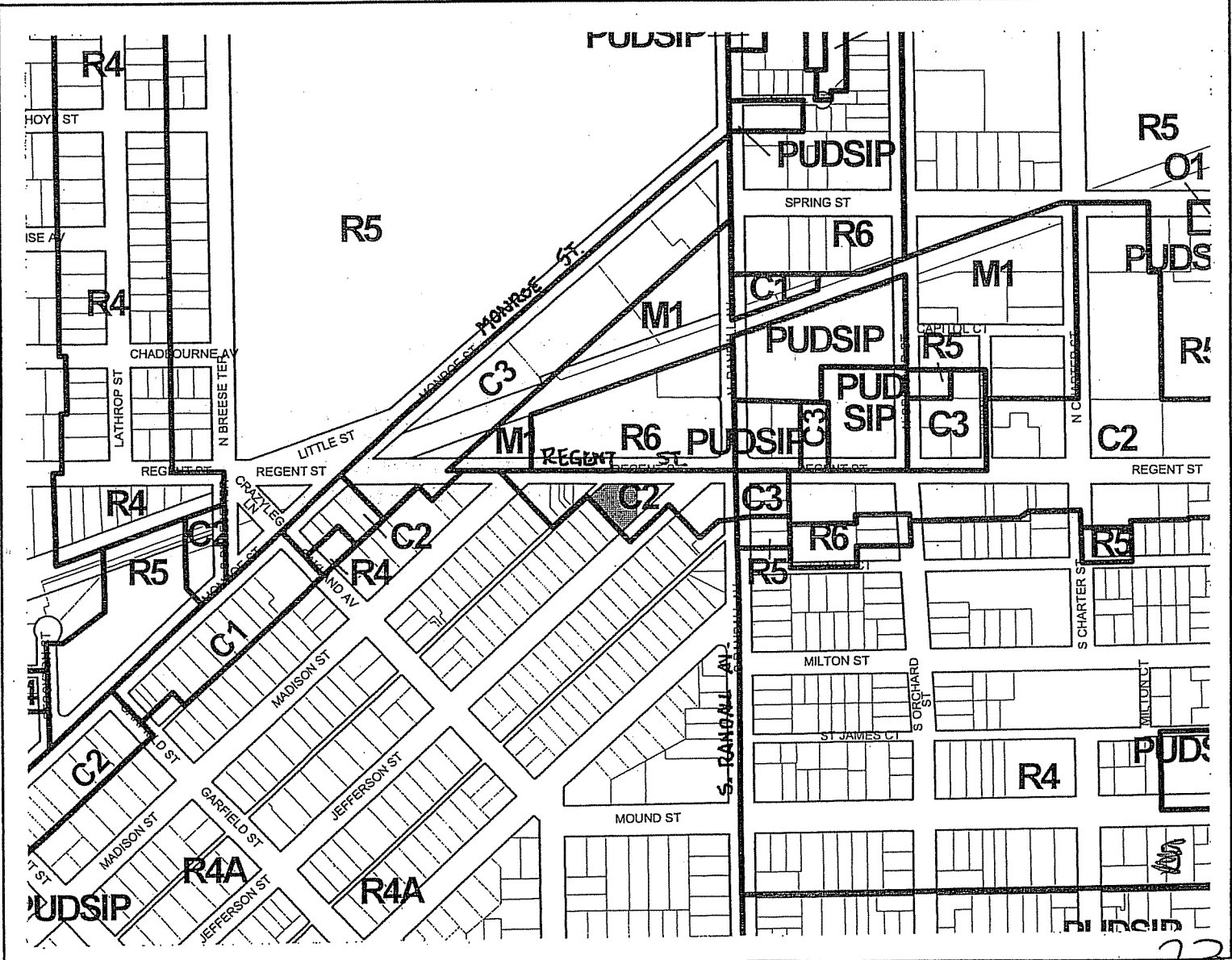
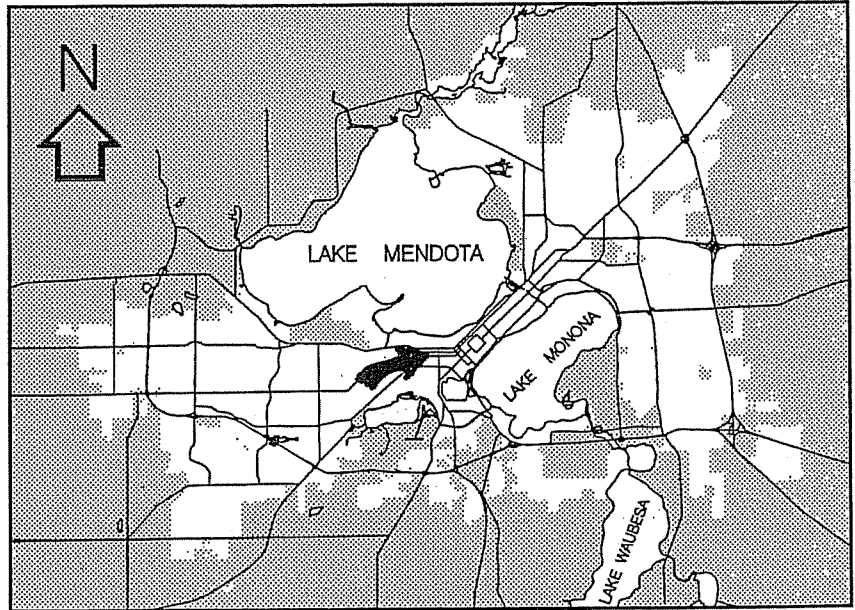
Applicant: _____

