

STAFF REPORT

June 7, 2001

No. 01AN007- Petition for Annexation

ITEM 28

GENERAL INFORMATION:

PETITIONER

FMG for William Freytag

REQUEST

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LEGAL DESCRIPTION

a tract of land located in the NW 1/4 of NW 1/4 of Section 24, T2N, R7E, BHM, Pennington County, South Dakota more particularly described as follows: Commencing at a point which is a property corner with LS Cap 6119 which is the northwest corner of Lot 9 of Block One of Tyler Knue Subdivision in NW 1/4 of NW 1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence N00°16'55"E a distance of 77.12', more or less, to a point; Thence N13°44'34"W a distance of 107.66', more or less, to a point; Thence S66°12'08"W a distance of 303.51', more or less, to a point; Thence N89°32'23"W a distance of 279.98', more or less, to a point; Thence N00°27'37"E a distance of 121.67', more or less, to a point; Thence N45°26'14"E a distance of 159.30', more or less, to a point; Thence S44°33'46"E a distance of 12.36', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 226.00' and an arc length of 57.47', more or less, to a point; Thence N45°57'12"E a distance of 54.45', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 174.00' and an arc length of 47.61', more or less, to a point; Thence N14°08'42"E a distance of 198.01', more or less, to a point; Thence N66°41'34"E a distance of 83.60', more or less, to a point; Thence N89°50'49"E a distance of 60.59', more or less, to a point; Thence S89°48'39"E a distance of 205.71', more or less, to a point; Thence N00°18'52"E a distance of 132.00', more or less, to a point; Thence S89°41'08"E a distance of 52.00', more or less, to a point; Thence S00°18'52"W a distance of 119.00', more or less, to a point; Thence S89°41'08"E a distance of 135.00', more or less, to a point; Thence S00°18'52"W a distance of 147.34', more or less, to a point; Thence southeasterly on a curve to the right with a radius of 124.00' and an arc length of 71.73', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 176.00' and an arc length of 68.03', more or less, to a point; Thence S00°16'55"W a distance of 249.47', more or less, to a Property Corner with LS Cap 4225 which is the NE corner of Lot 18 of Block 3 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 135.00',

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more or less, along the north property line of Lot 18 of Block 3 of Tyler Knue Subdivision, to a Property Corner with LS Cap 6119 which is the NW corner of Lot 18 of Block 3 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 52.00', more or less, to a Property Corner with LS Cap 6119 which is the NE corner of Lot 9 of Block 1 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 170.00' along the north property line of Lot 9 of Block 1 of Tyler Knue Subdivision, more or less, to the Point of Beginning

PARCEL ACREAGE	Approximately 7.539 Acres
LOCATION	West of Mall Ridge
EXISTING ZONING	No Use District (City)
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	Mobile Home Residential District (City)
East:	Low Density Residential District (City)
West:	General Agriculture District (County)
PUBLIC UTILITIES	To Be Extended
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the property listed in the attached Petition for Annexation, an area of 7.539 acres, more or less, be approved for annexation with the following stipulation:

Planning Department Recommendations:

1. That prior to City Council approval of the annexation, any required debt be paid to the North Haines Volunteer Fire Department in accordance with SDCL 31-31A-35.

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. This petition for annexation, submitted by Mr. Freytag, is located in a portion of Tyler Knue Subdivision. An associated Final Plat application has also been submitted for this property (see related Staff Report).

STAFF REVIEW: Under SDCL 31-31A-35 a municipality is obligated to compensate rural fire districts when annexations diminish their tax base if they have outstanding debt. Staff is currently in the process of confirming with the Fire District that there is no outstanding debt requiring reimbursement.

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Staff concludes that the area proposed to be annexed can be expected to develop to an urban level of density within the foreseeable future and therefore annexation is appropriate. Moreover, Staff finds that the City of Rapid City can adequately service this annexation area without any significant adverse impact to the surrounding area or the City as a whole.

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