

STAFF REPORT
January 25, 2007

No. 06AN006 - Petition for Annexation

ITEM 2

GENERAL INFORMATION:

PETITIONER	City of Rapid City
REQUEST	No. 06AN006 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	Lots H1, H2 and H3 located in the N1/2 of the NE1/4; and the unplatted balance of the N1/2 of the NE1/4; and the NE1/4 of the NW1/4, all located in Section 30, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 119.39 acres
LOCATION	West of South Dakota Highway 79 and south of Catron Boulevard
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Heavy Industrial District
South:	General Agriculture District (Pennington County)
East:	General Agriculture District (Pennington County)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City of Rapid City
DATE OF APPLICATION	12/29/2006
REVIEWED BY	Rodney Proffitt / Emily Fisher / Marcia Elkins

RECOMMENDATION:

Staff recommends that the Petition for Annexation be approved contingent on any payment due to the Rapid Valley Fire Protection District being paid 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 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 property in question is owned by the City of Rapid City and the State of South Dakota. This petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

In addition to this application for a Petition for Annexation, the City has submitted a request for rezoning from "No Use" District to General Agriculture District (06RZ071).

STAFF REPORT
January 25, 2007

No. 06AN006 - Petition for Annexation

ITEM 2

STAFF REVIEW:

The subject property is located just west of S.D. Highway 79 directly south of the Rapid City landfill. The property is currently zoned General Agriculture District by Pennington County and will be zoned No Use District upon annexation into the City Limits. The property located north of the subject property is zoned Heavy Industrial District. The property located east, west and south of the subject property is located outside of the City Limits and is zoned General Agriculture District by Pennington County.

The City owns 106 acres and the remaining 13.39 acres is owned by the State of South Dakota. The property owned by the City was acquired to provide a buffer to the Municipal Landfill located directly north. Pursuant to the purchase agreement, the previous land owner is allowed to continue using the property for agricultural purposes for a specific period of time. The property is currently used for grazing. The balance of the property is utilized by the South Dakota Department of Transportation as a storage yard. The total acreage proposed for annexation is 119.39 acres.

The adopted Comprehensive Plan identifies the appropriate future land use for the property as General Agriculture.

Staff is in the process of contacting the Fire District. Pursuant to the provisions of SDCL 34-31A-35, a municipality is obligated to compensate rural fire districts when annexation diminishes their tax base. The staff is contacting the Fire District to determine if any costs may need to be reimbursed. Annexation will be contingent on any payment due to the Rapid Valley Fire District being paid by the City of Rapid City.

Staff recommends that the Petition for Annexation be approved with the stated stipulation.