

STAFF REPORT
March 26, 1992

USE ON REVIEW FOR AN ON-SALE LIQUOR ESTABLISHMENT

ITEM 14a

GENERAL INFORMATION:

PETITIONER The Uptown Grill

REQUEST Use on Review for an On-Sale Liquor Establishment

LEGAL DESCRIPTION Lot 8, Block 84, Original Townsite, Rapid City,
 Pennington County, South Dakota

LOCATION 615 Main St.

EXISTING ZONING Central Business District

SURROUNDING ZONING

 North: Central Business District

 South: Central Business District

 East: Central Business District

 West: Central Business District

PUBLIC UTILITIES City water & sewer

RECOMMENDATION: Staff recommends that the Use on Review for On-Sale Liquor Sales be approved with the following stipulations:

1. That the requirements of the Landscape Ordinance be met; and
2. All Life, Safety, and Building Codes be continually met.

GENERAL COMMENTS: The petitioner is seeking a Use on Review in order to operate the Uptown Grill (restaurant and bar) at 615 Main Street. The structure is currently vacant (with the exception of an apartment on the second floor) although previously it was the location of Black Hills Bicycles. Under a separate application, the petitioners will also be applying to the City for a beer and wine license for this property. The request for the Use on Review is necessitated by the recent amendment to the Zoning Ordinance making an on-sale liquor establishment a Use on Review in the Central Business Zoning District.

STAFF REVIEW: The petitioner proposes to remodel the building and convert it into a restaurant and bar. The building currently has about 7,622 square feet of usable floor area including basement, first and second floors and mezzanine. A portion of the basement has been closed off and will not be usable until a sprinkling system has been installed. Once sprinklers are installed the total usable floor area would increase to about 8,700 square feet. The petitioner's immediate plans involve using the first floor for the restaurant and bar. In the future the petitioner may wish to use the second floor for video lottery, arcade games, pool tables and similar entertainment. The apartment currently located on the second floor may be eliminated.

It is anticipated that approximately 55-60% of the revenue of the Uptown Grill will be derived from the restaurant. The facility will serve lunch and dinner with approximate hours of operation from 11:00 A.M. until 11:00 P.M. Monday through Saturday (closed Sundays). Live

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jazz and blues music will be featured on Saturdays. The petitioner has indicated that the decor will be 1930's and 1940's vintage.

As of this writing, Staff has received two telephone inquiries relating to the Use on Review request. One of the callers was requesting general information while the other caller was concerned with the location of the establishment and was under the impression that the City had imposed a moratorium upon the creation of new bars downtown. The Common Council approved a resolution in 1988 (see attached) which pertained only to establishments wishing to sell on-sale liquor. The resolution does not pertain to establishments selling only beer or wine and therefore does not impact the Uptown Grill as currently proposed.

The petitioner has returned the green cards from the notification of surrounding property owners within five hundred (500') feet. The petitioner reports that they received no inquiries regarding the mailing.

It is the opinion of Staff that the proposed restaurant and bar is generally compatible with the nature of the surrounding neighborhood. It should, however, be noted that apartments and single-family and two-family dwellings are permitted uses within the Central Business Zoning District. Therefore, some impact upon residences is possible with the location of this establishment.

Staff has reviewed the request as it relates to the four criteria established for Uses on Review for on-sale liquor establishments contained in Appendix A, Article V, Section 1.D.8:

- 1) The requested use will not "adversely affect" the use of any place used for religious worship, school, park, playground, or similar use within a five hundred foot (500') radius.
- 2) The requested use is "sufficiently buffered" with respect to residential areas so as not to "adversely affect" such areas.
- 3) The proposed use will not create an undue concentration of similar uses, so as to cause "blight, deterioration, or substantially diminish or impair property values."
- 4) The proposed use has been reviewed under the criteria of Article VII, Section 4(D).

Staff review has indicated that the granting of the Use on Review for an on-sale liquor establishment in Central Business Zoning district at 615 Main Street would be consistent with the purposes and intent of the Zoning Ordinances and the criteria for review of such requests.