

STAFF REPORT  
May 27, 2004

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**No. 04AN003 - Petition for Annexation**

**ITEM 2**

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GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	<b>No. 04AN003 - Petition for Annexation</b>
EXISTING LEGAL DESCRIPTION	All of the N1/2 NE1/4 and the N1/2 NW1/4 of Section 20, T1N, R8E, BHM, Pennington County, South Dakota; and, Lot H1 of the E1/2 NE1/4 located in the NE1/4 NE1/4, Section 19, T1N, R8E, BHM, Pennington County, South Dakota; and, all of the Section Line right-of-way located in the NE1/4 NE1/4, Section 19, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 173.3221 acres
LOCATION	East of SD Highway 79 South and Folsom Road
EXISTING ZONING	General Commercial District/Heavy Industrial District (County)
SURROUNDING ZONING	
North:	Heavy Industrial District (City)
South:	General Agriculture District/Heavy Industrial District (County)
East:	General Commercial District (County)
West:	Public District (City)
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	04/30/2004
REVIEWED BY	Karen Bulman / Sig Zvejnieks

RECOMMENDATION: Staff recommends that the Petition for Annexation for all of the N1/2 NE1/4 and the N1/2 NW1/4 of Section 20, T1N, R8E, BHM, Pennington County, South Dakota; and, Lot H1 of the E1/2 NE1/4 located in the NE1/4 NE1/4, Section 19, T1N, R8E, BHM, Pennington County, South Dakota; and, all of the Section Line right-of-way located in the NE1/4 NE1/4, Section 19, T1N, R8E, BHM, Pennington County, South Dakota be approved.

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 appears to meet all requirements for consideration under the

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provisions for a voluntary annexation.

STAFF REVIEW: This property is located east of S.D. Highway 79 and east of Folsom Road. The property is currently zoned Heavy Industrial District and General Commercial District by Pennington County. West of the subject property the land is zoned General Commercial District by Pennington County. Land located east of the subject property is zoned Public District. Land located south of the subject property is zoned General Agriculture District, Heavy Industrial District and General Commercial District by Pennington County. Land north of the subject property is zoned Heavy Industrial, Light Industrial, and General Commercial Districts. There is one commercial business development in the annexation area. This business requested to be added to Rapid City's sewer service line. As a condition of receiving City sewer services, they agreed to annex into the City limits. The balance of the area is railroad and street rights-of-way and undeveloped 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 annexation diminishes their tax base. Lowell Heinrich, President of the Rapid Valley Volunteer Fire District, has indicated that there are no outstanding capital improvement loans requiring reimbursement.

This annexation includes a northern portion of Folsom Road and several rights-of-way adjacent to S.D. Highway 79. The Pennington County Highway Department Staff has indicated that the County will maintain a proposed cul-de-sac at the southern boundary of the annexation area that is a portion of the SD Department of Transportation right-of-way adjacent to S.D. Highway 79.

Staff has not received any adverse comments regarding the requested annexation and as such finds this area appropriate for annexation.