

14VR001

From: sahanzen [<mailto:sahanzen@ejourney.com>]
Sent: Wednesday, March 26, 2014 10:13 AM
To: Laroco Robert
Cc: 'Norm Hansen'; Limbaugh Brett
Subject: Objection to Vacation of Right of Way, File Number 14RV001

City of Rapid City Planning Commission members:

Regarding the AGENDA, City of Rapid City Planning Commission Meeting, March 27, 2014 - 7:00 A.M. City Council Meeting Room 300 Sixth Street Rapid City, SD 57701.

OBJECTION NUMBER 4 [No. 14VR001 - Section 6, T1N, R8E](#)

"A request by FMG Inc. for South Dakota School of Mines & Technology to consider an application for a **Vacation of Right-of-Way** for property generally described as being located in that portion of Hawthorne Avenue lying north of East St. Andrew Street."

REASON FOR OBJECTION

The Hansen Heights property owners were not sent an official notice of hearing. The Hansen Heights property is within the 250 feet of the proposed Vacation of Right-of Way. Hence, no official action should be taken on Item Number 4 by the Planning Commission on March 27, 2014 without an official notice of the hearing sent to all property owners within 250 feet.

Further, the Hansen Heights property owners worked with the previous SDSM&T Vice-President Finance and Administration, Tim Henderson, before his retirement to provide a second access road off Hawthorne Avenue. The second access road was to be located 300 feet north of East St. Andrew Street and to be called East St. Charles Street. When David Marshall, SDSM&T Acting Vice-President Finance and Administration, submitted a petition to Vacate Public Right-of-Way, he apparently was not aware of these discussions and did not contact the Hansen Heights Property Owners on this Vacation of Right-of-Way.

Further, the Hansen Heights property owners have responded to Barbara Mustard's, SDSM&T Director of Business Services, request to provide facilities supporting the South Dakota School of Mines and Technology.

RECOMMENDED ACTION BY THE PLANNING COMMISSION

The appropriate action for the Planning Commission should be "to send back" the Vacation of Right-of-Way (File # 14VR001), Item 4 to the city of Rapid City staff and request the South Dakota School of Mines and Technology and Hansen Heights property owners resolve before coming back to the Planning Commission

If you have any questions, please contact
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Respectfully submitted,

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14VR001

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