

STAFF REPORT

April 26, 2001

No. 01AN004 - Petition for Annexation

ITEM 11

GENERAL INFORMATION:

PETITIONER	Pennington County
REQUEST	No. 01AN004 - Petition for Annexation
LEGAL DESCRIPTION	The 75 foot wide portion of Mall Drive right-of-way located on Lot H2 of the NE1/4 of Section 25, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.56 Acres
LOCATION	East Mall Drive north of the Rushmore Mall
EXISTING ZONING	Public Right-of-Way
SURROUNDING ZONING	
North:	General Commercial District (PCD)
South:	General Commercial District
East:	General Commercial District
West:	Light Industrial District
PUBLIC UTILITIES	N/A
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the property listed in the attached Petition for Annexation, an area of 4.56 acres, more or less, be approved for annexation.

GENERAL COMMENTS: The process for annexation by petition is provided for under Section 9-4-1 SDCL, which states that by resolution, the City may annex a contiguous area, if the written petition describing the boundaries of the area is signed by no less than three-fourths of the registered voters and by owners of no less than three-fourths of the value of the area to be annexed. The petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

In 1973, The Rushmore Mall area was annexed into the City limits up to the southern boundary of Lot H2. In 1999, the area north of the Rushmore Mall was annexed down to the northern boundary of Lot H2. The 75 foot portion of Lot H2 was not included in either of these annexations.

The Rapid City Council identified short-term and long-term proposed annexation priorities. On April 2, 2001, the Rapid City Council passed a Resolution Establishing Future Annexation Study Areas. (Map and Resolution are attached to this document). This area is one of the short-term priorities identified by the Rapid City Council. As a result, a letter was sent to the Pennington County Commissioners requesting that they consider signing a petition for voluntary annexation. This petition for annexation, submitted by the Pennington

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County Commissioners, encompasses the 75 foot wide portion of Mall Drive right-of-way described as Lot H2.

STAFF REVIEW: In reviewing the City limit boundaries, Staff identified a small piece of Mall Drive right-of-way, which was not included in the previous area annexations. The right-of-way is surrounded by the City limits on four sides. The process for annexation by petition, provided for under Section 9-4-1 SDCL states that by resolution, the City may annex a contiguous area, if the written petition describing the boundaries of the area is signed by no less than three-fourths of the registered voters and by owners of no less than three-fourths of the value of the area to be annexed. As such, this area has been identified as appropriate for annexation.

Staff received no adverse comments regarding the requested annexation and believes that the annexation of this property would provide more cohesive municipal boundaries and provide for more efficient street maintenance.