

STAFF REPORT

June 5, 2003

No. 03AN006 - Petition for Annexation

ITEM 11

GENERAL INFORMATION:

PETITIONER	Russell Engesser for G&G Investments, WREA
REQUEST	No. 03AN006 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	SW1/4 NW1/4 less Lots H1 and H2 & ROW; and, SE1/4 NW1/4; and, N1/2 SW1/4 less Lots H1 and H2 and ROW; and, N1/2 SE1/4; all located in Section 34, T2N, R8E, BHM, Pennington County, South Dakota; and, S1/2 SW1/4 less Lots H1 and H3 and ROW and less Lot 1 of Neff's Subdivision #3, Section 34, T2N, R8E, BHM, Pennington County, South Dakota; and Lot 1 of Neff's Subdivision #3, Section 34, T2N, R8E, BHM, Pennington County, South Dakota; and, the N1/2 GL3 and N1/2 GL4 less Lots H1 and H2, all located in Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 347.86 acres
LOCATION	East of Elk Vale Road, west of Reservoir Road, north of Twilight Drive and south of Interstate 90 Exit 61
EXISTING ZONING	General Agriculture District/Limited Agriculture District (County)
SURROUNDING ZONING	
North:	No Use District(City)/General Agriculture District(County)
South:	Limited Agriculture District(County)/Low Density Residential District w/PDD/General Commercial District w/PDD, Office Commercial District w/PDD/ Medium Density Residential District w/PDD, Public District (City)
East:	General Agriculture District (County)/Low Density Residential District/Medium Density Residential District w/PDD/Public District (City)
West:	General Commercial District/General Agriculture District (City)
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	05/09/2003
REPORT BY	Karen Bulman

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RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment that may be due to the Rapid Valley Fire District being made by the City of Rapid City upon annexation.

GENERAL COMMENTS: The process for annexation by petition is provided for under Section 9-4-1 SDCL. This statute 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.

Properties surrounding this property were annexed into the City in 1986, 1988, 2002 and just recently, February 9, 2003. This property is located east of Elk Vale Road, west of Reservoir Road and south of Interstate 90 Exit 61.

STAFF REVIEW: The north, south and west boundaries of the subject property are adjacent to the Rapid City limits. The subject property is currently zoned General Agriculture District and Limited Agriculture District by Pennington County. The property to the north is in a No Use District in Rapid City and General Agriculture District by Pennington County. The property to the west of the subject property is zoned General Commercial and General Agriculture. The property to the east of the subject property is zoned Low Density Residential with a Planned Development Designation, Medium Density Residential with a Planned Development Designation and Public District in Rapid City, and General Agriculture District by Pennington County. The property south of the subject property is zoned General Commercial with a Planned Development Designation, Office Commercial with a Planned Development Designation, Medium Density Residential with a Planned Development Designation and Low Density Residential with a Planned Development Designation in Rapid City, and Limited Agriculture by Pennington County.

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 annexation diminishes their tax base. Rapid Valley Fire District has an outstanding capital improvement loan and they have been contacted to determine any costs that may need to be reimbursed. To date Rapid Valley Fire District has not submitted a dollar amount. Annexation will be contingent on any payment due the Rapid Valley Fire District.

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 believes that the annexation of this property would provide more cohesive municipal boundaries. Staff is recommending approval of this annexation contingent on any payment that may be due to the Rapid Valley Fire District being made by the City of Rapid City upon

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