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May 3, 2012

City of Rapid City
Community Planning & Development Services
Current Planning Division
300 Sixth Street
Rapid City, SD 57701

To Whom It May Concern:

I am writing to express our opposition to the proposed rezoning from light industrial to heavy industrial district by By-Pass Development, LLC under file # 12RZ008 more particularly described as lot 6 of Block 2 of I-90 Heartland Business Park. Such a rezoning could adversely impact our 5 acre property (lots 4 and 5 of Block 2) located immediately adjacent to the south at the NE corner of Seger Dr and Rearden Ct in a number of ways.

First, we purchased our property with the understanding that the land surrounding us was zoned light industrial and paid a price appropriate to such zoning. Based on many years of dealings in the real estate market across the entire Midwest we strongly believe that changing the zoning of this adjoining land will likely have a detrimental affect on the value of our property. We believe allowing one adjoining lot to rezone could create a precedent that may lead to other adjoining lots being rezoned which will further damage the value of our property.

Second, it is my understanding that the impetus for this rezoning is to allow a concrete plant to be located there. A concrete plant will require heavy truckloads of raw materials coming in and loaded concrete mixers going out. The only access road to the site is right in front of our site. The potential for traffic congestion, dust, noise and damage to Rearden and Seger streets are all of great concern to us.

And finally, we believe that as a large, planned development Heartland Business Park should not be allowed to start changing zoning for a single lot in such a potentially harmful way after we invested a significant amount of money with the implied perception that one of the reasons we could feel confident in paying a high value was the development was planned and controlled. It's not like it was zoned AG. Changing the zoning for a single parcel like this next to numerous lots zoned light industrial will throw that whole concept out the window and give pause to others considering investing in Rapid City developments for fear their properties might be similarly harmed by rezonings.

Thank you for your consideration.

Sincerely Yours,

A handwritten signature in black ink that reads 'Greg Klein'.

Greg Klein
Vice President/CFO

12RZ008

From: Doyle Estes [<mailto:doyle@esteslawfirm.com>]

Sent: Sunday, May 06, 2012 2:24 PM

To: Quiett Brandon

Subject: rezoning request re 12 R z008

I am writing to oppose the rezoning request filed by Pat Tlustos on behalf of By-Pass Development LLC.

I own entities which own property to the north, west and east of the subject parcel.

The land I own on the east side of Elk Vale is zoned to allow for mobile homes. I am in negotiations with a buyer who intends to put buy the 120 acre parcel to develop an upscale modular home subdivision

In addition I have given the city of Rapid City 80 acres of land to the north of the subject site to be used for a soccer field complex.

The land immediately to the north and east and west of the subject site is owned by me. I believe to allow for the requested zoning will be very damaging to my future use of my property. It is my understanding that the future land use of my property provides for light industrial and general commercial uses. Those uses are not compatible with the requested zoning.

12RZ008

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

From: Doyle Estes [<mailto:doyle@esteslawfirm.com>]
Sent: Thursday, September 13, 2012 8:09 PM
To: Pat Tlustos
Cc: Fisher Vicki
Subject: Re: HI Zone

Vicky

In light of the representations made by Pat as stated below please withdraw my objection to his request for a rezone to heavy industrial.

Thanks

I will be out of town for a few days. In the office on Monday.

On Sep 13, 2012, at 7:14 PM, Pat Tlustos <Pat@nwemanagement.com> wrote:

> Overlay with landscape berms, real trees, paved paths, enclosed plant etc. has been filed with the city. As I understand the process, they've placed the overlay on the land, but can't do the final overlay until the rezone is complete. I'm at the ranch and don't have an electronic copy to send, but will try and do so on Monday. pt

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> -----Original Message-----

> From: Doyle Estes [<mailto:doyle@esteslawfirm.com>]
> Sent: Thursday, September 13, 2012 6:25 PM
> To: Pat Tlustos
> Subject: Re: HI Zone

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> I am out of the office the next three days but will be in the office Monday. If you filed papers proposing to do what you represented to me I will withdraw my opposition.

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> On Sep 13, 2012, at 3:10 PM, Pat Tlustos <Pat@nwemanagement.com> wrote:

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> Doyle, I see your protest letter is still on file with the city.

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> This rezone comes up Monday night and I'd appreciate you sending them an email confirming your support contingent on the overlay that is now on file.

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> Thanks Pat

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