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Sent: Tuesday August 15, 2017
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Subject: File # 17UR015 Conditional Use Permit, Epic Outdoor Advertising, Inc.

On behalf of Rapid Center, LLC, the landowner of the 40 acre parcel (Tax ID 64169 and 41801) that is immediately north and contiguous to the property that is the subject of the aforementioned CUP application, we are appealing the City's decision to approve the Conditional Use Permit for an **off-premise** sign for the following reasons:

1. Location, character and design of adjacent building (City Findings No. 2): While a portion of the 40 acre parcel currently falls within a light industrial zone, this same property was previously zoned general commercial in 2010 and over the last year the owner has met with City staff and discussed the likelihood they will be requesting all or the majority of the property currently zoned light industrial to be returned to its original general commercial zoning.
2. As to effects of noise, odor, smoke, dust and air (City Findings No. 11). City states that this portion of I-90 is not identified as Entrance Corridor in the adopted Comprehensive Plan. We concur with City that the sign would not cause negative effect on noise, odor, dust, air, water or pollution, however, we would submit that the subject property does sit within the Gateway and Entrance Corridor designation. Specifically, page 109 of the Comprehensive Plan lists the following locations as Gateways: Interstate 90 at North Elk Vale Road; and lists the following location as an Entrance Corridor: Interstate 90 including the segments west of Interstate I90 and east of North Elk Vale Road. While the subject property does not sit right at North Elk Vale Rd., the highway exit at that location is one that would service the subject property and therefore we argue falls within the area so labeled/designated.

Upon reading Page 109 of the Plan, wherein the characteristics of Gateways and Entrance Corridors are described, it would seem the subject property, and more particularly the adjacent 40 acre parcel (that will most likely be developed into a regional shopping center given the existence of the Cabela's, and what the highest and best use of that property is), should be protected by the Design Principles set forth on page 110, including but not limited to GDP-GEC7 which states the following: **signage - prohibit pole signs and billboards in these locations.**

3. Purchase of Subject Property: A more appropriate and preferred use of the subject property would be for signage to promote the future uses of the adjacent property. This appellant previously requested to purchase the property from the State when it was under State ownership. To be best of this appellant's knowledge they were not advised when the property was offered for sale.
4. Visual and Physical Interference: The proposed billboard signage could and likely would interfere visually or possibly limit location options of future signage for on-premise advertising that will inevitably be located as permitted by City on the 40 acre parcel. Furthermore, the location of buildings on Appellants property could also be impacted by the proposed billboard.

5. As to City Findings that off-Premise signage is a valuable tool in promoting the economic and trade activities of the City: To the best of appellant's knowledge there is no guarantee that the uses/businesses/destinations that will be advertised on the billboard sign proposed will advertise businesses within the community of Rapid City. Appellant did not see any deed restrictions or other restrictions within the approval and/or application associated with the C.U.P.

In summary, we appeal to the Planning Commission to reconsider its decision to approve the C.U.P. for an off-premise pole sign for the aforementioned reasons, and any other considerations they find appropriate or may have been presented by opponents at the hearing.

Respectfully submitted by:



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