

STAFF REPORT
April 7, 2005

No. 05AN003 - Petition for Annexation

ITEM 8

GENERAL INFORMATION:

PETITIONER	Glen A. Elshire
REQUEST	No. 05AN003 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	Lot C of NE1/4 NW1/4 and Lot X of Lot B of NE1/4 NW1/4 of Johnson School Subdivision, Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .36 Acres
LOCATION	3201 School Drive
EXISTING ZONING	General Commercial District (Pennington County)
SURROUNDING ZONING	
North:	Suburban Residential District (Pennington County)
South:	General Agriculture District (Rapid City)
East:	Light Industrial District (Planned Light Industrial Development) (Rapid City)
West:	General Commercial District - Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Valley Sanitation
DATE OF APPLICATION	3/11/2005
REVIEWED BY	Karen Bulman / David L. Johnson

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment due to the Rapid Valley Fire District being paid.

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 provisions for a voluntary annexation.

STAFF REVIEW: This property is located at 3201 School Drive, north of E. Highway 44 and west of Elk Vale Road. The property is currently zoned General Commercial District by Pennington County. Land located north of the subject property is zoned Suburban Residential District by Pennington County. Land located east of the subject property is zoned Light Industrial District with a Planned Light Industrial Development. Land located west of the subject property is zoned General Commercial District and Suburban

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Residential District by Pennington County. Land located south of the subject property is zoned General Agriculture District. A Conditional Use Permit by Pennington County exists on the property for a pet store and veterinarian clinic.

The property is located in the Rapid Valley Sanitary District. Following annexation, water and sewer services will continue to be provided by the Rapid Valley Sanitary District.

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. The Rapid Valley Fire District has been contacted to determine any costs that may need to be reimbursed. As of this writing, the Rapid Valley Fire District has not indicated that any reimbursement is due. Annexation will be contingent on any payment due to the Rapid Valley Fire District being paid by the City of Rapid City.

Staff has not received any adverse comments regarding the requested annexation and as such finds this area appropriate for annexation. Staff is recommending that the annexation be approved contingent on any payment due to the Rapid Valley Fire District being paid.