

December 13, 2006

Growth Management Dept.
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

RE: File No. 06UR022 - - Application of Frank Morrison for On-Sale Liquor License at
819 Main Street

Growth Management Dept:

This is my appeal for the application of an on-sale liquor license at 819 Main Street of Frank Morrison.

We are against the staff recommendation to allow an on-sale liquor establishment at 819 Main Street.

We also would like to correct the number of retail structures mentioned under General Comments in your staff report. There are three small businesses; all which require daytime parking:

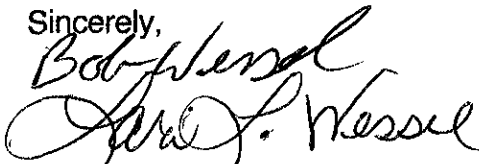
1. Bob's Shoe Repair
2. Rustic Razor
3. The Connection

What is the occupancy of this bar? 75? 100? 150? Does anyone know?

Having another bar opening at 11:00 AM called THIRSTY'S will have a devastating effect on the little parking we all share. The parking lot mentioned under your General Comments on the corner of 8th and Main does not mention that it is a leased only parking lot from 6:00AM to 6:00PM. I understand that this Bar will be open from 11:00 AM to 9:00 PM. This is 7 hours of street parking and 3 hours of the city parking lot after 6:00 PM.

Once again, we are strongly opposed to the Bar application at 819 Main. I am attaching my original letter to the Growth Management Department for your review.

Sincerely,



Bob and Lori Wessel
Bob's Shoe Repair
342-8713

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DEC 14 2006

Rapid City Growth
Management Department

From: Bob's Shoe Repair <bobsshoerepair@rushmore.com>
Date: Fri Dec 1, 2006 9:00:04 AM America/Denver
To: karen.bulman@rcgov.org
Subject: Conditional Use Permit

Growth Management Department

I just received a conditional use permit letter today to allow an on-sale liquor establishment at 819 Main Street (next door to my property). You have got to be kidding me I currently have 4 bars surrounding my property at 813 Main - 817 Main.

They are.

1. Across the street to the north: Dublin Square at the Radisson and the new addition to be added in the rear.
2. Across the street to the northwest Teddy's Sports Bar including the new addition.
3. To the west: Murphy's Sports Bar
4. Across the street to the east. Venue 8

There probably won't be much opposition to this, because the only people receiving notices are property owners within 250 ft. (That would almost all be bar owners.) Oh, by the way, I looked for the conditional liquor use sign and found it facing the wrong way on Main Street (west) How convenient being that the traffic flows to the west

Good tenants are hard to find I feel I need to speak for them and any future tenants moving in. I honestly don't think we need another bar in the 800 block of Main Street

Do I think it will effect what little parking we have? Yes. Do I think it will hurt my tenants business? Yes. (both present and future)

We had no opposition against the recent expansion of Teddy's; it has been there for years

We had no opposition against the recent notice of the future expansion of The Radisson, it has been there for years

While my wife and I are reading your letter during lunch, we are looking out our front window looking at three separate piles of vomit on the sidewalk between 815 - 817 Main (tough to clean up in below freezing temps)

Within the last year and a half:

1. My front window has been kicked in
2. The Barber Shop window has been broken with a shot glass thrown through it
3. Our neon sign over our sidewalk has been broken several times

I don't expect these things to go away but I don't wish to aggravate the situation by adding another bar next door. I hope this doesn't sound like I'm a tea-toddler watching every corner in town (I'm not) but when do we say no? When is enough enough? What do you guys think of Bob's Boot and Bar?

Bob and Lori Wessel
Bob's Shoe Repair
342-8713

December 10, 2006

DEC 13 2006

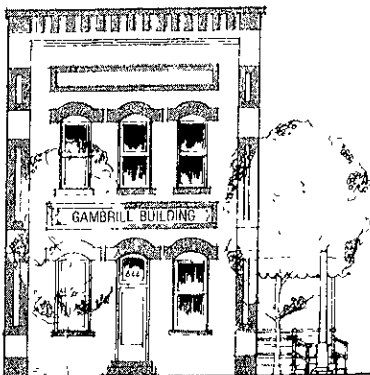
Ms. Karen Bullman
Growth Management Dept.
City of Rapid City,

Rapid City Growth
Management Department

Dear Karen

I would like to appeal the granting of a liquor license to Thirsties at 832 St. Joseph St. As stated at the Planning commission meeting.

1. It is my understanding that one of the goals of the Downtown Task Force is to improve the environment of the downtown and bring more business and residential to the downtown.
 - a. Increasing the bars downtown isn't going to improve the environment.
 - b. Increasing the bars downtown will move the business and residential out due to the lack of parking and trash.
2. Right now 70% of the building frontage on Main Street between 8th and 9th sell alcohol. If Thirsties goes in it becomes 80%. Can you honestly tell me that's not an excessive concentration of alcohol establishments in one block?
3. There are 50 residential units within 500 feet of 5 bars in the downtown which is my understanding in opposition to the resolution that the council set forth in 1975. The downtown has improved dramatically in the past 30 years, to a large degree because there has been a reduction of bars in the downtown. Why would you now support more bars in the downtown and deter other business that might be interested in locating in a clean environment.
4. Some argue that this is a restaurant rather than a bar. So why is it called "Thirsties"? Sure they sell food but so does Murphy's and Teddies. What is the difference?
5. Doesn't the city and city planning have some responsibility to evaluate the appropriateness of further taxing the already limited parking in this area? Does anyone consider of the ramification of development on the existing businesses in the area? Economic development isn't just about filling vacant building space in the downtown but retaining and providing an atmosphere for growth of existing businesses. Does another bar support that criteria?



