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December 18, 2020

VIA EMAIL ONLY to:

Honorable Steve Allender and Rapid City Common Council

300 Sixth Street

Rapid City, SD 57701

mayorsoffice@rcgov.org

Dear Mayor Allender and Council members:

I write on behalf of my client, Excel Truck & Trailer Repair, Inc. ("Excel"), with respect to the following agenda item set for your consideration at the December 21, 2020 meeting:

42. No. 20RZ038 - Second Reading, Ordinance 6451, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Ferber Engineering Company for B2 Holdings for a Rezoning request from Planned Unit Development to General Commercial District for property generally described as being located at 2233 and 2341 N. Elk Vale Road.
Recommendation: Approve

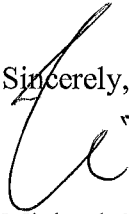
Excel received notice of the proposed zoning change as an adjacent, neighboring property. While my client did not contest the proposed zoning request at the committee stage, and does not wish to do so now, we do feel it is important to provide notice and a record regarding my client's current and existing use of its property. By way of background, Excel is one of the region's largest and busiest semi-tractor and trailer repair and service shops. While the business has been in operation for decades, its current location in Rapid City is relatively new. The new building and facility was constructed when its former location was needed for the Mall Drive expansion project. The owners and staff are rightfully proud of the facility and the service they provide for their many customers.

Taking into account the nature of the business, Excel runs a very clean operation. The lot is always organized and clean. Scrap metal, tires and oil are disposed of promptly. That said, the operation of the business requires the use of air guns, air chisels and testing trucks. One particular service, the regeneration on trucks, requires that the engine be taken up to 1800 rpm, with engine fan cycling on and off for 45 minutes or so. The zoning designation of my client's lot and its existing use of its property will be obvious and apparent to any future neighbors. My client is certainly not against development. The proposed zoning change to the immediately-adjacent property to general commercial would permit what I will call "tamer" business uses. This is perfectly fine, but we do want the public record to note that any future users of the

neighboring property (however the property is zoned) should not be heard to complain about my client's permitted, lawful uses of its property.

With kind regards, I remain

Sincerely,

A handwritten signature in black ink, appearing to be 'Michael C. Loos', written in a cursive style.

Michael C. Loos

Cc client