

STAFF REPORT
October 21, 2004

No. 04AN011 - Petition for Annexation

ITEM 2

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 04AN011 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	The southeastern most 33 feet of section line right-of-way extending south approximately 895 feet, beginning at the northeastern corner of Tract C of the SE1/4 SE1/4 located south of the railroad right-of-way located in the SE1/4 SE1/4 of Section 5, T1N, R8E, BHM, Pennington County, South Dakota; the southwestern most 33 feet of section line right-of-way extending approximately 840 feet south beginning at the northwestern most corner of Lot 1 of Lot D of SW1/4 SW1/4 located south of the railroad right-of-way in the SW1/4 SW1/4 of Section 4, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.31 acres
LOCATION	South of SD Highway 44 East and north of East St. Patrick Street
SURROUNDING ZONING	
North:	Light Industrial District
South:	Suburban Residential District (County)
East:	General Commercial District (County)
West:	Light Industrial District/General Commercial District
PUBLIC UTILITIES	NA
DATE OF APPLICATION	09/24/2004
REVIEWED BY	Karen Bulman / David L. Johnson

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. This petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

This street right-of-way known as South Valley Drive contains approximately 1.31 acres and is located south of SD Hwy 44 East and north of E. St. Patrick Street. Properties located adjacent to this right-of-way were annexed into the City on April 25, 1996. A potential Tax

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Increment District has been submitted for the purpose of placing a water line within South Valley Drive. Prior to the City Council hearing on that application, South Valley Drive must be within the corporate limits of Rapid City. As such, a letter was sent to the Pennington County Commissioners requesting that they consider signing a petition for voluntary annexation. A Petition of Annexation has been submitted by the Pennington County Commission for the annexation of this portion of South Valley Drive.

The right-of-way is also located within an area identified by the City Council as part of their short term annexation goals. On October 4, 2004, the City Council requested that staff proceed with the voluntary annexation of the land in this vicinity.

STAFF REVIEW: The subject right-of-way is adjacent to the Rapid City limits. The property located north of the subject property is zoned Light Industrial District. The properties to the west are zoned Light Industrial District and General Commercial District. The property located east of the subject property is zoned General Commercial District by Pennington County. The property located south of the subject property is zoned Suburban Residential District by Pennington County.

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.

Staff believes that the annexation of this right-of-way will provide more cohesive municipal boundaries and therefore recommends that the annexation be approved.