



# Change of Conditions

\_\_\_\_\_  
(Legislative File Number)

City of Madison Clerk  
210 MLK Jr Blvd, Room 103  
Madison, WI 53703

\_\_\_\_\_  
(Scanned)

[licensing@cityofmadison.com](mailto:licensing@cityofmadison.com)  
608-266-4601

\_\_\_\_\_  
(Alder Name and District Number)

\_\_\_\_\_  
(initials)

\_\_\_\_\_  
(Police Sector)

This application modifies existing alcohol license number: 4CLIB-2015-00581

- Class A Beer       Class A Liquor       Class C Wine
- Class B Beer       Class B Liquor

### Corporate Information

Business Legal Name: Luckys 1313 Brew Pub LLC

Business Address: W11579 County Road V, Lodi, WI 53555

Corporate Contact Name & Position: Rod Ripley

**Managing Member**

Phone & Email: 608-279-4163 rodriley@gmail.com

### Licensed Premise Information

Business dba Name: Lucky's 1313 Brew Pub

Licensed Address: 1313 Regent Street, Madison, WI 53715

Business Contact Name & Position: Rod Ripley

**Managing Member**

Phone & Email: 608-279-4163 rodriley@gmail.com

Liquor Beer Agent Name: Rodney J Ripley % Alcohol: 65 % Food: 27

Description of Change to Conditions: Addition of two sand volleyball courts, an outdoor service bar, increase in outdoor capacity to account for volleyball teams overlapping at the end of games, and increase the use of the reception hall be combining it with the brew pub on a limited basis. See attached Plan Comm request.

X   
Applicant signature

Date: 3/14/18

Orange sign and "License Renewals & Changes" brochure issued.

March 7, 2018

City of Madison  
Planning Division  
126 S. Hamilton St.  
P.O. Box 2985  
Madison, WI 53701-2985

**RE: Revised Letter of Intent – Alteration to an Existing Conditional Use: 1313 Regent Street**

To Whom It May Concern:

On behalf of FCS Plan B, LLC (the “Applicant”), I am pleased to submit this letter of intent and the enclosed application and plans for Plan Commission consideration of approval of an alteration to existing conditional uses. The enclosed application replaces the application submitted April 5, 2017, and we understand the application fee paid for the prior application will be applied for this new application. We have incorporated the valuable feedback received from Alder Eskrich, City staff, the Plan Commission, and the neighborhood association to address previously-raised concerns.

This request for alteration to existing conditional uses includes a reduced parking requirement, increased capacity and layout of an outdoor eating area and service bar, addition of seasonal sand volleyball courts, combining the reception hall space with the brewpub space for private party rental, and opening the reception hall space to brewpub patrons during a limited number of special event days.

*Existing Site Conditions*

The 35,460 square foot site is located mid-block on the south side of the 1300 block of Regent Street, an active area in the City for all modes of transportation. The existing structure has seen many purposes over its 70+ year lifespan, having been converted about one and a half years ago from a car repair center to its current use as Lucky’s 1313 Brewpub. The property extends south through the block to Bowen Court, a one-way street primarily serving the converted housing along this street. To the east and west of the property is a mix of commercial properties and more converted housing.

Currently, the site contains one building including a reception hall separated from the brewpub and kitchen facilities, an outdoor eating area, and landscaped areas. Access to the site and the existing parking spaces is provided by two driveways: a one-way in drive from Regent Street and the other a two-way drive to Bowen Court.

