



## Legislation Text

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**File #:** 45397, **Version:** 1

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### Title

BKM Operational Plan for a Biergarten Proposal at Olbrich Park Beach

### Body

Purpose: Conduct food and alcohol concessions (Rutabaga Paddlesports is entering into a separate Agreement for boat rental at Olbrich as well).

Term: 2017 to 2019, with potential for two renewal terms until 2023. Renewal will be based upon mutual agreement including the Permittee's performance under the final Agreement including through the renewal request.

Fee: Under the current proposed operation plan, the total financial benefit to the City would be \$234,800. This includes \$62,500 in capital investment, \$6,300 in vending fees and \$166,000 in facility use fees. Factors such as hours of operations and seating capacity may impact the final financial benefit.

Review by BPC: The draft agreement is being presented at the Park Commission in order to review and provide feedback on the overall concept and operational proposal, as this is a new type of operations in Madison Parks. At the 11/16/16 ALRC meeting, the ALRC Committee requested feedback from Park Commission about the operational proposal for them to consider in making a decision to issue an alcohol license or not. The Park Commission's review of this Agreement is for approval, providing edits to Agreement that would allow for approval or denying the operational proposal. The decision by the Park Commission will be sent to the ALRC for them to include in review of the alcohol permit on 12/21/16. Areas that have been topics of discussion include:

Term - 2017 to 2019, with potential two renewal terms of two-years each until 2023.

Premise- No fence currently proposed to allow picnic area to remain open to public

Noise - PA1 permit level sound only allowed. Four special event days would be allowed with a PA2 permit, which would need to be approved by the Park Commission. PA1 permits have a sound limit of 75 decibels at 150 feet from the source. PA2 permits have a sound limit of 95 decibels at the sound board or 100 feet from the source, whichever is closer.

Hours - Up to 55 hours per week. Alcohol sales end at 9:30 pm. Park closes at 10 pm.

If approved to move forward and after gathering input from the Park Commission and the ALRC, Parks Staff will revise the document to create a final Agreement. The final document would then process through the standard review of Council, BOE, Park Commission (a second review) and Council.

Background: Over the past several years, Parks has had success with placemaking initiatives, many of which would not have been possible without public-private partnerships that facilitate repairs to aging and underutilized buildings and managing of programs that could not have happened just by Parks. Examples of these initiatives include Wingra and Brittingham boat rentals and camps, Let's Eat Out food cart nights, special events such as Ride the Drive and Central Park Sessions, the Mendota and Camp Randall Rowing Clubs

historic boathouses, and Breese Stevens Field.

Placemaking RFP: This spring, Parks released a RFP for placemaking services at Olbrich and Marshall beach houses. The intent of the RFP was to identify public-private partnerships that would bring positive placemaking opportunities to both facilities, which are currently underutilized. An interagency panel reviewed the submissions and conducted in-person interviews. Rutabaga Paddle Sports and BKM (Biergarten) were selected for Olbrich and Outdoor Madison (now called Mendota Boats, LLC) was selected for Marshall. At Olbrich the RFP panel determined that combining boat rentals and biergarten food/beverage concessions would create a strong partnership and environment for new uses and extending the stay in the park for current users. The success of restaurants and biergartens in other city parks across the country opened the door for it to be considered here in Madison. The proposal is for a relaxed family-friendly atmosphere that offers more access to the lake for boat rentals, provides a more welcoming environment for people to enjoy shoreline vistas with a well maintained picnic area and food/beverage offering, as well as have investment in the building and fostering an atmosphere of positive active public space.

If these proposals do go forward, both entities will be held to high standards and have Agreements specifying goals, operations, and reporting procedures. The Agreements will require at minimum approval from the Parks Commission, the Board of Estimates and the Common Council. In the case of the biergarten, it will also require a license to be issued by the ALRC.