Existing Use: TAVERN & RESTAURANT

Proposed Use: EXTEND HOURS OF OPERATION FOR OUTDOOR EATING AREA ON FOOTBALL SUNDAYS

Public Hearing Date: _____

Plan Commission _____



September 12, 2005

Mr. Brad Murphy
Department of Planning and Administration
215 Martin Luther King, Jr. Blvd.
PO Box 2984
Madison, WI 53701-2984

Dear Mr. Murphy:

Per your request, we are submitting a summary of modifications we completed to address concerns with the Conditional Use Permit for Rip Van Lucky, LLC d/b/a Lucky's Bar & Grille. I also want to take this opportunity to update you on meetings with the Vilas Neighborhood Association regarding their concerns with our Conditional Use Permit. We understand these items will become the basis for the agenda item related to Lucky's Bar & Grille scheduled before the Planning Commission agenda on September 19, 2005.

Modifications:

Over the past year, the Vilas Neighborhood Association has expressed concern over the invasive nature of music from the Oakcrest Tavern for Jefferson Street neighbors. We made two major changes to the operation of our beer garden to address this concern. First, we modified the music set-up from two large speakers on scaffolding to sixteen small speakers mounted around the beer garden. The use of multiple speakers allows us to keep the music loud enough to satisfy patrons while not so loud that the sound carries through the neighborhood. The speakers we used are rated for an area of 400 square feet. By using 16 speakers we can effectively "flood" the beer garden yet have minimal carry outside the beer garden. Second, we attempted to stop sound leaking into the neighborhood by installing large banners along Jefferson Street and the lot line with the first house on the southwest corner of our parking lot. The banners hang roughly 12 feet in the air and are installed and removed on football Saturdays.

Vilas Neighborhood Reaction:

On August 21st we set-up the music and banners for a game day test-run to obtain initial neighborhood reaction. Although the music could be heard several houses away, the neighbors we met with all agreed that the music level was dramatically better than it was in the past. Overall, the reaction was one of cautious optimism. The cautiousness related to how it would sound on game days and whether or not we would turn the music louder for crowd demands. We assured the neighbors that the same system would be used for all game days and they would notice a significant improvement compared to 2004.

After the first game, we had discussions with two neighbors; Julia Kerr (Vilas Neighborhood Association President) and Theresa Hyman (Jefferson St. resident). Both Julia and Theresa noticed a marked reduction in the level of sound on Jefferson Street and applauded the efforts we made. Concern over future incremental level of sound were somewhat alleviated based on the assertion we made that the sound level was as loud as it can get with our new system.

Beer Garden Lay-out:

Jefferson Street Access

The beer garden that was operated under Jim Luedtke and the Oakcrest Tavern included access in and out onto Jefferson Street. This access has been a point of contention with the neighbors and per discussion with your staff, the access was never approved for the Oakcrest Tavern and must be part of a public hearing before formal approval can be granted.

In the first two games, the lack of access was not an issue. However, business for the first game was approximately 50% of the business we saw in the final two games last year. Although we respect the concern of the neighbors over people exiting onto Jefferson Street and impacting their personal privacy, people will continue to park cars on Jefferson Street, in driveways and yards. Thus, the patrons will need to funnel back thru this area sooner or later anyway.

Although we cannot point to the safe movement of people in and out of the beer garden for the first two games, we feel it is important to revisit this issue if safety of our patrons becomes an issue.

For the time being and as long as it does not cause major issues with service or the safety of our customers, we will concede access onto Jefferson Street.

Site Plan

Your office granted temporary approval of our beer garden site plan over the summer. When we applied for the site plan lay-out, we thought we would eventually have access to Jefferson Street. Without the Jefferson Street access, we need to operate with an efficient lay-out that minimizes log-jams of people at the narrow entrance to the beer garden. The primary issue in the site plan you modified is the location of the porta potties. In your lay-out, you moved the porta potties to the wall along the salon in the parking lot. This leaves the fence against Jefferson Street an area of wasted space and pushes the serving area along the salon too close to the main serving area along our building. We feel this will create a log-jam in the narrowest part of our bar. If Jefferson Street were open, this would not be an issue since people could get in or out on Jefferson Street. However, with Jefferson Street closed, we would like to propose the porta potties are lined up in the parking lot parallel to the sidewalk. This allows the serving area against the salon to be pushed to the corner and should promote an efficient distribution

of beverages and food to our patrons. This also creates an additional sound buffer at the back our beer garden to minimize noise for the neighborhood.

