

STAFF REPORT

May 24, 2001

No. 01AN006 - Petition for Annexation

ITEM 23

GENERAL INFORMATION:

PETITIONER	Marvin Herrmann
REQUEST	No. 01AN006 - Petition for Annexation
LEGAL DESCRIPTION	Lot A of Lot 6 of Tract B of Braeburn Addition, Section 8, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	1.24
LOCATION	West of Chapel Valley, South of the Fish Hatchery and East of SD Highway 44
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Flood Hazard District
South:	Flood Hazard District
East:	Low Density Residential District
West:	Flood Hazard District
PUBLIC UTILITIES	City sewer and water
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the property listed in the attached Petition for Annexation, an area of 1.24 acres, more or less, be approved for annexation.

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. The petition appears to meet all requirements for consideration under the provisions for a voluntary annexation. This petition for annexation, submitted by Mr. Herrmann, is located in Braeburn Addition, west of Chapel Valley, south of the Fish Hatchery, and east of SD Highway 44.

The Rapid City Council identified short-term and long-term proposed annexation priorities. On April 2, 2001, the Rapid City Council passed a Resolution Establishing Future Annexation Study Areas. (Map and Resolution are attached to this document). This area is one of the short-term priorities identified by the Rapid City Council. Pursuant to the adopted resolution, Staff requested that Mr. Herrmann submit the annexation petition. He agreed and has returned the petition for voluntary annexation of his property.

STAFF REVIEW: In reviewing the City limit boundaries, Staff has identified this small piece of property, surrounded by City limits, which has not been included in previous area

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annexations. This property is located between Rapid Creek and residential property to the east. Rapid City owns the flood hazard property along Rapid Creek located north, west, and south of the subject property.

The annexation area is presently located in the Johnson Siding Fire Protection District. Under SDCL 31-31A-35 a municipality is obligated to compensate rural fire districts when annexations diminish their tax base. Ron Stephens, Fire Chief for the Johnson Siding Fire Department, has indicated that there are no outstanding capital improvements requiring reimbursement.

Staff has not received any adverse comments regarding the requested annexation and as such finds this area appropriate for annexation.