

STAFF REPORT  
April 22, 2010

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**No. 10AN001 - Petition for Annexation**

**ITEM 6**

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GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	<b>No. 10AN001 - Petition for Annexation</b>
EXISTING LEGAL DESCRIPTION	Lots A and B of Lot 3, Lot B of Lot 4, North 202 feet of Lot 4 and the vacated street lying east and adjacent to Lot 4, all in Block 2 of Cleghorn Canyon Subdivision #2; and all of Block 1 of Cleghorn Canyon Subdivision #2, all located in the SW1/4 of Section 8, T1N, R7E, BHM, Pennington County, South Dakota; and the Right-of-way Lot CS in Block 1 of Cleghorn Canyon Subdivision #2 known as Cleghorn Canyon Lane, and Cleghorn Canyon Road adjacent to and south of Block 1 of Cleghorn Canyon Subdivision #2 and south of the vacated street lying east and adjacent to Lot 4 of Block 2 of Cleghorn Canyon #2, and the private lane adjacent and north of Lot B of Lot 4 of Block 2 of Cleghorn Canyon Subdivision #2, all located in the SW1/4 of Section 8, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.44 Acres
LOCATION	North of Cleghorn Canyon Road and west of Jackson Boulevard
EXISTING ZONING	Limited Agriculture District - Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District - Suburban Residential District (Pennington County)
South:	Limited Agriculture District - Suburban Residential District (Pennington County) - Flood Hazard District
East:	Park Forest District - Flood Hazard District
West:	Suburban Residential District (Pennington County)
PUBLIC UTILITIES	Rapid Canyon Sanitary District
DATE OF APPLICATION	3/26/2010
REVIEWED BY	Karen Bulman / Ted Johnson

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RECOMMENDATION:

Staff recommends that the Petition for Annexation 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 provisions for a voluntary annexation. The City Council approved the authorization of the Mayor and Finance Officer to sign the Petition for Annexation to annex the property owned by Rapid City. The Pennington County Commission also approved the Chairman's signature on the Petition for Annexation to annex the right-of-way lot and Cleghorn Canyon Road. There are no registered voters residing on the property.

STAFF REVIEW: This property contains approximately 3.44 acres and is located north of Cleghorn Canyon Road and west of Jackson Boulevard. The City plans to build the Jackson Springs Water Treatment Plant at this location. The existing structures currently located on the property will be removed. The former Cleghorn Canyon School is proposed to be demolished. Two school structures, two residences and two garages are proposed to be offered at auction later this spring.

The property is zoned Suburban Residential District and Limited Agriculture District by Pennington County and will be zoned No Use District upon annexation into the City limits. Land located east of the property is zoned Park Forest District and Flood Hazard District. Land located west of the property is zoned Suburban Residential District by Pennington County. Land located north of the property is zoned Suburban Residential District and Limited Agriculture District by Pennington County. Land located south of the property is zoned Flood Hazard District and Suburban Residential District and Limited Agriculture District by Pennington County. The Southwest Connector Neighborhood Area Future Land Use Plan identifies the property as appropriate for Low Density Residential land uses. Access to this property will be from Cleghorn Canyon Road. The property is served by the Rapid Canyon Sanitary District.

The proposed annexation area is presently located in the Johnson Siding Fire Protection District. Under SDCL 34-31A-35, a municipality is obligated to compensate Fire Districts when annexation diminishes their tax base. The Johnson Siding Fire District has been contacted to determine any costs that may need to be reimbursed. However, since the property is owned by the City of Rapid City and does not have any property tax liability, the annexation will not diminish their tax base and as such, no payment will be due to the Johnson Siding Fire District.

Staff recommends that the Petition for Annexation be approved.