**Lot Coverage/Useable Open Space:**

Lot Area:	35,460 SF
Building:	10,156 SF
Green Space	11,316 SF

### *Proposed Project Changes*

**Outdoor recreation area.** Construct a seasonal outdoor recreation area with two sand volleyball courts. The volleyball courts will be underlaid with landscape fabric to minimize weed growth and loss of sand. A seasonally removable net will surround the entire court area and isolate it physically and visually from neighboring properties, and padding added to nearby trees for player safety. The area will be lit by a 20-foot light pole (with nominal light spill) during hours of use only. The perimeter fence will be 8 feet tall and constructed of solid materials to minimize light and sound impact on neighbors. No outdoor amplified sound or speakers will be added to volleyball area and no whistles will be used.<sup>1</sup> Games will be held from May through October with the last game ending at 10:00 p.m., and the area vacated and dark no later than 10:15 p.m.

**Outdoor eating area.** Increase the capacity of the outdoor eating area from 58 persons to 82 persons (primarily to accommodate 24 additional volleyball participants), and modify the layout of the outdoor eating area to add volleyball courts and a service bar. Additional patronage generated by the addition of volleyball courts will be better served by the additional 24-person capacity proposed in the outdoor area (for a total capacity of 82 persons), as well as by the proposed service bar. The outdoor space has been reconfigured as shown in the plans to accommodate these uses.

**Reception hall use.** The Applicant is requesting additional use of the reception hall space, combining it with the brewpub area for: (a) rental of the entire area for private parties, during which the property will be closed to the public, and (b) open the reception hall space to brewpub patrons during a limited number of special event days, making the entire space more functional for a greater variety of users. When the reception hall is not in use, it is closed off and separate from the brewpub portion of the property. Specifically, Applicant requests the ability to combine use of the brewpub and the reception hall area during no more than 24 special event days per year (with no more than 4 per month and no more than 2 per week). For private parties and special event days, the maximum capacity would be 445 (208 brewpub plus 155 fixed-seat reception hall plus 82 outdoor).

**Parking reduction.** Approve a 48-stall reduction during private parties and special event days (which is 4 more stalls than the previously-approved 44-stall parking reduction). The property is centrally located, in close proximity to the University and residential neighborhoods, and well-served by sidewalk, bus and bicycle routes all of which serve to limit the vehicle count typical in other areas.

See below table for reference related to capacity and parking reduction.

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<sup>1</sup> Applicant is open to considering additional or alternative conditions from City staff and Plan Commission members. Agreeing to not add outdoor amplified sound or use whistles are consistent with, and in many ways are in addition to, previously-approved outdoor volleyball recreation at sites throughout Madison.

Use	2015 Approved Camp Randall Event Capacity	2015 Approved General Capacity	2018 Proposed Camp Randall Event Capacity*	2018 Proposed Private Parties/Special Event Days Capacity	2018 Proposed General Capacity
Brewpub	208	208	208	208	208
Reception Hall Fixed-Seat		155		155	155
Reception Hall General Assembly	450		450		
Outdoor Patio (eating/rec)		58		82	82
<b>Total Capacity</b>	<b>658</b>	<b>421</b>	<b>658</b>	<b>445</b>	<b>445</b>
Required Parking	99	63	99	67	67
Provided Parking	19	19	19	19	19
<b>Parking Reduction</b>	<b>80</b>	<b>44</b>	<b>80</b>	<b>48</b>	<b>48</b>

\* 2018 Proposed Camp Randall Event Capacity is not changed from 2015 condition #36.

Total Capacity above is patron capacity. In addition the 2015 approved  
Commercial Kitchen: 1,044 SF = 5 persons  
Brewery Staff: 1,393 SF = 3 persons

In considering the request for an additional 4-stall parking reduction in connection with the capacity increases requested by the application, staff and the Plan Commission should note: (1) the additional parking reduction requested is only 4 stalls, (2) the summer increased capacity related to adding volleyball will infrequently overlap with the increased capacity associated with additional use of the reception hall during special events which primarily occur in the fall and winter months, and (3) given the property's location, many patrons use alternate modes of transportation and do not require parking (particularly so in connection with special events when the capacity would likely be at its peak with combined use of the brewpub and reception hall spaces). It should also be noted Applicant's history of operation on the site has not demonstrated major parking concerns and the requested increased capacity and corresponding parking reduction request are unlikely to affect the overall parking operations or impact parking demand.

