

[REDACTED]

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**From:** Kathy Soukup [REDACTED]@gmail.com]  
**Sent:** Monday, December 12, 2016 9:27 PM  
**To:** Knepp, Eric; Oleksiak, Claire; Wallner, David; Gnam, Emily; [REDACTED]@me.com; Leopold, Madelyn; Clear, Mark; Ragland, Nancy; Baldeh, Samba; Gloede, Carl; Christianson, Eric; [REDACTED]@yahoo.com; Reyes, Gloria; [REDACTED]@frontier.com; [REDACTED]@gmail.com; [REDACTED]@wisc.edu; Verveer, Michael; [REDACTED]@foolproofplan.net; [REDACTED]@yahoo.com; Skidmore, Paul; Allen, Roger; Bidar-Sielaff, Shiva; [REDACTED]@uwsa.edu; [REDACTED]@mailbag.com; McKinney, Barbara; Zellers, Ledell; Hall, Amanda; Rummel, Marsha; King, J Steven; Wood, Zach; Cheeks, Maurice; Gruber, Tim; Palm, Lawrence; Eskrich, Sara; Carter, Sheri; Ahrens, David; Demarb, Denise; Kemble, Rebecca; Phair, Matthew; Park Commission  
**Subject:** Concerned opposition to an Olbrich Park Beach biergarten  
**Attachments:** Eastmorland Community Association Opposition Letter to Olbrich Park Biergarten Proposal.pdf

Dear Commission Members, Elected Officials, and City Staff:

Please find a letter attached that describes the Eastmorland Community Association's opposition to the proposed Olbrich Park Biergarten being proposed by BKM Group, LLC. After listening carefully to a few presentations and community gatherings regarding this project, the developer, and the Parks Department have not adequately addressed concerns and questions of neighborhood residents, which are articulated in the attached letter of non-support. Additionally, the Eastmorland Community Association takes issue with the lack of neighborhood input and inclusion in this process, most especially prior to the creation of a Request for Proposal for "Placemaking" at Olbrich Park.

I appreciate your careful review of the attached letter and issues raised, and urge you to carefully consider any forward movement of this proposed project. I understand that other neighborhood associations have supported this project, but please also consider that this project is located within the Eastmorland neighborhood and will have the largest impact on Eastmorland residents.

Thank you for reviewing the attached letter.

Sincerely,

Kathy Soukup,  
President  
Eastmorland Community Association

12/10/2016

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Kathy Soukup, Eastmorland Community Association  
President, Eastmorland Community Association  
P.O. Box 14584  
Madison, WI 53708

Madison City Council Members  
Madison City Park Commission  
Madison Alcohol License Review Committee  
210 Martin Luther King Junior Boulevard  
Madison, WI 53703

**Dear City Council Members, City Park Commission and City Alcohol License Review Committee,**

The Eastmorland Community Association is in opposition to the BKM Group, LLC's Olbrich Biergarten proposal. We are taking this stance based on resident feedback of strong opposition and the significant negative impact it will have on our neighborhood. If the Association's concerns are adequately addressed we will reevaluate our stance. While we have numerous concerns about this project in this letter I will focus on the following topics: Project Process, Inexperienced Developer, Safety, Staffing, Security, Parking and Noise.

### **Project Process**

The City of Madison issued the RFP for the placemaking space on May 25<sup>th</sup>. The Eastmorland neighborhood, in which Olbrich Park is located, learned about the project in our newsletter that began distribution about two weeks before the ALRC meeting on November 16<sup>th</sup> at which the developer, BKM LLC was seeking to be granted an alcohol license for the biergarten at Olbrich Park. Who decided that our neighborhood did not need to be involved? Why did it take so long for either the City or the Developer to contact the neighborhood? If it is absolutely necessary to create a placemaking space in Olbrich Park and the goal is to encourage community and family interactions why weren't neighbors and community members invited to participate in the planning process? Aren't we the community you are looking to serve? In order to have any involvement we had to ask for, set up and deliver fliers just to have a sales pitch from the Developers and Parks Department. Is this the typical process for neighborhood involvement? If not, what should the process have been and who was responsible for reaching out to the neighborhood?

