Case No. 19PD045

**Legal Description:**

Tract A and B of Lot 2 (also in T2N, R8E, Section 30) of Rushmore Mall Subdivision, located in Section 25, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
November 6th, 2019

City of Rapid City
Main Street
Rapid City, SD 57701

RE: Letter of Intent

This is a request for a Major Amendment to a planned development overlay to allow an indoor dog park with on-sale liquor (Beer and SD Wine Only). The indoor dog park will allow dogs to accompany their owners with a safe off-leash area. The owner will be 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 we will not be a full-service restaurant, and there will be a confined, safe, off-leash area for the dogs to play with their owners’ supervision and control.

This park is only for well-behaved and socialized dogs. No aggression what-so-ever will be allowed inside the park. All dogs will enter/exit through a private exterior door of the Rushmore Mall parking lot. Dogs must enter/exit on leash. Once they arrive, they will have to register their dog/s. This includes proof of vaccinations, spay/neuter, a signed liability waiver, and a signed acknowledgment of the rules (see attachment for rules). All dogs that arrive will be issued a temperament test to verify they are well behaved, friendly, and socialized. We will also have an employee “Bark Ranger” walk around to help maintain and control the environment.

The Rushmore Mall is a great location for Bar K-9 and the mall has previously had a pet store, dog groomer, and many events that allow dogs inside the mall. The location we would like to use is in the JCPenney Wing and was the previous Payless Shoes suite. It is 4,253 square feet and would 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 two store entrances into the mall will be fenced off to keep the dogs from entering the main portion of the mall. 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.

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.

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 ever night.
Our operation plan will include: Bar K-9 will be an indoor dog park with on sale use of malt beverage "beer and wine". The dog owners will be 100% present the whole time and will be required to maintain control of their dogs at all times. The location I am looking at is inside the Rushmore Mall (the old Payless store). It is 4,253sqft. and will have a private outside entrance with plenty of mall parking. The max dog occupancy would be 30. Hours of operation will be Tuesday - Friday 10am-9pm, Saturday 10am-9pm, and Sunday 11a-3pm. For employees I will have myself and 3 others.

Bar K-9 is a great entertainment opportunity for growth within the mall. Our goal is to create a safe environment and community for dogs and their owners, especially when weather is not appropriate for outside activities. Thank you for your consideration.

- Building Heights – one story, less than 45 feet
- Parking for this suite remains the same at 4.5/1,000 SFGFA. – No additional parking required
- Landscaping – change in use does not trigger any additional landscaping
- No additional exterior lighting or fencing is being proposed
- A vinyl banner will be placed on the exterior of the building above the Bar K-9 door. Size is 8ft X 4ft

Jared Batman
Bar K-9 Rules

All dogs must enter/exit on-leash in the designated exterior door of the Rushmore Mall parking lot. Entry into the off-leash park requires either a signed membership or a signed day pass along with a signed liability waiver.

- All dogs must be at least 6 months of age and spayed/neutered and well socialized for the off-leash dog park area
- Limit of 3 dogs per person per visit
- No dog or people food is allowed in the dog park.
- Playing is at your own risk.
- Dogs must be properly licensed and vaccinated
- Owners must clean up after their dogs. Waste stations are provided.
- Owners must prevent aggressive behavior, biting, fighting, etc
- Owners are liable for damage or injury inflicted by their dog(s). This means owners are legally and financially responsible for their dog’s behavior.
- Dogs must be unleashed in the transition corridor upon entering Park. ONLY ONE GATE OPEN AT A TIME.
- All dogs must be leashed upon entry and exit of the dog park. Leash must remain on human at all times.
- Excessive barking is not allowed. Dog(s) who BARK excessively MUST LEAVE the park
- Owners who disregard these rules will permanently lose all dog park privileges
- Dog Park monitors are located in the park for your beloved pets safety
- No outside food or drinks are permitted
- No sick, injured or senior dogs allowed to enter the park
- If aggressive behavior is observed, IMMEDIATELY take action- move your dog, or LEAVE and inform a Staff member
- No glass containers allowed in the park. Plastic only
- During peak hours, Bar K-9 Staff reserve the right to limit entry to the dog park if there is a large number of visitors. We ask that you are patient and wait in the lobby until guests exit.
- If a Staff member observes inappropriate behavior or disregard for these rules, by either humans, or dogs, you will be asked to vacate the premise. Violations of rules can result in membership revocation. No refunds
- By entering the dog park, you acknowledge that you are aware of, understand, and will abide by these rules
Exterior Sign

8ft X 4ft

Bar K-9
Indoor Dog Park & Bar