

STAFF REPORT  
October 4, 2007

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**No. 07AN005 - Petition for Annexation**

**ITEM 5**

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GENERAL INFORMATION:

APPLICANT/AGENT	Alan Thornburg
PROPERTY OWNER	Dakota Craft Business Properties LLLP
REQUEST	<b>No. 07AN005 - Petition for Annexation</b>
EXISTING LEGAL DESCRIPTION	Lot 1A and 2A, located in the SE1/4 of NW1/4, Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 9.0 acres
LOCATION	5406 Old Folsom Road
EXISTING ZONING	Heavy Industrial District (Pennington County)
SURROUNDING ZONING	
North:	No Use District
South:	General Agriculture District (Pennington County)
East:	General Commercial District - Heavy Industrial District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	Shared well and on-site septic system
DATE OF APPLICATION	9/4/2007
REVIEWED BY	Karen Bulman / Mary Bosworth

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

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 undeveloped property contains approximately nine acres and is located at 5406 Old Folsom Road. The property is currently zoned Heavy Industrial District in Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north of the subject property is zoned No Use District. Land located south and west of the subject property is zoned General Agriculture District by Pennington County. Land located east of the subject property is zoned General Commercial District and Heavy

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Industrial District by Pennington County. The draft Southeast Connector Neighborhood Future Land Use Plan indicates that this area may be appropriate for heavy industrial land use.

The City Council has adopted a short and long term annexation priority list and the property is identified as a long term priority. As such, the annexation of this property is appropriate and desired.

Currently the property is served by a septic system and shared water well. Future development of the property will require adequate water and sewer. Water service and sewer are located in the Marlin Industrial Park located north of the subject property. Oversizing of the water mains may be required to service the area. Water and sewer plans in accordance with City standards shall be submitted for approval prior to any future construction.

The subject property does not abut a public road right-of-way. Access to the property is through a Private Roadway Crossing Agreement with the Chicago & North Western Transportation Company.

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. Annexation will be contingent on payment due to the Rapid Valley Fire District being paid by the City of Rapid City.

Staff recommends that the Petition for Annexation be approved contingent on any payment due to the Rapid Valley Fire Protection District being paid by the City of Rapid City.