*Plan revisions to address prior concerns*

- Conditions for volleyball court operations
  - All games will end by 10:00 p.m. and players will promptly leave the court
  - Any clean-up ending by 10:15p.m.
  - Court lights shut off by 10:15p.m.
  - No whistles will be used
- Resized and relocated volleyball courts to preserve existing trees (which were to be removed under prior plans) and provide planting area along Bowen Court fence
- No outdoor amplified sound or speakers will be added to the outdoor area
- Height of the perimeter fence to be 8 feet and made of solid materials

### *Hours of Operation*

Brewpub:	Sunday–Thursday	11:00am–2:00am
	Friday–Saturday	11:00am–2:30am
Outdoor Dining:	7 days a week (weather permitting) 11:00am–10:00pm	
Reception Hall:	until midnight	
Volleyball Court:	5:30pm–10:00pm Weeknights	11:00am–10:00pm Weekends
	May through October	
	Vacant and dark no later than 10:15 p.m.	
Private Parties &	Sunday–Thursday	11:00am–2:00am
Special Event Days:	Friday–Saturday	11:00am–2:30am

### *Requested Conditional Use Changes, Schedule and Project Team*

#### **Conditional Use Alterations Requested:**

- Increase reduction in parking requirement for a total of 80 and 48 stalls, depending on use of facility (see table above);
- Increase capacity of an approved outdoor eating area to 82 persons (up from previously-approved 58 in 2015 condition #35 to account for additional 24 persons for volleyball);
- Construction and operation of seasonal outdoor recreation area with two sand volleyball courts;
- No added outdoor amplified sound or whistles in the outdoor area (edit to 2015 condition #30 to add “no whistles”);
- Volleyball games will be held from May through October with the last game ending at 10:00 p.m., and the area vacated and dark no later than 10:15 p.m. (addition to 2015 condition #31);
- Modification to the layout of the outdoor eating area to add a service bar;
- Alteration to existing limits of building use (edit to first sentence of 2015 condition #37) to: "That to minimize parking impacts, the reception hall space shall not be used as expanded capacity for the brewpub unless (1) the brewpub is closed to the public, and the entire facility is operated as a private party (maximum capacity 445); or (2) during a limited number of special event days, no more than 24 days per year (with no more than 4 per month and no more than 2 per week). In connection with special event days during which the reception hall will be open to brewpub patrons, Applicant will: (A) follow a Management Plan for operations of the site at all times, including during special event days – days which will have increased staffing, security personnel, and cleaning staff, (B) provide advance notice of each special event day to the City Zoning Administrator, and Police and Fire Departments (in person, by phone or e-mail), and (C) limit the capacity to 445 patrons.
- Private parties and special event days shall close by 2:00a.m. Sunday–Thursday and shall close by 2:30a.m. Friday–Saturday (addition to 2015 condition #34).

**Project Schedule:**

Application submitted: March 7, 2018  
Plan Commission: April 2018  
Site Plan Approval: May 2018  
Start Construction: May 2018  
Final Completion: June/July 2018

**Project Team:**

Owner: FCS Plan B, LLC  
W 11579 Cty Rd V, Apt 1  
Lodi, WI 53555  
Contact: Rod Ripley  
Ripper42@charter.net  
(608) 279-4163

Architect: TJK Design Build Inc.  
612 West Main St, Ste. 201  
Madison, WI 53703  
608-257-1090  
608-257-1092 fax  
Contact: John J. Bieno  
jjbien@tjkdesignbuild.com

Engineer: D'Onofrio, Kottke & Assocs,  
Inc.  
7530 Westward Way  
Madison, WI 53717  
608-833-7530  
Contact: Ron Klaas

Landscape  
Design: Richard Slayton, ASLA

Thank you for your time in reviewing our proposal.



Rod Ripley