Case No. 21PD003

Legal Description:

Tract A and B of Lot 2 (also in Section 30, T2N, R8E) of Rushmore Mall, located in Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
January 28, 2021
City of Rapid City
Main Street
Rapid City, SD 57701

RE: Letter of Intent

Bar K-9 is a beer and wine bar located in the Rushmore Mall that allows dogs to accompany their owners with a safe off leash area. The owners are responsible for their pet and must always have complete control over them. With Rapid City being such a dog friendly city, there are many other businesses that offer a similar concept (i.e. Murphy’s, Thirsty’s, Lost Cabin Beer co., etc.). The difference with our location is that there is no food that is served, and there is a confined, safe, off leash area for the dogs to play with their owners’ supervision and control.

The Rushmore Mall is a great location for Bar K-9 and we have had great success. With the success has come a great influx of customers and we would like to move to a bigger location within the Rushmore Mall. The location we would like to use is in the former Sears wing and was the previous the Wet Seal suite. It is 3,798 square feet and would still provide us with our own outside main entrance and plenty of parking for all our customers. All dogs must enter and leave through the exterior entrance dedicated to that space to keep dogs from being in the mall, and away from other mall customers. The store entrance into the mall will be fenced off to keep the dogs from entering the main portion of the mall, and the glass doors will be able to be closed if need be. The main entrance and check-in area will always be secured by several sets of gates, doors and an employee. This will allow dogs and owners to enter and leave in a very safe manner. At no time will any dogs encounter customers shopping outside of Bar K-9. A gate will be in place for customers without dogs to use our vicinity. The same rules will apply as in our current location including proof of vaccines to be emailed or faxed in by their veterinarian. We also will still have the customers fill out a liability waiver prior to entrance into the park. Upon the dogs first visit there will be a “bark ranger” who will perform a temperament test to ensure the dog is friendly with other dogs.

Noise and sound should not be an issue with the rules that will be set in place and posted in the bar. There will be a “No Barking Allowed” policy. If the dog is barking the customer will get a warning to control their pet. If barking persists the customer will be asked to leave the premises. We will also be installing sound proofing to all the walls in the location and will follow any other necessary means to ensure we do not disrupt the tenants or customers of the shopping center. The glass doors can also be shut at the mall entrance to assist in any unnecessary noise.

It will be the owner’s responsibility to ensure their dog has urinated and defecated before entering the building. However, we do understand that accidents will happen, and it will be the owner’s responsibility to clean up after their dogs immediately. We will have a designated area and cleaning stations for the customers to use if this happens. I have spoken with representatives at the Rapid City Landfill, The Humane Society and The Animal Clinic of Rapid City about requirements for disposing of dog waste. All confirmed that the policy is to simply wrap up the waste in a plastic bag and place in a covered dumpster. Our designated dumpster will be located outside at a safe distance from any customers, which should control the odor. The floors and the building will be spot cleaned at the time of accidents, and the floors will be deep cleaned after close every night.

Bar K-9 is a great entertainment option and is bringing growth within the mall. We spoke with the General Manager, Sandy Brockhouse, and she is very pleased with our business and the people it has brought to the mall. Our goal was to create a safe environment and community for dogs and their owners, especially when weather is not appropriate for outside activities, and we feel we have met that criteria. Thank you for your consideration.

Jared Batman