

STAFF REPORT

February 22, 2001

No. 01AN002 - Petition for Annexation

ITEM 10

GENERAL INFORMATION:

PETITIONER

South Dakota Army National Guard

REQUEST

No. 01AN002 - Petition for Annexation

LEGAL DESCRIPTION

A tract of land located in the E 1/2 of Section 5 and the W 1/2 of Section 4, all in T1N, R7E, Black Hills Meridian, Pennington County, South Dakota, more fully described as: Beginning at the North 1/16 Section corner of Section 4 and 5, T1N, R7E, said point being marked with a 2 inch diameter United States Department of Interior and Bureau of Land Management cadastral survey steel cap marker dated 1998, and also as shown on the plat of dedicated street right of way signed and approved by the Common Council of the City of Rapid City on the 19th day of May, 1969, said point being the True Point of Beginning; THENCE FIRST COURSE: A bearing of S 00 01' W, on the Section line, and a distance of 1314.04 feet to the 1/4 Section corner; THENCE SECOND COURSE: A bearing of S 00 04' W, on the Section line, and a distance of 657.02 feet to the 1/32 Section corner; THENCE THIRD COURSE: A bearing of S 89 51' 30" E on the 1/32 Section line to the 1/16 Section line; THENCE FOURTH COURSE: Southerly on the 1/16 Section line to the 1/32 Section corner; THENCE FIFTH COURSE: A bearing of S 89 40' W on the 1/32 Section line to a point 50 feet westerly of a centerline curve to the left with a radius of 286.48 feet and an arc length of 251.96 feet; THENCE SIXTH COURSE: Along a line 50 feet left of a center line curve to the left with a radius of 286.48 feet and an arc length of 106.37 feet; THENCE SEVENTH COURSE: Along a line 50 feet left of a tangent line bearing N 13 34' 30" W and a distance of 616.51 feet; THENCE EIGHTH COURSE: Along a line 50 feet left of a centerline curve to the left with a radius of 904.67 feet and an arc length 464.61 feet; THENCE NINTH COURSE: Along a line 50 feet left of a tangent line bearing N 43 00' W and a distance of 7.96 feet; THENCE TENTH COURSE: Along a line 50 left of a centerline curve to the left with a radius of 477.46 feet and an arc length of 337.64 feet; THENCE ELEVENTH COURSE: Along a line 50 feet left of a tangent line bearing N 83 31' W and a distance of 125.76 feet; THENCE TWELFTH COURSE: Along a line 50 feet left of a centerline curve to the right with a radius of 238.73 feet and an arc length of 365.20 feet; THENCE

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THIRTEENTH COURSE: Along a line 50 feet left of a centerline tangent line bearing N 04 08' E and a distance of 80.03 feet; THENCE FOURTEENTH COURSE: Along a line 50 feet left of a centerline curve to the left with a radius of 11,459.15 feet and an arc length of 823.33 feet; THENCE FIFTEENTH COURSE: Along a line 50 feet left of a tangent line bearing N 00 01' E and a distance of 859.22 feet to the 1/16 Section line of Section 5; THENCE SIXTEENTH COURSE: Easterly on the 1/16 Section line of Section 5 and a distance of 50 feet to the previously described True Point of Beginning. Said tract of land contains 21.28 Acres, more or less.

PARCEL ACREAGE	Approximately 21.28 Acres
LOCATION	East of Hillsview Drive immediately south of Stevens High School
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	Public District (City)
South:	Medium Density Residential (City)
East:	Medium Density Residential (City)
West:	General Agriculture District (County)
PUBLIC UTILITIES	City Water
REPORT BY	Blaise Emerson

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved.

GENERAL COMMENTS: The South Dakota Army National Guard has submitted a petition requesting annexation of the subject property to the City of Rapid City. The property is currently undeveloped. The property includes all of Hills View Drive right-of-way and that area east of Hills View Drive that is currently not annexed (see attached graphic). The current City limits are abutting the subject property to north, east and south. The process of Annexation by Petition (or *voluntary annexation*) is provided for under Section 9-4-1 of SDCL.

In 1996, the City annexed that property along Skyline Drive including the area where Catron Boulevard was constructed. That annexation was a *forced annexation* which included unplatted property. State law requires that the Pennington County Board of Commission approve the annexation of any unplatted property. The Pennington County Board of Commissioners agreed with the annexation with two conditions: 1) That the City

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annex the balance of the Schlottman Addition; 2) That the City annex Hills View Drive. The County was concerned that Hills View Drive on south and north side of this property is within the City limits and only approximately one quarter mile of Hills View Drive remains under County maintenance.

STAFF REVIEW: Staff has reviewed this proposed annexation from the perspective of the City's ability to service this area and the impact of development on the surrounding areas.

Zoning/Land Use: Currently, the property is undeveloped. In reviewing the Zoning Ordinance, staff would recommend that the subject property be zoned Public Zoning District. This district would best fit the nature of the National Guard use of the property. When the property is annexed, the property will be rezoned automatically to the "No Use" Zoning District. No building permits can be issued for the property until such time as the property is rezoned from the "No Use" District to some other applicable zoning district. Staff will proceed with the rezoning the property to public immediately.

Fire District: The property to be annexed is currently located in the Johnson Siding Fire District. According to SDCL 34-31A-35, a municipality is obligated to compensate rural fire districts when annexations diminish their tax base. The Johnson Siding Fire District has indicated no debt that needs to be compensated.

Public Utilities and Streets: A City water main is located in the Hills View Drive right-of-way through the property and a sanitary sewer main is located just to the south and to the east of the subject property.

The City has a proposed reconstruction project for this segment of Hills View Drive. Pennington County has agreed to fund a portion of the reconstruction project for Hills View Drive. The project is currently scheduled for the year 2002.

As mentioned earlier, the City maintains the right-of-way both north and south of the subject property. There should not be any significant problems with the addition of this one quarter mile stretch of street to the City system. Staff finds that the City of Rapid City can adequately service this annexation area without an adverse impact to the surrounding area or the City as a whole.