## No. 08AN007 - Resolution of Annexation

**ITEM 48** 

## **GENERAL INFORMATION:**

APPLICANT/AGENT City of Rapid City

PROPERTY OWNER Multiple property owners

REQUEST No. 08AN007 - Resolution of Annexation

**EXISTING** 

LEGAL DESCRIPTION

Tract B of Lot 2 of Lot A, Lot 1 and Lot 2 of Tract A, and Lot 3 all in Barnhart Addition; Tract E & Dedicated Private Drive of KOA Subdivision in the SE1/4 SW1/4; Lot A of SE¼ NW¼; Lot 1A of Lot 1 of Lot A of SW¼ SW¼; Tract 1, formerly Lot 1 of Lot B, a portion of the residual portion of Lot B, and portions of Lots 2 and 3 of Lot A including 25 feet private access agreement on residual portion of Lot C, all in the SW1/4 SW1/4; Lot D including Lot 1 of Lot D located in the SW1/4 SW1/4; Tract B of SE1/4 SW1/4; Unplatted Balance of W1/2 SE1/4 SW1/4; SW1/4 NW1/4 and NW1/4 SW1/4 including Lot A of NW1/4 SW1/4; Government Lot 4; the 150 foot wide E. Highway 44 right-of-way lying south of Lot 1A of Lot 1 of Lot A of SW¼ SW¼, all located in Section 4, T1N, R8E, BHM, Pennington County, South Dakota; and, The 150 foot wide E. Highway 44 right-of-way within Section 4 lying south of Lot 3, Lots 1 & 2 of Tract A, Tract B of Lot 2 of Lot A, all of Barnhart Addition, Section 4, T1N, R8E, BHM, Pennington County, South Dakota; and, Tract A of SE1/4 SW1/4 of Section 4 and the NE1/4 NW1/4 of Section 9; Tract C of SE1/4 SW1/4 of Section 4 and Parcel E of NE¼ NW¼ of Section 9; and the 150 foot wide E. Highway 44 right-of-way lying south of Tract C of SE1/4 SW¼ of Section 4 and Parcel E of NE¼ NW¼ of Section 9; all located in T1N, R8E, BHM, Pennington County, South Dakota; and, The part of Lot E of the NE1/4 NW1/4 lying north of the highway right-of-way for access to Interstate Highway No. 90, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; and, All of Hillsview Subdivision including Hillside Drive and Eagle Drive rights-of-way and Rockhill Road, an access easement; SE¼ of GL 1 less N100 feet of SE¼ of GL 1 including Lot A of Lutheran Subdivision; All of Marshall Subdivision including Homestead Street and Glenside Drive rights-ofway and Windhaven Drive, a private access easement; NE¼ of Government Lot 1 (NE¼ NE¼ NE¼); Lot 5 and Lot 7 of E½ SE¼; The 150 foot wide E. Highway 44 rightof-way, including Lots H-1, H-2, H-3, and H-4, all located in the E½ of Section 5, lying south of Lot 5 and Lot 15

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Revised and Lot 17 and the west 100 feet of Lot 14, all of Hillsview Subdivision, and Lot 7 of E½ SE¼; all located in Section 5, T1N, R8E, BHM, Pennington County, South Dakota; and, The 66 foot wide Valley Drive right-of-way north of S. D. Highway 44 located in the western boundary of the W½ of Section 4 and the eastern boundary of the E½ of Section 5, all located in T1N, R8E, BHM, Pennington County, South Dakota; and, The 100 foot wide railroad right-of-way lying north of Lot D of SW¼ SW¼ not already located within the City of Rapid City, Section 4, T1N, R8E, BHM, Pennington County, South Dakota; and, E½ SE¼ of Section 32, T2N, R8E, BHM, Pennington County, South Dakota; and, SW¼ of Section 33, T2N, R8E, BHM, Pennington County, South Dakota

PARCEL ACREAGE Approximately 497.279 Acres

LOCATION North and south of S.D. Highway 44 and east and west

of Valley Drive

EXISTING ZONING General Agriculture Dist - Limited Agriculture Dist -

Suburban Residential Dist - Light Industrial Dist -

Highway Services Dist (Pennington County)

SURROUNDING ZONING

North: General Agriculture District

South: Light Industrial Dist - Heavy Industrial Dist - Right-of-way

- Suburban Residential Dist (Pennington County)

East: Low Density Residential Dist. (Planned Residential

Development) - Medium Density Residential Dist. (Planned Residential Development) - Low Density Residential Dist. - General Commercial Dist. (Pennington

County)

West: General Agriculture Dist - Public Dist - Low Density

Residential Dist - Medium Density Residential Dist

PUBLIC UTILITIES Rapid Valley Sanitary District

DATE OF APPLICATION 3/28/2008

REVIEWED BY Karen Bulman / Karley Halsted

<u>RECOMMENDATION</u>: The Annexation Committee recommends that the property listed in the attached Resolution of Annexation, an area of 497.279 acres more or less, be approved for annexation to the City of Rapid City, contingent on payment of the necessary reimbursement to the North Elk Fire Protection District.

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GENERAL COMMENTS: This request has been made by the City of Rapid City for a City-initiated annexation as allowed under South Dakota Codified Law (SDCL) 9-4. The annexation territory is located north and south of S.D. Highway 44 and east and west of Valley Drive. The "North Valley Drive Area Annexation Study" provides extensive information regarding this annexation request. The Resolution of Intent to Annex North Valley Drive Area was approved by the City Council on May 5, 2008.

STAFF REVIEW: As discussed in the enclosed Annexation Study, Staff has performed an extensive review of this proposed annexation. As of this writing, there have been no amendments to the content of the resolution relative to the services to be provided. The Pennington County Commissioners approved the annexation of unplatted lands into the City limits at their public meeting on May 20, 2008.

The City has adopted an Annexation Policy to ensure the continued orderly growth of the City and the equitable development of our infrastructure. Services are more adequately and efficiently provided if they cater to a cohesive service area rather than a scattered service area. When citizens of the City are bearing the costs of services to developing areas, among such services as the airport, civic center, and recreational facilities use by developed areas not within the City limits, it sets up an unfair tax burden. The annexation of the area will preserve an equitable tax base.

The annexation area is presently located in the North Elk Fire Protection District and 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. The North Elk Fire Protection District has indicated that there are outstanding capital improvements requiring reimbursement. Rapid City will be required to reimburse the North Elk Fire Protection District approximately \$194.95 upon annexation.

The Annexation Committee has recommended that the Resolution of Annexation be approved based on conformance with the goals established by the City for annexing land, as well as all provisions of State Statute.