



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
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FAX 608 266-8739
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October 18, 2011

Michael Erikson
Red Hospitality, LLC/ HotelRED
1501 Monroe Street
Madison, Wisconsin 53711

RE: Approval of a conditional use to allow a non-accessory beer garden associated with events taking place at Camp Randall Stadium and an outdoor eating area for a hotel located at 1501 Monroe Street, and; approval of amendments to the 2008 restrictive covenant for the hotel.

Dear Mr. Martens;

At its October 17, 2011 meeting, the Plan Commission found the standards met and **approved** your requests for a conditional use non-accessory beer garden associated with Camp Randall Stadium events, conditional use outdoor eating area, and amended restrictive covenants for HotelRED, located at 1501 Street, all subject to the conditions below. In order to receive final approval of the conditional use and for building or occupancy permits for to be issued, the following conditions shall be met:

Please contact Bryan Walker, Traffic Engineering Division, at 267-8754 if you have questions regarding the following three (3) items:

1. The applicant shall prevent encroachment of the café area and the special event area onto public sidewalk using a minimum 4-foot high barrier of some type. A detail of the barrier(s) shall be noted on the final plans.
2. The applicant shall submit two different plans: one showing the layout of the site with the special event area during Camp Randall events, and one showing the layout of the site without the special event area during normal working hours.
3. When the applicant submits final plans of one contiguous plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2 feet of overhang, and a scaled drawing at 1" = 20'.

Please contact Matt Tucker, Zoning Administrator, at 266-4551 if you have any questions regarding the following three (3) items:

4. Meet applicable building/fire codes for the additional outdoor capacity and for ingress and egress of the establishment with both of the proposed outdoor occupancy areas and at the site. Occupancy is established by the Building Inspection Division. Contact Mike VanErem at 266-4559 to help

facilitate this process for permanent outdoor seating, and Bill Sullivan, Madison Fire Department, at 261-9658 for temporary eating area site plan approval.

5. Beer garden site plan shall be in effect only for Wisconsin Badger home football games and stadium concerts, as outlined in 1998 Uniform Operating Conditions letter.
6. If you have a license to sell alcohol in an outdoor eating area, the Alcohol License Review Committee will establish conditions for operation, which involve fencing, security guards, toilet facilities, litter, etc. All businesses that sell alcohol must comply with the requirements imposed by the Alcohol License Review Committee at the time of issuance of your original application to expand or change your licensed premises to include the outdoor eating area. It is your responsibility to have the outdoor service area added to your licensed premise. Please contact the City Clerk's Office (266-4601) for ALRC-related issues.

Please contact Bill Sullivan, Madison Fire Department, at 261-9658 if you have any questions regarding the following two (2) items:

7. The Madison Fire Department does not object to the Outdoor Café Area 1, provided all exiting and alarm notification requirements are met.
8. Due to the occupant load proposed for the Special Event Area #3, the Fire Department would need to review proposed exiting modifications, occupant load calculations, and operational plans for approval.

Please contact Dennis Cawley, at 261-9243 if you have any questions regarding the following item:

9. This property is in a Wellhead Protection District. This use is permitted in this district. Any proposed change in use shall be reviewed by the Madison Water Utility General Manager or his designee.

Please contact my office at 261-9632 if you have questions about the following ten (10) items:

10. That service in the outdoor eating area (Area 1) and seating area (Area 2) end by 10:00 PM Sunday–Thursday and by 11:00 PM on Friday and Saturday, except that service in Area 1 shall end at 10:00 PM on football game days as regulated by condition #5 below. Modifications to the hours of operation for Areas 1 and 2 shall be allowed only following the approval of a minor alteration to the conditional use by the Director of the Planning Division following a recommendation by the district alder.
11. That the occupancy of Area 2 be limited to 20 persons when being used as a seating area unrelated to special events.
12. That amplified sound is prohibited at all times in all outdoor areas of the hotel.
13. That a detail of the stainless steel chain barrier(s) that are proposed be submitted for Planning Division approval prior to occupancy of the outdoor eating and event areas.
14. That Outdoor Seating Special Event–Area 3 be subject to the Uniform Operating Conditions approved for beer gardens associated with events at Camp Randall Stadium whenever said area is to be used in conjunction with events occurring at Camp Randall Stadium, including the following

but excluding the allowance for outdoor live or amplified music or sound, which is prohibited by condition #3 above:

- a.) Hours of Operation of the non-accessory event area for University of Wisconsin football games shall be open no later than 8:00 PM, except for games with a kickoff after 5:00 PM, when the outdoor eating area shall be open no later than 10:00 PM;
- b.) The conditions imposed by the Alcohol License Review Committee (including litter control, security, etc.) shall be complied with as required by the ALRC as part of the issuance of a license for a non-accessory event area.
- c.) Any use of a non-accessory event area for a concert at the stadium shall end one hour after the start of the concert and shall remain closed for the remainder of service.

15. When being used as a non-accessory beer garden for Camp Randall Stadium events, that food be available for purchase throughout the operation of the beer garden, and that employees wear easy to identify uniforms to aid in identifying hotel staff from the patrons.

16. That the occupancy of Area 3 be limited to 85 persons at all times and for all events.

17. That service in Special Event – Area 3 end by 10:00 PM Sunday–Thursday and by 11:00 PM on Friday and Saturday on non-Wisconsin Badger game days.

18. That the proposed amendments to the restrictive covenant for the hotel be revised as follows prior to their recording with the Dane County Register of Deeds and prior to occupancy of the outdoor eating and event areas:

- a.) section 1B shall be revised to state that no food or beverage service or sales shall occur in the parking area located behind and below the hotel, and;
- b.) section 6B shall be revised to state that “The Property’s parking area and access drive shall be closed to the general public.” The Plan Commission added that the applicant shall work with staff to clarify this condition to identify that the rear parking area can be used by the hotel for valet parking.

19. That Areas 1, 2, and 3 be set up and operated according to the layouts on Sheets 1 and 2.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining your conditional use permit:

1. Please revise your plans per the above conditions and submit **seven (7) copies** of a complete, fully dimensioned plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
2. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting demolition and/or building permit approval.
3. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if you may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Bryan Walker, Traffic Engineering Division
Matt Tucker, Zoning Administrator
Bill Sullivan, Madison Fire Department
Dennis Cawley, Madison Water Utility

I hereby acknowledge that I understand and will comply with the above conditions of approval for this conditional use project.

Signature of Applicant

Signature of Property Owner (If Not Applicant)

| For Official Use Only, Re: Final Plan Routing | | | |
|---|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | Planning Div. (T. Parks) | <input type="checkbox"/> | Engineering Mapping Sec. |
| <input checked="" type="checkbox"/> | Zoning Administrator | <input type="checkbox"/> | Parks Division |
| <input checked="" type="checkbox"/> | City Engineering | <input type="checkbox"/> | Urban Design Commission |
| <input checked="" type="checkbox"/> | Traffic Engineering | <input type="checkbox"/> | Recycling Coord. (R&R) |
| <input checked="" type="checkbox"/> | Fire Department | <input type="checkbox"/> | Other: |