Applicant Request(s) | Item #2
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Case # 21AN004: Petition for Annexation

Companion Case(s) #:
- 21RZ026 – Rezoning request from No-Use District to Light Industrial District
- 21RZ027 – Rezoning request from No-Use District to Heavy Industrial District
- 21RZ028 – Rezoning request from No-Use District to General Commercial District
- 21RZ029 – Rezoning request from No-Use District to Heavy Industrial District
- 21RZ038 – Rezoning request from No-Use District to Heavy Industrial District
- 21RZ039 – Rezoning request from No-Use District to Heavy Industrial District
- 21PL152 – Preliminary Subdivision Plan
- 21TI003 - Application for Tax Increment Financing

Development Review Team Recommendation(s)
The Development Review Team recommends that the annexation petition be approved.

Project Summary Brief

The applicant is requesting to annex 601 acres of property that are contiguous to the Rapid City’s corporate limits. The property is zoned Agriculture in Pennington County and has Future Land Use Designations of Light Industrial and Heavy Industrial. Upon Annexation, the property will be placed into a No-Use Zoning District. There are six zoning requests associated with this annexation. The City does not currently have the ability to provide sewer or water utilities to the subject area. The applicant will be required to extend utilities and infrastructure to serve the subject property. The subject property is located within the Rapid Valley Rural Fire Protection District. The District has requested the City to forego reimbursement in accordance with South Dakota Codified Law 34-31A-35 so that the property’s share of outstanding debt can continue to be levied against the property so there is no overall loss in revenue to the Fire District upon annexation.

Applicant Information

Applicant: David Lamb and Andrea Andersen Revocable Trust and Marvin and Kay Paschke
Property Owner: Same as above
Architect: N/A
Engineer: Dream Design International, Inc.
Surveyor: N/A
Other: N/A

Development Review Team Contacts

Planner: Sarah Hanzel
Engineer: Todd Peckosh
Fire District: Jerome Harvey
School District: N/A
Water/Sewer: Todd Peckosh
DOT: Stacy Bartlett

Subject Property Information

Address/Location | Southeast of the intersection of S. Highway 79 and Old Folsom Road
Neighborhood | Southeast Connector Neighborhood Area
Subdivision | N/A
Land Area | 601 acres
Existing Buildings | Void of structural development
Topography | Hilly terrain
Access | S.D. Highway 79
Water Provider | None
Sewer Provider | None
Electric/Gas Provider | Black Hills Power
Floodplain | N/A
Other | N/A
### Subject Property and Adjacent Property Designations

<table>
<thead>
<tr>
<th></th>
<th>Existing Zoning</th>
<th>Comprehensive Plan</th>
<th>Existing Land Use(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Property</td>
<td>AG- PC</td>
<td>LI/HI</td>
<td>Void of structural</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>development</td>
</tr>
<tr>
<td>Adjacent North</td>
<td>LI, GAD, HID</td>
<td>LI/HI</td>
<td>Industrial</td>
</tr>
<tr>
<td>Adjacent South</td>
<td>GC-PC, HI – PC, AG-PC</td>
<td>LI/HI</td>
<td>Commercial, Industrial, and Void of Development</td>
</tr>
<tr>
<td>Adjacent East</td>
<td>LI – PC, AG-PC</td>
<td>HI</td>
<td>Void of Structural</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>Development</td>
</tr>
<tr>
<td>Adjacent West</td>
<td>LI – PC, GC-PC, HI, GAD, P</td>
<td>LI/PUBLIC</td>
<td>Rapid City Landfill</td>
</tr>
</tbody>
</table>

### Zoning Map

#### Rapid City/Pennington County Zoning

- **Light Industrial**
- **Heavy Industrial**
- **Highway Service**
- **Public**
- **Light Industrial**
- **Rural Residential**
- **Suburban Residential**
- **Office Commercial**
- **General Commerical**
- **Agriculture**
- **General Commercial**
- **No Code**

### Existing Land Uses

- **Low Density Residential-1**
- **Low Density Residential-2**
- **Medium Density Residential**
- **General Agricultural**
- **Rural Residential**
- **Suburban Residential**
- **Office Commercial**
- **General Commerical**
- **Agriculture**
- **General Commercial**
- **No Code**
### Relevant Case History

