

4502 Guest Road
Rapid City, SD 57702
April 1, 2002

City of Rapid City
Planning Department
300 Sixth Street
Rapid City, SD 57701

Ladies and Gentlemen:

The Canyon Lake Chophouse has requested a conditional use permit to allow a temporary structure in the Flood Hazard Zoning District for 15 event days per year. In the notice, the intended use of the temporary structure is not given. If the intended use is for dining, art exhibits or other quiet uses, we do not object. In past years however, the previous owners of the Chophouse have scheduled outdoor music venues with liquor sales that created a "nightclub-like and raucous party" atmosphere. The volume of the music and the occasional rowdiness of the patrons were disturbing. We recognize that the Chophouse is under new ownership. However, we have two objections to a Temporary Use Permit for the Chophouse or any other group petitioning use of this area of the Flood Hazard District:

First, the Chophouse is adjacent to a public greenway, bike path, park, and lake. During the summer, families often walk the shores of Canyon Lake and use the bike path and park facilities until they close at 11:00 p.m. To allow the Chophouse to compromise the serenity of the greenway, bike path, lake, and park with music and an outdoor liquor tent fifteen nights is not prudent or desirable. Further, the integrity and intent for establishing city recreational areas should be honored. The proprietors of the Chophouse surely are aware of the setting in which their structure is located. We would hope they would respect the environment of the adjoining neighborhood and City recreational areas by withdrawing their petition if it is for outdoor music.

Second, as one of the residents of the area, we strongly object to extensive commercial development of the area. Currently, the campgrounds are a low-impact commercial development as is the indoor operation of the Chophouse. We have appreciated the quality of the Chophouse as a dining facility but would object to expanding its operation onto the shores of Canyon Lake with music or other activities that would be disruptive to the neighborhood environment.

The Chophouse facility is spacious. If the Chophouse wishes to offer musical entertainment for its patrons, we suggest that they should do so inside the facility. It could then use the temporary structure for additional meal area. We have no objections to diners being served in a temporary structure since this is within the scope of what was proposed when the Chophouse was built.

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Rapid City
Planning Department

We request that the Chophouse petition be denied if the intent is for outdoor music with liquor sales. We can only surmise that the intent is to benefit from those attending the Sturgis Bike Rally. Fifteen days a year is too many days for a nightclub, party atmosphere in what is a traditionally quiet neighborhood. The argument may be presented that the music will be acoustic. However, it has been our experience that even acoustic music when amplified can easily exceed 90 decibels, which exceeds the City's noise pollution standards. It isn't the type of music that is objectionable but the volume.

Although we would strongly object to any compromise, if the Conditional Use Permit were granted, we request that the Planning Commission stipulate that all outdoor music be concluded by 9:00 p.m. Those of us who rise for work at 5:00 a.m., should not have our rest disturbed by a neighbor.

We respectfully request that this letter be read into the official minutes of the April 4, 2002, Planning Department Meeting.

Sincerely,



Patricia D. Fallbeck

Sincerely,



Thomas G. Timmons