

STAFF REPORT

January 4, 2001

ANNEX #00AN012 - Petition for Annexation

ITEM 2

GENERAL INFORMATION:

PETITIONER	Pennington County Commission
REQUEST	ANNEX #00AN012 - Petition for Annexation
LEGAL DESCRIPTION	Thirty foot (30') wide portion of the Parkview Drive right-of-way adjacent to Lot A Revised and Lot B of the North 1/2 of Government Lot 4, located in the SW1/4 SW1/4 of Section 18, T1N, R8E, BHM, Pennington County, South Dakota
LOCATION	At the southern terminus of Parkview Drive
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved.

GENERAL COMMENTS: This petition for annexation has been submitted by the Pennington County Commission. The proposed annexation encompasses the easterly thirty feet of the Parkview Drive right-of-way adjacent to Lot A Revised and Lot B. The subject property is directly south of the existing improved portion of Parkview Drive.

On December 7, 2000 the Planning Commission recommended approval of a Resolution of Annexation for the forced annexation of the twenty acres of property located adjacent and to the east of the subject property. This forced annexation included two platted lots and a well lot. The City Council on December 18, 2000 approved this Resolution of Annexation. The land in question was annexed by the City in August, 1993 as part of a voluntary annexation request submitted by a property owner at that time. Staff recently learned, however, that just prior to the submission of the 1993 annexation petition, the property owner signing the petition sold a portion of the subject property thereby legally negating the annexation. Subsequent annexations had completely surrounded the property included in the forced annexation in addition to the Parkview Drive right-of-way. In order to annex the property, it became necessary for the City to undertake the "forced" annexation. Due to an oversight, the Parkview Drive right-of-way was not included as part of this forced annexation but is reflected in the current annexation application submitted by Pennington County.

STAFF REVIEW: A thorough study of the subject property was prepared as part of the forced annexation approved by the City Council on December 18, 2000. This annexation report reviewed factors such as transportation, water, sewer, and other City services with respect to the ability of the City to service the annexed area and the costs associated with the provision of these services. The annexation report concluded that the City should annex the subject property. In making this recommendation, the report made the following findings: (1) The City of Rapid City is willing and able to provide the urban services from which the adjacent and contiguous developing area benefits; (2) A community of interest exists between the City

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and the developing area; (3) It is essential that the City be allowed to exercise proper police powers to ensure orderly growth and development; and, (4) The development of the subject property will easily effect the health and safety of the residents of Rapid City.