

STAFF REPORT

December 6, 2001

No. 01AN020 - Petition for Annexation

ITEM 3

GENERAL INFORMATION:

PETITIONER	Pennington County Commission
REQUEST	No. 01AN020 - Petition for Annexation
LEGAL DESCRIPTION	That portion of Shadow Drive lying between Lots H1 in Lots 4, 5 and 6 of Block 1 and Lots H1 in Lots 3, 4, 5, 6 and 7 of Block 2 of the Johnson School Subdivision located in the NW1/4 NE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; that portion of School Drive lying South of Lot H1 in the East 88 feet of Lot D located in the NE ¼ NW1/4, Section 9, T1N, R8E, BHM Pennington County, South Dakota; Lot H1 in Lot 8 of Block 2 of the Johnson School Subdivision located in the NW1/4 NE1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately .8 Acres
LOCATION	North of S.D. Highway 44 and west of Twilight Drive
EXISTING ZONING	No Use District
SURROUNDING ZONING	
North:	Light Industrial District (PDD)
South:	Light Industrial District (PDD)
East:	Light Industrial District (PDD)
West:	Light Industrial District (PDD)
PUBLIC UTILITIES	N/A
REPORT BY	Karen Bulman

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. The petition appears to meet all requirements for consideration under the provisions for a voluntary annexation of the County right-of-way.

This area, at the intersection of S.D. Highway 44 and Twilight Drive, was recently annexed on September 4, 2001. In the legal description, a portion of Shadow Drive and School Drive was omitted. Therefore, a request was presented to the Pennington County Commissioners asking that they sign a petition for voluntary annexation of this portion of the two roadways.

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This petition for annexation, submitted by Pennington County, encompasses the roadways omitted from the previous annexation.

STAFF REVIEW: In reviewing City limit boundaries, Staff identified that these rights-of-way, contiguous to the City limits, have not been included in previous area annexations. The process for annexation by petition, provided for under Section 9-4-1 SDCL 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. As such, this area has been identified as appropriate for annexation.

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

Staff received no adverse comments regarding the requested annexation and believes that the annexation of this property would provide more cohesive municipal boundaries.