The solution we've been given to the lack of opportunity to be involved in this project has been that we can speak at the ALRC, Parks Commission and Common Council meetings. Each meeting allows three minutes to voice concerns and ask questions. The meetings are not opportunities to have input and to be a part of the development process, they are a place to state your thoughts and move onto the next person. How do these testimonials encourage discussions between the City and the Community about placemaking ideas? The proposal has already been awarded and the project has been identified and promoted, at this stage in the process we've never been given an opportunity to talk about any options besides the biergarten. We've been told what 'our' placemaking community-developing space will be.

Kathy Soukup, Eastmorland Community Association • 1

We would like to know what specific data was used to determine Olbrich Park is in need of a placemaking space? What specific park usage data was developed, were users observed in multiple seasons? What parking studies were done and did they span the months that the biergarten will be open? Why or why not?

### **Inexperienced Developer**

Even if we supported replacing public green space with a private bar we would not be comfortable awarding this project to BKM Group LLC. The RFP requested equal or greater experience in the last 5 years providing the "service." BKM lacks any experience providing the "service" and the Parks Department was willing to accept transferable skills instead. BKM formed in June of 2016, they have no development education, they have not done any development projects and they have never worked in the service industry. Their service they plan to provide is vending alcohol, their experience in law, policy, outreach and human resources do not make up for their inexperience in development and bar management. Why was a completely inexperienced Developer who does not meet the experience requirements identified in the RFP awarded this project?

In comparison, the other RFP to allow for canoe, kayak and stand up paddleboard rentals on Lake Monona was awarded to Rutabaga, a business with 35 years of experience owning a paddlesport. They even have experience renting canoes, kayaks and stand up paddleboards on Lake Monona. They have won numerous awards in their industry, offer the largest flatwater paddling instructional program in the country and host the largest paddlesport trade show in the world. The complete lack of qualifications of BKM are even more obvious in comparison to Rutabaga's comprehensive eligibility.

The City has no experience developing or supporting a biergarten. Why did the City decide that they wouldn't pursue testing a traveling biergarten? It would have allowed for trial and error as well as gauged interest at multiple parks and neighborhoods.

### **Safety**

Pedestrian and biker safety is already a concern at Olbrich Park. Reconstruction of this area does not begin until 2019/2020. How will the Walter St. and Atwood Ave. intersection be modified in the interim to ensure the safety of current and new users? Additionally, there is not a crosswalk from the parking lot adjacent to Olbrich Gardens and the softball fields to cross Atwood Ave. Currently many pedestrians dart across traffic since the nearest crosswalk is at Sugar Ave (the opposite direction from the Park) or at Walter St. How will this be addressed?

The Lake Loop runs on the sidewalk along Atwood Avenue closest to Lake, this is already extremely busy and dangerous because it is used by cyclists, parents pushing strollers, residents walking dogs, joggers, etc. How will this be improved to reduce conflicts of use and improve safety for all users? Traffic on Atwood Ave. already moves much faster than the 30 mph speed limit. The biergarten will increase traffic and many drivers will have had at least one alcoholic beverage, who will monitor driver behavior?

The National Recreation and Park Association (a resource utilized by the Parks Department) states that "Access to parks and recreation opportunities has been strongly linked to reductions in crime and reduced juvenile delinquency." We continue to hear from the Developers and Parks Department that Milwaukee's biergartens have reduced bad behavior in parks. We have been informed by the Madison Police Department that they have seen a decrease in unacceptable behavior in the park since the alcohol ban was put in place.

Why is it necessary to add alcohol in order to make Olbrich Park a 'safer' environment? What data is available to show the current safety issues, in particular the ones of most concern? If the project is implemented what data will be utilized to evaluate safety trends?

