

**LETTER OF INTENT FILED IN COMPLIANCE WITH LAND USE APPLICATION
MADISON PLAN COMMISSION, SECTION 5, REQUIRED SUMMITTALS “LETTER
OF INTENT”**

- 1. EXISTING CONDITIONS AND USES OF THE PROPERTY:** 2639 East Springs Drive, Madison, WI 53704 has been operated as a Restaurant by Hooters of East Madison, LLC since 2009. For many years prior, the site had been operated as a County Kitchen Restaurant.
- 2. DEVELOPMENT SCHEDULE FOR THE PROJECT:** Formal “development” is not applicable. This is a request for a conditional use permit to allow for outside service of beer by the cup in conjunction with a “Bike Night Event” (patrons bring their motorcycles to be parked in a designated area for viewing by patrons with similar interests). The term development would mean that for the weekly event there will be a temporary fenced off area for the “Bike Night Event” as shown on accompanying drawings, temporary port-a-potties would be installed; temporary placement of trash containers; temporary placement of a beverage service area.
- 3. NAMES OF PERSONS INVOLVED (CONTRATOR, ARCHITECT, LANDSCAPER, BUSINESS MANAGER, ETC.):** Laura Clark, Manager.
- 4. TYPES OF BUSINESS:** Restaurant.
- 5. NUMBER OF EMPLOYEES:**
- 6. HOURS OF OPERATION:** For the “Bike Night Event” the hours requested are 6:00 p.m. to 9:00 p.m.
- 7. SQUARE FOOTAGE OR ACREAGE OF THE SITE:** 48,108.84 square feet or 1.10440 acres for the entire leased premises. The area for the event is estimated to be 3,982 square feet.
- 8. NUMBER OF DWELLING UNITS:** Not applicable.
- 9. SALE OR RENTAL PRICE RANGE FOR DWELLING UNITS:** Not applicable.
- 10. GROSS SQUARE FOOTAGE OF BUILDING(S):** City of Madison records list the building size as 5,102 square feet.
- 11. NUMBER OF PARKING STALLS:** 55 cars (3 handicap), 54 motorcycle.
- 12. OTHER RELEVANT INFORMATION:** Hooters of East Madison, LLC holds a “Class B” liquor license issued in 2009, and renewed each year, by the City of Madison. A “Bike Night” event will allow Hooters of East Madison, LLC a business marketing opportunity for which there is proven market demand for this type of event product in the City of Madison and surrounding communities. The event allows local motorcycle enthusiasts to meet and collaborate to discuss their mutual interests in motorcycles and to enjoy a meal in the restaurant and there will be limited outside beer service during the hours of the weekly events. There will be neither outside food service nor outside service of wine or sprits.

There will be Security Personnel in the form of Hooter’s management personnel will be on site during the hours of the event. Wristbands will be issued to all patrons 21 years of age and over that desire to purchase beer at the event. All beverage service is provided by fully licensed alcohol beverage service servers that, in addition to receiving licensing

as required by the City of Madison which involves attended authorized alcohol serving training course, all servers have been educated in the appropriate methods of serving alcoholic beverages by use of Hooters of America, LLCs (parent company of Hooters of East Madison, LLC) programs.

The security fence will surround the entire event area. The Security Personnel will patrol the entire parking lot on a regular basis. After the end of the event, the Security Personnel shall be stationed outside the premises to assist and encourage patrons to leave safely. The Security Personnel shall regularly patrol both the women's and men's bathroom facilities of the event.

For all beverages service the beverages will be served in plastic bottles or aluminum cans. No glass bottles or glassware will be allowed. Any food consumed outside of the building will be sold inside the restaurant at the patrons request with carryout containers to be provided. There will be no outside seating designed for the consumption of food. This purpose and intent of the event is not to create an outside dining area, but patrons may desire to carry food out to the event area. Appropriate trash receptacles will be provided on site outside the building in the event area.

The only music planned for this event is the existing regular outside music that emanates from a speaker above the entrance door to the Restaurant. The decibel level is unknown, but will be no different than current existing sound level use that has been in place since the 2009 Restaurant opening.

In the event of any unruly patrons, such persons will be properly dealt with as Hooters of East Madison, LLC management acting as the Security Personnel are familiar with the provisions of Madison General Ordinances Section 38.06(10), the unruly patron ordinance. When a patron acts in a manner that is violent, abusive, indecent, profane, boisterous, or otherwise disorderly, Hooters of East Madison, LLC will immediately contact the police and request that the police invoke the provisions of the ordinance.

Hooters of East Madison, LLC and Hooters of America, LLC do not welcome intoxicated customers and has internal training procedures for dealing with such persons. In addition, management of Hooters of East Madison, LLC is aware of the prohibitions from selling, dispensing, or giving away of alcohol to any person who is "under the influence" as that term is defined in Madison General Ordinances Section 38.02.

The process, in general, to be used is that after refusal of service to any customer, the server will notify all other employees and the on-site Manager. Management will support the server's determination to terminate service to the customer. If a customer is too impaired to drive, Hooters will persuade the customer not to drive and direct them to a designated driver or offer a taxi. Should the customer refuse, management will notify the Madison Police Department.

In order to prevent inappropriate under-aged drinking, all identification used to prove age must be valid and governmental issued photo identification with valid date of birth in

order to receive a wrist band. If the identification appears questionable, Hooters of East Madison, LLC will request a second form of photo identification. Hooters of East Madison, LLC employees are encouraged to ask questions relating to the identification of anyone that requests a wrist band in order to verify under appropriate circumstances. Should the employee suspect that the identification is false, altered, counterfeit, or invalid in any way, the employee shall confiscate the identification and turn it over to Hooters management to be presented to the police.

The generally applied standard will be to require proof of age from anyone who appears to be 30 years of age or younger. Alcohol Service will be refused to anyone without proper identification. Identification will be required for each alcoholic beverage sold.

Any adult, including parents or guardians that request alcoholic beverage service for anyone that appears to be an underage child will be refused. A married person or partner of legal age that requests alcoholic service for any person that appears to be an underage spouse or partner shall be denied service.

The Madison Police Department shall be called in a timely manner anytime Management has information to believe a crime has been or is about to be committed, or when a threat or act of violence occurs on or near the premises.

Security Personnel will be authorized to ask any patron or customer making a disturbance to immediately leave the premises. If necessary, Security Personnel or Management will contact the Madison Police Department should assistance be deemed necessary. Hooters of East Madison, LLC shall permanently refuse admittance to any person that engages in chronic disturbing activity or a customer that presents multiple problematic incidences.

Management estimates that traffic control will only be needed after the event. This event is not anticipated to generate any more traffic than would occur on a Football Saturday and there has been no need for special traffic control during such events. Football Saturdays generate far more traffic than is expected by this "Bike Night" event. However, the plan is to have the Security Personnel assist with traffic movement at the close of the events.

Hooters of East Madison, LLC will develop a "Management Plan" with the Madison Police Department and any other agencies needed for such plan.