

STAFF REPORT  
July 26, 2012

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**No. 12AN003 - Petition for Annexation**

**ITEM 7**

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GENERAL INFORMATION:

APPLICANT	Dream Design International, Inc.
PROPERTY OWNER	Dennis Zandstra Real Estate Holding
REQUEST	<b>No. 12AN003 - Petition for Annexation</b>
EXISTING LEGAL DESCRIPTION	The SE1/4 of the NE1/4 and the E1/2 of the SE1/4 lying north of railroad right-of-way located in Section 20, T1N, R8E, and the W1/2 of the W1/2 of the SW1/4 less railroad right-of-way and less Old Folsom Road right-of-way located in Section 21, T1N, R8E, all located in BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 120.35 acres
LOCATION	North of Old Folsom road and south of Elk Vale Road
EXISTING ZONING	Heavy Industrial District (Pennington County) - Limited Agriculture District (Pennington County)
FUTURE LAND USE DESIGNATION	Industrial
SURROUNDING ZONING	
North:	General Agriculture District - Limited Agriculture District (Pennington County)
South:	General Agriculture District (Pennington County) - Light Industrial District (Pennington County)
East:	Limited Agriculture District (Pennington County)
West:	Heavy Industrial District (Pennington County) - Limited Agriculture District (Pennington County) - General Commercial District (Pennington County)
PUBLIC UTILITIES	No Utilities
DATE OF APPLICATION	June 29, 2012
REVIEWED BY	Robert Laroco / Ted Johnson

RECOMMENDATION:

Staff recommends that the Petition for Annexation be approved contingent upon any payment due to the Rapid Valley 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

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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: The property being considered for annexation is approximately 120.35 acres and is located north of Old Folsom road and South of Elk Vale Road, approximately 4,500 feet east of the intersection of Old Folsom Road and U.S. Highway 79. Property adjacent to the north is located within the City limits.

Portions of the property are zoned Heavy Industrial District in Pennington County. In addition, portions of the property are currently zoned Limited Agriculture District in Pennington County. Upon annexation into the City, the property will be zoned No Use District. The applicant has submitted an associated Rezoning request (File # 12RZ014) to rezone the property from No Use District to Light Industrial District. Property in Rapid City located to the north is zoned General Agriculture District, while property to the north located in Pennington County is zoned Limited Agriculture District. Property to the west is zoned Heavy Industrial District in Pennington County. Property to the south is primarily zoned General Agriculture District in Pennington County, with some property zoned General Commercial District and Light Industrial District in Pennington County. The City's Future Land Use Plan identifies the property being requested for annexation as appropriate for industrial uses.

Access to the property is from Old Folsom Road. The City's Major Street Plan identifies Old Folsom Road as a principal arterial street. In addition, the Major Street Plan identifies several proposed minor arterial streets and proposed collector streets located on the property. The applicant should be aware that prior to development of the property, the location and development of proposed arterials and collectors must be addressed. In addition, currently there is no utility service on the property. The applicant should be aware that prior to development of the property, utility service to the property must be addressed. Additionally, the applicant has been working with the City to address utility services and proposed changes to the Major Street Plan for future development of the property.

The Rapid City Fire Department has noted that any development of the property will require that all structures be fire sprinkler protected. The applicant should be aware that future development of the property will require coordination with the Rapid City Fire Department to ensure that all requirements of the International Fire Code are continually met. The proposed annexation is currently located in the Rapid Valley Fire Protection District. As such, under SDCL 34-31A-35, a municipality is obligated to compensate Fire Districts when annexation diminishes their tax base. The Rapid Valley Fire Protection District has been contacted to determine any costs that may need to be reimbursed. Annexation is contingent upon payment due to the Rapid Valley Fire Protection District.

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