<table>
<thead>
<tr>
<th>Case/File#</th>
<th>Date</th>
<th>Request</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Planning Commission Criteria and Findings for Approval or Denial

The Planning Commission shall consider the following criteria for a request to annex:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. SDCL 9-4-1 states that the City by resolution may annex a contiguous area if a 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.</td>
<td>This petition meets the requirements for consideration under the provisions for a voluntary annexation.</td>
</tr>
<tr>
<td>2. Chapter 16.04.090B of the Rapid City Municipal Code states that whenever a property is contiguous to Rapid City, the property must be annexed into the City limits prior to approval of a plat.</td>
<td>The applicant has submitted a Preliminary Subdivision Plan (21PL152) for a majority of the subject property. As such, the subject property must be annexed into the City limits.</td>
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<tr>
<td>3. Rapid City’s Annexation Policy (2001) adopted the following annexation goals: a. The annexation of lands which are necessary for the orderly growth and development of the City; b. The annexation of lands which are urbanized or urbanizing to the extent that they require an urban level of services; c. The annexation of lands, the development of which affects the health and/or safety of the residents of the City; and d. The annexation of lands to ensure an equitable tax base.</td>
<td>The Urban Services Boundary was created with the adoption of the 2014 Comprehensive Plan and is used to establish where the City can reasonably expect growth to occur and where such growth would be serviceable by the City. The subject property is located within the City’s Urban Services Boundary; however, the City is not currently able to provide water or sewer utilities to the subject property. The applicant has submitted a conceptual utility master plan with the associated Preliminary Subdivision Plan, showing the extension of utilities to the area. The applicant should be aware that approval of the annexation petition and Rezoning requests is not a guarantee that the City can provide urban services to the subject property in the future. Throughout the City’s Comprehensive Plan, goals and values are identified to ensure that proposed development does not create urban sprawl. However, the Comprehensive Plan also promotes the expansion of employment areas in the Old Folsom Road Industrial Area. As such, so long as the applicant can extend utilities to the subject property the proposed Rezoning request will be consistent with the Comprehensive Plan. A proposal for Tax Increment Financing is being developed at the time of this writing.</td>
</tr>
</tbody>
</table>

### Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial

In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:
**Comprehensive Plan Conformance – Core Values Chapters**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Criteria</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Balanced Pattern of Growth</td>
<td>Coordinate with counties and adjacent jurisdictions to develop and follow criteria and procedures for the annexation of contiguous land within the 3-mile platting jurisdictions.</td>
<td>“Pennington County has not indicated opposition to the proposed annexation.”</td>
</tr>
<tr>
<td>A Vibrant, Livable Community</td>
<td></td>
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<tr>
<td>A Safe, Healthy, Inclusive, and Skilled Community</td>
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<td></td>
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<tr>
<td>Efficient Transportation and Infrastructure Systems</td>
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<tr>
<td>Economic Stability and Growth</td>
<td>Employment Growth: Encourage employment growth in targeted community locations including the Old Folsom Road Industrial Area.</td>
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<tr>
<td>Outstanding Recreational and Cultural Opportunities</td>
<td></td>
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<tr>
<td>Responsive, Accessible, and Effective Governance</td>
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</tr>
</tbody>
</table>

**Comprehensive Plan Conformance – Growth and Reinvestment Chapter**

<table>
<thead>
<tr>
<th>Future Land Use Plan Designation(s):</th>
<th>Light Industrial/Heavy Industrial Design Standards: N/A</th>
<th>Design components are not reviewed with a petition for annexation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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</table>

**Comprehensive Plan Conformance – Neighborhood Area Policies Chapter**

<table>
<thead>
<tr>
<th>Neighborhood: Southeast Connector Neighborhood Area</th>
<th>Neighborhood Goal/Policy: Urban Services Boundary: The purpose of this goal is to encourage the extension of City infrastructure within the Urban Services Boundary to serve new and existing development.</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEC-NA1.1J</td>
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The Development Review Team Recommends approving the Petition for Annexation for the following reasons:

- The petition meets the requirements in State Law for a voluntary annexation.

Staff recommends that the annexation petition be approved.