Case No. 22PD029

**Legal Description:**

Tract A and B of Lot 2 (also in T2N, R8E), Rushmore Mall, located in Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
Intended Use

Morgan Nolan
Wanda Miller
Happy Hills Painting LLC
232 Ruhe Lane, Box Elder SD 57719
307-351-0052
605-381-2112

Space # 562A of the Uptown Mall located at 2200 N Maple Ave, Rapid City, SD 57701 Property Owner: QR Rushmore LLC

Space #562A proposed use is as an art painting classes and crafting instruction and workshop space with painting classes as the primary function. Our intent is to provide a cohesive space for both regularly scheduled painting classes with our staff, in addition to offering availability for guest instructors through community involvement and select scheduled open paint times. Product sales will include artwork, canvases, paper products, paints, brushes, art mediums and an assortment of other art orientated supplies.

Our intention is to incorporate an enjoyable artistic experience with a social aspect that facilitates positive community interactions. To accomplish this, we will utilize the largest open space labeled as Area A on the attached layout as the Primary Art Instruction Classroom for groups of up to 50 persons, with the general usage, being limited to 32 to 40 persons per event/class. These classes will be scheduled in time blocks consisting of 2-to-3-hour increments per class, depending on how complicated the painting/project is.

During special events, such as a renowned artist or an industry leader being a guest presenter, Holiday events, etc. We will increase the number of participants to as many as 50 but will not exceed 50 persons.
A portion of the facility that is identified on the attached layout as Area B will be utilized primarily as Extended Instruction Classroom and meeting area. This space may be utilized for smaller classes ranging from 9 to 12 persons participating in activities that require a more controlled environment. This area will be utilized for special circumstances such as students that are partaking in art mediums that require extended days to complete such as oil painting (due to necessary dry times).

This space will also be utilized for instruction that requires a smaller, more controlled space to build instructor experience. It will be used to accommodate small groups that necessitate this due to a range of physical, psychological or mental exceptions as well as public requests to utilize this area as a group instruction space, meeting space, etc.

Our intent is to leave all seating and table areas for guest/student use mobile so that they can be easily adjusted and moved to accommodate any necessary changes. A slightly raised platform will be at the front facing area of the tables in both areas A and B allowing the instructor to be elevated for easy viewing. The elevated platform will be raised one legal step in height bringing it to 14 inches above the existing floor. The platform will be mobile and will not be affixed and will be utilized by instructors only.

A limited Lounge Area (indicated as Area C on the attached layout) exists to accommodate a conversation section for persons waiting for class to begin or for individuals who may have accompanied a guest/student but are not participating in classes or an event. This will be positioned in the southwest corner of the proposed space and will facilitate a flat screen tv, game systems and seating.
The Customer Service Counter identified as Area D, will be situated just beyond the main entrance to facilitate maintaining visual awareness of patrons entering and exiting the establishment and ensure a more controlled environment.

The door to the rear of the facility gives access to a mall service hallway that leads to an exterior building door. This will not be utilized as a primary access point by guests/students. Exit signs that ensure legal compliance will be posted at both the front and rear of the facility.

Guest/Student parking will be incorporated into the current parking already maintained by the property owners.

Restroom facilities utilized by guests/students are located in the primary public mall area. The closest Restrooms are situated between spaces 601 and 400 and several other restrooms are located within the building. Restrooms are clearly identified and are under the primary control and maintenance of QR Rushmore LLC. A single restroom is part of space 562A and will be utilized by ourselves and employees.

We are in process of requesting a Beer and Wine License. To ensure this is properly controlled, the furthermost internal area of the customer service counter will house a securable refrigeration and freezer appliance to ensure controlled sales of these products to guest/students of events being held.

The counter area, primary access/entrance and rear access/entrance, in addition to other locations throughout the space will be clearly signed indicating the alcohol related restrictions. These restrictions include, but are not limited to, no persons under the age of 21 may be provided, purchase nor consume alcoholic beverages while on the premises.
Persons 21 years or older shall be prohibited from providing alcohol to any minors while on the premise.

All alcohol products will be prepackaged from the manufacture and will not be altered prior to sale. All products containing alcohol purchased on site will be opened by the proprietor or an agent thereof, prior to the customer taking possession. Restrictions will specify that alcohol products purchased on site must be consumed within the facility or disposed of on site and will not be allowed to leave the premises.

Limited prepackaged snack items such as chips and candy bars will also be available for purchase. Prepackaged Water and nonalcoholic beverages will also be available for purchase. No food product will be produced on site.

Alcoholic beverages will not be sold or consumed, during events that are marketed to groups primary to children or underage participants. This includes, but is not limited to, classes that are designed with an emphasis on or are specifically designed to accommodate underage guests such as children painting events, homeschool events, children’s parties, etc.

**Hours of operation** will be in compliance with the Uptown Mall policy currently in place. Opening no earlier than 10 am and closing no later than 9 pm.
BLACK HILLS BATTLE ZONE
4,431