

GILBERT D. MOYLE  
President

# MOYLE

## PETROLEUM COMPANY

PETROLEUM MARKETERS  
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### NOTICE OF APPEAL

November 30, 2021

Re: 21UR029 - Conditional Use Permit to allow a Medical Cannabis Dispensary at 1401 W. Omaha St. Suite 200

Dear City Council Members

Moyle Petroleum appeals the Planning Commission's approval of conditional use permits for suite 200 located at 1401 W. Omaha St. submitted by Puffy's, LLC.

Puffy's, LLC CUP request for "Unit 100" which is located in the same strip mall at 1401 W. Omaha was approved by the Planning Commission. The approval of conditional use permits for Suite 200, located at the same location, was "qualified" by the Planning Commission in that the applicant, IF successful in obtaining more than one license for this location thru the State lottery system, will only be allowed to place one dispensary at this location. However, by virtue of having this additional CUP request approved at this location, the applicant will obtain an unfair advantage in the State lottery system by allowing it to have multiple chances at being selected in the lottery by simply using potential dispensary sites that cannot be used even if successful in the drawing. We believe that the unintended consequence of allowing this practice will encourage people to apply for a dozen or more CUP's at one location in order to have any chance in the State lottery. We don't think this was the intent of the ordinance the City Council passed.

We believe the applicant should be allowed to have one site at this location (as was approved in 21UR028).

Moyle Petroleum Company

By: 

Its: President

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RAPID CITY DEPARTMENT OF  
COMMUNITY DEVELOPMENT