THURSTON PROPERTIES

6. Has the city even considered the occupant load of the bars in this area and determined whether there is parking within 2 blocks to support the traffic. Sure parking isn't required but if we are really interested in healthy downtown shouldn't it be considered before granting a variance that will further tax an existing problem?

Okay, let's say a new "restaurant" is good for the downtown and 832 is an appropriate location. I would be very supportive of a real good restaurant. What can be done to reduce the nuisance the bar trade pose in this area.

1. If there is a trash issue the bars should be required to patrol and cleanup the surrounding area.
2. If there is a parking problem the bars should announce to their staff and customers that parking isn't allowed in neighboring parking lots. And assist in enforcing the rule.
3. If there is a vandalism problem the bars should have a security patrol on duty to protect private property.

I support good development in the downtown and good restaurants also. I don't believe what is being proposed is either. I ask you to be committed to a healthy historic downtown and determine if development proposals fit that criteria.

Sincerely



R. Fred Thurston, Managing Partner
Property manager

Bulman Karen

From: fthursto [fthursto@rushmore.com]
Sent: Thursday, December 28, 2006 6:51 AM
To: karen.bulman@rcgov.org
Subject: Frank Morrison

Karen

I am sorry that I am not able to attend the council meeting which will hear the appeal of the application of Frank Morrison for an On-Sale Liquor License at 819. I will be out of town for a trip that has been planned for 6 months.

My primary concern is the density of liquor establishments in the downtown and the continual mess that they create. I feel that the density is already too high in this block and that rather than being a great restaurant, the name Thirsty's implies a drinking establishment.

As my previous letter states, if it is determined that this is an appropriate location for a bar, the council should place restrictions on this and all other liquor establishments to patrol and clean up the mess created by their patrons. Further in an area that is already extremely short of parking, the additional density will further increase the problem.

Our historic downtown is very important to the city. Please help the property owners keep it clean so we can put our best foot forward.

Thank you, Fred Thurston

THE LAW FIRM OF
SCHMIDT, SCHROYER, MORENO, LEE & BACHAND, P.C.

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MYRNA MEYERS

Paralegal Assistant

NOTICE TO APPEAL TO CITY COUNCIL

HAND-DELIVERED

December 13, 2006

Karen Bulman
PLANNER
Rapid City Growth Management
300 Sixth Street
Rapid City, SD 57701

RE: 06-UR022 --Application of Frank Morrison for Conditional Use Permit to Allow on-sale Liquor Establishment and On-Sale Liquor License at 819 Main Street, Rapid City

Dear Karen:

I discussed the Thursday, December 7, 2006 approval by the Rapid City Planning and Zoning (Growth Management) Commission of the above-referenced liquor license request of Frank Morrison at 819 Main Street with Ron and Priscilla Schmidt of Schmidt Properties LLC and they informed me to appeal that decision to the Rapid City Common (City) Council.

As stated, this is a request to APPEAL to the Rapid City Common Council.

Please forward a copy of the December 1, 2006 two-page letter my clients, Ron and Priscilla Schmidt of Schmidt Properties LLC submitted to the Planning Commission to the Rapid City Common Council and Mayor, for their careful review, information and consideration.

Let me know if you have any questions. Thank you.

Please notify me when the City Council will address this matter so we can testify.

Sincerely,



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Ethan W. Schmidt
cc: Ron and Priscilla Schmidt of Schmidt Properties LLC (CLIENTS)

**Rapid City Growth
Management Department**

THE LAW FIRM OF
SCHMIDT, SCHROYER, MORENO, LEE & BACHAND, P.C.

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ETHAN W. SCHMIDT

MYRNA MEYERS
Paralegal Assistant

karen.bulman@rcgov.org

December 19, 2006

Karen Bulman, Planner
Growth Management Dept.
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

Re: File No. 06UR022 - - Application of Frank Morrison for On-Sale Liquor License
at 819 Main Street

Dear Ms. Bulman:

My wife, Priscilla M. Schmidt and I and Schmidt Properties, LLC, 832 St. Joseph Street, had earlier opposed the above-referenced application of Frank Morrison.

I visited with Mr. Morrison today, and based on his assurances wish to withdraw any opposition to his application.

I trust you will advise the City Council and/or its administrator that we will not be appearing at the January 2, 2007 hearing on this matter.

Please let me know if you have any questions or desire any additional information.

Sincerely,



Ronald G. Schmidt

RGS:mlm

cc: Frank Morrison
1302 38th Street
Rapid City, SD 57702

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**Rapid City Growth
Management Department**