

TO: RAPID CITY PLANNING COMMISSION MEMBERS:

RE: HEARING FOR CONDITIONAL USE PERMIT FOR
AN ON-SALE LIQUOR ESTABLISHMENT
703 - 705 Indiana Street

Please let me provide you with some background information, most of which is already a part of the file on this matter.

In the Fall of 2005, the owners bought this property. They made a request to apply for a Conditional Use Permit in December, 2005. The issue was referred to the City Council - which ultimately denied the request.

In 2010, the owners again made application to obtain a Conditional Use Permit - this application was again denied by the Planning Commission in June of 2010.

In 2011 the owners are again making application for a Conditional Use Permit so they can build a building and have a video lottery casino - and the sale of alcohol.

During the years they have owned the property, they have not done one thing to act as responsible property owners. Early on, Code Enforcement became involved because the owners did not keep the grass mowed, clean up junky stuff, etc. The property was not well maintained and mowing was sparse. Then they sprayed the entire property with some kind of chemical to kill all vegetation. With no vegetation to hold the dirt in place the dirt ran onto the sidewalk and remained there through the years up until Monday, June 27. On June 27, 2011, three people showed up and shoveled the entire walk - east and north side. They put tubes of rolled up straw around the entire sidewalk area and staked it down. On Wednesday, the "Conditional Use Permit Sign" was installed. No attempt has ever been made to clear the dirt - which became slippery when wet and people would end up walking in the street because of the mess.

Since 2005, there was never any attempt to shovel snow off the sidewalk until this past winter when the City became involved and the snow was removed.

As Members of the Planning Commission you owe it to the residents in our area to permit us to be able to enjoy our area without any more casinos. Our concerns are the same now as they were in 2005.

There is already undue concentration of casinos in our area and their request should be denied. Undue concentration of similar uses violates Section 17.50.185 subsection C. The casinos that presently exist within a two block area:

Toby's Casino - 710 Cleveland
Regency Lounge - 2202 Mt. Rushmore Road

RECEIVED

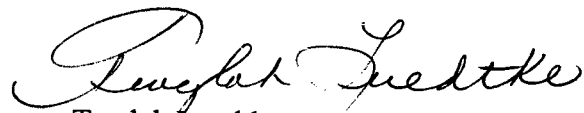
JUL 06 2011

**Rapid City Growth
Management Department**

Rodeway - 2208 Mt. Rushmore Road
Colonial House - 2501 Mt. Rushmore Road
Eighth Street Lounge - 2201 Mt. Rushmore Road
Casa Real - 2315 Mt. Rushmore Road

My request to you is as simple today as it was in 2005- - we do not want a liquor establishment/casino in our neighborhood! We are ordinary, hard working people who have purchased our homes and have earned the right to enjoy them without the intrusion of more alcohol and gambling.

Please, please do the right thing and deny their application. Thank you.



Twylah Luedtke
633 Indiana Street
Rapid City, SD 57701
342-3055

-----Original Message-----

From: rknutsen@rushmore.com [mailto:rknutsen@rushmore.com]

Sent: Wednesday, July 06, 2011 3:53 PM

To: Ficken Rise

Subject: Fwd: 703-705 Indiana Hearing for conditional use permit/corrected

This letter is written in reference to the hearing for a conditional use permit for an on sale liquor establishment to be located @ 703-705 Indiana.

I own the properties @ 702 and 720 Indiana (both parking lots) and @ 717 (Suites 100-400) 725 (Suites 100,200) and 735 Meade Street. The properties make up most of a city block, which is across the street from the proposed business. A medical office, two dentist offices and two Rapid City Regional Hospital departments inhabit these buildings. In addition, Rapid City Community Health's Pediatrics department has recently moved to 725 Meade Street. There is also a small apartment complex located in the basement of 717 Meade (Suite 300) which is a group home for 4 developmentally delayed young men.

First, though there is proof from the post office (by receipt), I am very concerned that I did not ever receive a letter informing me of this hearing. That seems to be odd, since I have been opposed to this project in the past.

Secondly, my concern is parking. We have already encountered problems with patrons and employees from Sonic and Casa Real using our lot as an overflow parking area. Since this is the largest parking spot in the area, R.V.'s and tourists, large semis and trailers also want to park there because "there is room." I am liable for anything happening to anyone in our parking lots.

Thirdly this type of establishment could change the character of the neighborhood, which to the north and east is predominantly made up of residential homes and professional offices. Seventh Street has been, up to this point, a quiet residential street. Elderly patients who are treated in the medical office appreciate the "residential setting" and the easy on/off access from 7th Street. The group home was planned at this location because of the quiet traffic pattern and the safe, residential feel of the neighborhood. There are already two casinos within a block or two of this proposed business. Isn't that already enough for a quiet neighborhood?

Mostly, I am concerned about the city allowing an onsale liquor establishment to be erected across the street from a pediatric clinic and across the street from a group home for young men, ages 26-30. The clientele for each of these buildings are extremely vulnerable due to their ages and their developmental delays

We are very much in favor of progress in Rapid City, but for the above reasons, it seems obvious that this is not the proper location for an onsale liquor establishment.

Thank you for your time and attention to this matter.

11UR014

July 6, 2011

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

RE: File #: 11UR014, On Sale Liquor Permit for 703 & 705 Indiana Street.

My name is Rich Kucera. I represent JRK Ventures, LLC & own the building at 725 Indiana Street (Lots 5-11, Block 26, So Blvd Addn). I also own the business that occupies that building, Interim HealthCare, a home health agency. I have not yet received official notice of the pending application for an on-sale liquor establishment right next door but did notice the sign on the property.

I object to the proposal for a conditional use permit for an on-sale liquor establishment being built next door for all the same reasons I objected last year:

- Having spent several years in close proximity to a liquor establishment, I am very aware of the noise, congestion, fights, trash, reckless driving, property damage and general disregard by local patrons of the surrounding businesses (& in this case, homes) that alcohol brings.
- Interim HealthCare is a home health agency. Our clients and employees need safe, easy access to parking without the unpredictable congestion and potential loss of parking spaces in our parking lot caused by casino patrons.
- I try to maintain an aesthetically appealing property by keeping up with landscaping, lighting, painting, pruning, trimming, snow removal, trash pick-up and general maintenance. Vomit, beer cans, chaotic parking and excessive traffic do not contribute to this objective.
- We already have a concentration of liquor establishments in this area: Toby's Casino, the Rodeway, Colonial House, Casa Real, the Regency Lounge & the Eighth Street Lounge. Anyone looking for a casino doesn't have far to go already. We don't need another.
- A huge, lit sign? I'm reasonably sure the homeowners across the street will not appreciate that.

I respectfully submit this objection to the granting of the conditional use permit for the on-sale liquor establishment at 703 & 705 Indiana Street. If you have questions, I can generally be reached at 348-5885.

Thank you for your consideration of my response.

Sincerely,

Rich Kucera
JRK Ventures, LLC
Interim HealthCare of the Black Hills

