

**Lazy P-6 Land Company
615 East Catron Boulevard
Rapid City, South Dakota 57701**

February 8, 2002

Future Land Use Committee
City Planning Commission
City Council

RE: Lazy P-6 Land Use

For more than a year the City has consistently refused to accept the Land Use designations requested by Lazy P-6. Since the City of Rapid City is the governing authority with the responsibility for making these determinations, we must conclude that it has made itself knowledgeable as to the conditions and circumstances of surrounding and adjacent property and infrastructure. With that in mind we hereby request written, detailed explanations of and answers to the following questions.

- What strategic evaluations and analysis has the City made to support their conclusion that this area is not suitable for large tract commercial development?
- Under what planning precept and / or precedent does the City conclude that landfills, truck routes and electrical power substations are desirable uses adjacent to large tracts of residential property?
- Under what planning precepts, local precedents and / or Federal laws does the City declare that a portion of the Lazy P-6 property is not suitable for certain housing types?
How does the City conclude preemptively the quality of the housing type or the moral inclinations of those who inhabit them?
By what measurement standards does the City conclude that certain existing subdivisions are adversely impacted?
Please state the specific nature of the adverse impact cross-referenced to the standards.
- What specific language in current Ordinance does the City rely on to place a voluntary designation (PDD) on top of a Statutory zoning designation? Citing specific Ordinance language, what conditions exist on this land that are contemplated by the voluntary Ordinance? Is there some other body of law that supports this action?
- What specific language in current Ordinance does the City rely on to place certain restrictive designations (storm water control facilities) on land segments when the very nature of hydraulic modeling anticipates a variety of analytical solutions? Why doesn't the City incorporate the entire solution set from Basin Plans in its Land Use Plans since one could argue one element is as important as another? What Land Use Plan so incorporates this total data set? Are there any other mandatory mechanisms for providing this element of the total infrastructure? Why does the City selectively identify this element and exclude equally important elements such as water or waste water facilities?

We fully expect to have these questions addressed if or when the City decides to deny our recent request.

Lazy P-6 Board of Directors.