

STAFF REPORT  
October 27, 2011

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**No. 11AN002 - Petition for Annexation**

**ITEM 2**

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GENERAL INFORMATION:

APPLICANT	Bruce A. Nerison
PROPERTY OWNER	Daylight Investment III
REQUEST	<b>No. 11AN002 - Petition for Annexation</b>
EXISTING LEGAL DESCRIPTION	W1/2W1/2SE1/4SW1/4 less the North 8/10ths of the W1/2W1/2SE1/4SW1/4 also recorded as the W1/4SE1/4SW1/4 less the North 8/10ths of the W1/4SE1/4SW1/4 located in Section 20, T2N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.7602 acres
LOCATION	1700 Seger Drive
EXISTING ZONING	General Commercial (Pennington County)
SURROUNDING ZONING	
North:	Medium Density Residential
South:	Heavy Industrial
East:	Suburban Residential District (Pennington County)
West:	Medium Density Residential
PUBLIC UTILITIES	Private - Cistern and Holding Tank
DATE OF APPLICATION	9/29/2011
REVIEWED BY	Karen Bulman / Ted Johnson

RECOMMENDATION:

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

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 contains approximately 1.7602 acres and is located at 1700 Seger Drive. Three commercial buildings are located on this property. The adjacent properties to the north, south and west are within the City limits.

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The property is zoned General Commercial District by Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north and west of the property is zoned Medium Density Residential District. Land located south of the property is zoned Heavy Industrial District. Land located east of the property is zoned Suburban Residential District by Pennington County. The City's Future Land Use Plan identifies the property as appropriate for Residential land use. The applicant should be aware that if a commercial business is to be located on the property, a Comprehensive Plan Amendment must be approved to change the land use designation from Residential to Commercial prior to rezoning the property to General Commercial District. In addition, street addressing in the area is not in sequence and may be subject to change.

Access to this property is from Seger Drive, a minor arterial on the City's Major Street Plan. Currently, the property has a cistern and holding tank to service their water and sewer needs. However, the City is working with the applicant to provide City water and sewer services to this property upon annexation.

The proposed annexation area is presently located in the North Elk Fire Protection District. Under SDCL 34-31A-35, a municipality is obligated to compensate Fire Districts when annexation diminishes their tax base. The North Elk Fire District has been contacted to determine any costs that may need to be reimbursed. Annexation will be contingent on payment due to the North Elk Fire District being made by the City of Rapid City.

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