If someone cannot afford a \$6 beer they are excluded from the privilege others have to be able to drink in the park, how is this equitable? In addition, why is it acceptable to exclude underage individuals from a public space and the opportunity to picnic? How does this exclusion help to create a community gathering space?

### Staffing

Who will be responsible to ensure that all patrons are out of the parking lot by 10pm? If there were only 50 patrons left at 'last call' and just 25 wanted another drink it would take at least 12 minutes (assuming two bartenders at a minute per customer) to serve everyone. That would leave just over 15 minutes to consume a drink and leave the park while at the same time staff is going to be closing the bar facilities, cleaning trash around the biergarten and restocking the bathrooms. We do not feel this is realistic especially on a busy night. How will this concern be addressed?

We have heard from the Developer that their staff members will be floating between the beach house and the biergarten but no one will be dedicated to monitoring the biergarten consistently. How does this ensure that underage individuals do not enter the biergarten space?

With weather having a significant impact on attendance at the biergarten it will be extremely difficult to predict and schedule adequate staffing, how will this issue be addressed?

### Parking

It is our understanding that capacity was determined based on an empty parking lot (in front of the beach house) and the other parking areas have been identified as available parking. As neighbors of this park we are very aware of the usage of parking lots and can assure you that they are seldom empty in the summer, particularly on days when the weather would drive people to the biergarten. The beach house lot is almost always full during soccer games which take place after school through the evening and weekends as well as basketball players, kites, beach goers and other visitors who all utilize the lots. We have been told that many visitors to the biergarten will be current users of the park. Even if this is true there will be new users and there will be a greater need for parking. When it is softball season the Walter St. lot is full until 9 or later and parking overflows onto nearby streets. The lot near Olbrich Gardens is close to or completely full and will disappear when the gardens expand. What parking studies did the Developer and Parks Department do during the months and hours when the biergarten will be open? An additional and very valid concern is parking overflow that currently takes place during events at the East Side Club. When the weather is nice the new biergarten will be adding to this issue. We have heard from the developer that the spaces are limited to three hours, do you agree with this, if so how will that be enforced? How will all of these parking problems be addressed? Will there be a new paved parking lot? We have been told not to worry about parking because people will walk, bike, bus or are already users so it will be ok. We do not believe this and require an answer that hears our concerns and offers realistic solutions.

## Noise

We are aware that there was a PA1 permit for testing of amplified sound at the Olbrich beach and a test was done on December 2nd by the Developer. On the date of the test it was snowing and since it is winter residents did not have their windows open nor were there other visitors in the park. The Developer has indicated they will keep their music at a level below PA1 so their customers are still able to talk. Respectfully, they do not live near this park and are unaware of the noise even a few people can create in this environment. Sound travels extremely well off of the lake so even if they did not play music the addition of a group of people (up to 300) who are intended to be talking to each other will have an impact on our otherwise quiet neighborhood. How with this increased noise, 7 days a week, be addressed? Additionally, the hours of the biergarten will have an impact on anyone who would like to enjoy the solitude of open space, the lake and the sunset. One of the busiest times in the park is consistently at sunset, because the biergarten will be open from at least 4pm-10pm each day this project will eliminate the opportunity for peace and quiet in the park, daily. How will this conflict be addressed?

We have many additional concerns which include but are not limited to: why the Parks Department wants to encourage alcohol consumption and sedentary behavior in a park, why this project has been fast tracked, why we are allowing development of open green space for a private business, what the environmental impact will be, in what ways does this project focus on stewardship of the land, what makes this project family friendly and where the profits to the City will go.

Thank you for your thoughtful consideration of these important matters.

A handwritten signature in cursive script that reads "Kathy Soukup". The signature is written in black ink and is positioned above the typed name and title.

Kathy Soukup, Eastmorland Community Association  
President, Eastmorland Community Association

