

STAFF REPORT

August 23, 2001

No. 01AN014 - Petition for Annexation

ITEM 14

GENERAL INFORMATION:

PETITIONER Geiger Architecture for Rapid City School District, West River Electric Association, William C. Gikling, and the State of South Dakota Department of Transportation

REQUEST **No. 01AN014 - Petition for Annexation**

LEGAL DESCRIPTION Lot 1, Less Lot H-1, Lot 2 and Lot 3 less Lot H-1, all in Block Two (2), Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; That portion of Shadow Drive lying north of Lots 1, 2, 3, and 4 less the H lot in Lot 4, in Block 1 of Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; Lots 1 less the H lot in Lot 1, 2, 3 and 4 less the H-lot in Lot 4, in Block 1 of the Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; Lots 6 less the H lot in Lot 6, 7, 8 and 9 less the H-lot in Lot 9, in Block 1 of the Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; That portion of Shadow Drive lying south of Lots 6, 7, 8 and 9 less the H lot in Lot 6, in Block 1 of Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; Lot 2 of Lot D in NW1/4 of NE1/4; Lot C, School lot and lot RS all in Johnson School Subdivision in NW1/4 of NE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; That portion of Inca Drive lying west of Lot C in Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; That portion of School Drive that has not previously been vacated lying north of Lot B in the NW1/4 NE1/4 and Lot A less the H lot in Lot A of the NE1/4 NW1/4 and the NW1/4 NE1/4 in Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; The west border of this portion of School Drive consists of a line from the northeast corner of the H lot in Lot A of the NE1/4 NW1/4 and the NW1/4 NE1/4 in Johnson School Subdivision to the southeast corner of Lot 8 in Block 2 of the Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; Lot A of Lot 1 of Lot D, and Lot B of Lot 1 of Lot D, and Lot B, all in the NW1/4 NE1/4; and Lot A less the H lot in Lot A of the NE1/4 NW1/4 and Lot A less the H lot in Lot A of the NW1/4 NE1/4, all in Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South

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Dakota; That portion of the Highway 44 ROW that lies immediately south of Lot 2 of Lot D in the NW1/4 NE1/4; Lot A of Lot 1 of Lot D, and Lot B of Lot 1 of Lot D and Lot B, all in NW1/4 NE1/4; and Lot A less the H lot in Lot A of the NE1/4 NW1/4 and the NW1/4 NE1/4 all in Johnson School Subdivision, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; That portion of the southeast connector right-of-way that is designated as the H Lots and filed of record in: Books of Plats 9 Highway on Page 68; Books of Plats 9 Highway on Page 69; Books of Plats 9 Highway on Page 70; Books of Plats 9 Highway on Page 71; Books of Plats 9 Highway on Page 72; Books of Plats 9 Highway on Page 73; and, Books of Plats 9 Highway on Page 89

PARCEL ACREAGE	Approximately 20.57 Acres
LOCATION	At the intersection of S.D. Highway 44 and Twilight Drive
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	General Commercial District (PCD) - General Agriculture District (City)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	Rapid Valley Sanitary District
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that property listed in the attached Petition for Annexation, an area of 20.57 acres, more or less, be approved for annexation.

GENERAL COMMENTS: The process for annexation is provided for under Section 9-4-1 SDCL. The applicant's petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

In conjunction with the Petition for Annexation, the applicant has submitted a request to rezone the subject property from No Use District to Light Industrial District with a Planned Development Designation. The applicant has also submitted a Comprehensive Plan Amendment to amend the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation from General Commercial, Public and Low Density Residential to Light Industrial with a Planned Light Industrial Development. (See companion items #01CA014, 01RZ052 and 01PD048.)

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Currently, the West River Electric Association, Inc. headquarters building, an elementary school with three modular classroom structures, an office building, a shed and two garages are located on the subject property. The applicant has indicated that West River Electric Association, Inc., currently located within the southern portion of the subject property, will eventually re-develop the entire property for the purposes of expanding their facilities. The annexation also includes that portion of the right-of-way for the Heartland Express (Elk Vale Road) and the right-of-way for S. D. Highway 44 located adjacent to the subject property.

STAFF REVIEW: The City of Rapid City formally adopted four annexation goals as part of the Rapid City Annexation Policy Document. Those are:

- 1) The annexation of lands which are necessary for the orderly growth and development of the City;
- 2) The annexation of lands which are urbanized or urbanized to the extent that they require an urban level of services;
- 3) The annexation of lands the development of which effects the health and/or safety of the residents of the City; and,
- 4) The annexation of lands to ensure an equitable tax base.

Staff's review of the requested annexation suggests that the proposed annexation is a natural extension of the existing commercial development along S. D. Highway 44 and Twilight Drive. Further the annexation of this area will provide for an equitable tax base based on the existing development currently located on the property and the proposed re-development of the property.

The annexation area is presently located in the Rapid Valley Fire Protection District. Under SDCL 31-31A-35, a municipality is obligated to compensate rural fire districts when annexations diminish their tax base. The Rapid Valley Fire Protection District has indicated that there are no outstanding capital improvements requiring reimbursement.

Staff received no adverse comments regarding the requested annexation. Based on compliance with the four criteria for the review of annexation requests and compliance with the requirements for annexation by petition, staff recommends approval of the annexation of the previously described property.