

STAFF REPORT

December 7, 2000

ANNEX #00AN011 - Resolution of Annexation

ITEM 29

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	ANNEX #00AN011 - Resolution of Annexation
LEGAL DESCRIPTION	Lot A Revised, Lot B, and Well Lot of the N1/2 of Government Lot 4, Section 18, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 19.98 Acres
LOCATION	4310 and 4314 Parkview Drive
EXISTING ZONING	Limited Agriculture District (County)
SURROUNDING ZONING	
North:	Low Density Residential District (City)
South:	General Agriculture District (City)
East:	General Agriculture District (City)
West:	Public District - Low Density Residential (City)
PUBLIC UTILITIES	None
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Resolution of Annexation be approved.

GENERAL COMMENTS: In accordance with Chapter 9-4 of South Dakota Codified Law, the City Council has authorized Staff to proceed with the involuntary or "forced" annexation of twenty acres of property located in the southern portion of the community (see map). The property consists of two platted lots and a platted well lot. There are two single-family homes located upon the property. The subject property is completely surrounded by the corporate limits of the City of Rapid City. On November 22, 2000 the Planning Commission approved the Resolution of Intent to Annex the subject property. The City Council will consider the Resolution of Intent to Annex at their December 4, 2000 meeting.

The subject property was annexed by the City in August, 1993 as part of a voluntary annexation request submitted by a property owner at that time. Subsequent to the voluntary annexation, the City approved a plat for the property and a Waiver of Right to Protest agreement regarding future improvements to Parkview Drive. Staff recently learned that just prior to the submission of the 1993 annexation petition, the property owner signing the petition sold a portion of the subject property thereby legally negating the annexation. Subsequent annexations have completely surrounded the property in question. In order to annex the

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property, it is now necessary for the City to undertake a “forced” annexation of the subject property. The attached proposed Resolution of Annexation is required by State Law and provides more detailed information regarding the proposed annexation.

STAFF REVIEW: As detailed in the attached Resolution of Annexation, Staff has reviewed this proposed annexation and believes it complies with the provisions of State Law governing the involuntary annexation of land. Staff is recommending that the Resolution of Annexation be approved.

A public hearing regarding the proposed Resolution of Annexation is set for December 18, 2000 before the City Council. Notices of this hearing will be sent to the two affected property owners and the Board of County Commissioners as required by State Law. This final action occurs at a public hearing held by the City Council with notice advertised in the newspaper. Assuming the annexation process proceeds smoothly, the annexation would become effective around January 22, 2001.