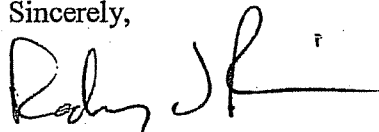
We outlined this proposal with the Vilas Neighborhood Association and have received their blessing as long as we continue to concede the Jefferson Street access.

We have also made one small change regarding the location of a condiment stand. I have attached a copy of the site plan you approved and another plan with our proposed modifications as outlined above.

We ask for your approval of this site layout as our permanent site lay-out for football Saturdays and any other event covered by our Conditional Use Permit.

Thank you for your consideration on these matters. We look forward to discussing this in detail on September 19, 2005.

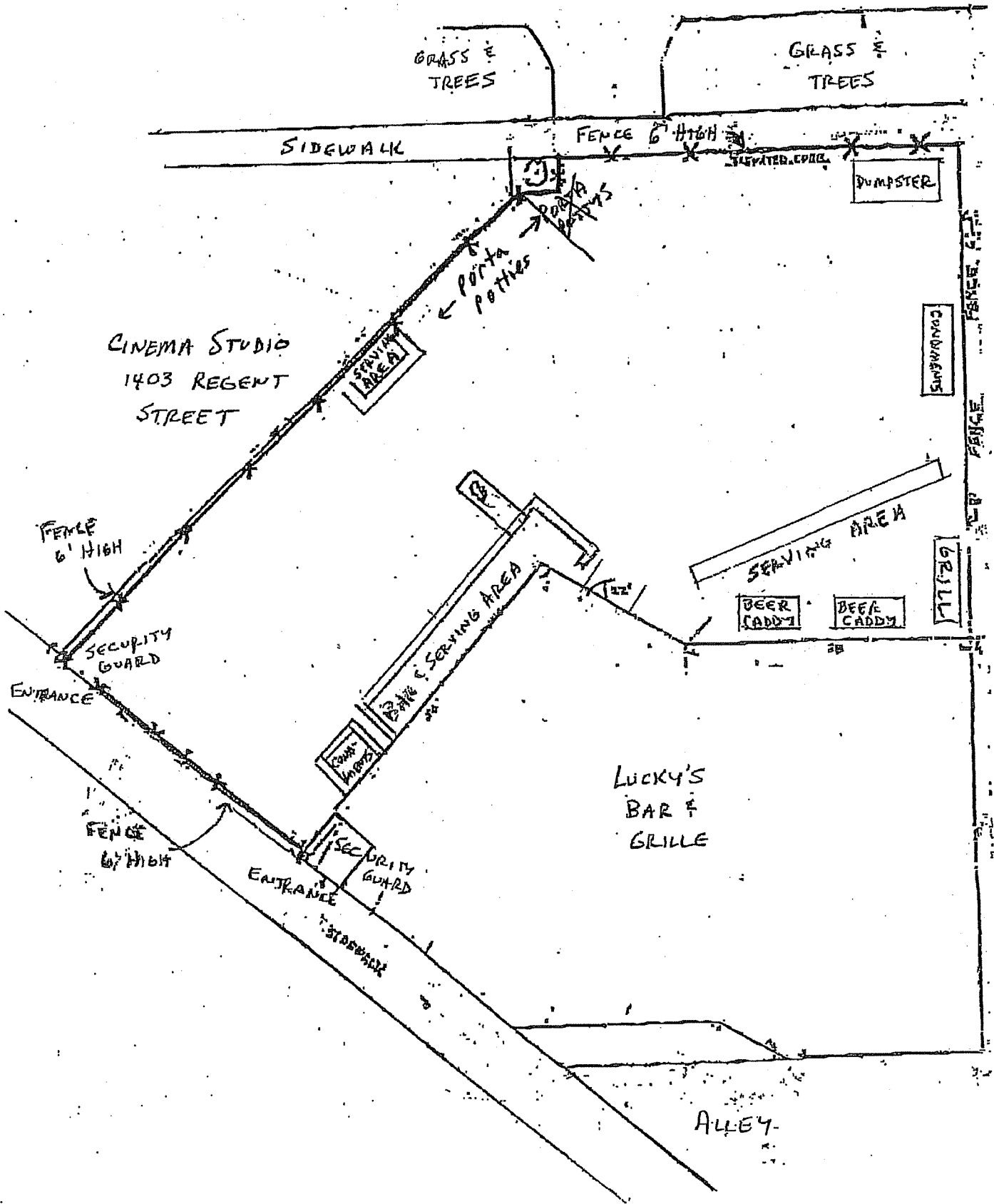
Sincerely,



Rodney J. Ripley
Owner
Rip Van Lucky, LLC
DBA Lucky's Bar & Grille

Cc: Julia Kerr, President of Vilas Neighborhood Association
Alder Isadore Knox, Jr.
TJ Van Wie
William Van Wie
R. Timothy Lucke

TEMPORARY APPROVAL THRU
9/19/05



PROPOSED LAYOUT FOR 9/19/05
PLANNING COMMISSION MEETING

