

STAFF REPORT

June 8, 2000

ANNEX #00AN005 - Petition for Annexation

ITEM 6

GENERAL INFORMATION:

PETITIONER	Robert Powles for 16 Plus, LLC
REQUEST	ANNEX #00AN005 - Petition for Annexation
LEGAL DESCRIPTION	Tract 1 and Tract 2, Pioneer Subdivision, Section 34, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 59.52 Acres
LOCATION	Approximately .6 miles south of the intersection of Catron Boulevard and U.S. Highway 16, on the west side
EXISTING ZONING	Highway Service-Suburban Residential-Light Industrial (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Highway Service (County)
East:	Highway Service (County)
West:	Highway Service (County)
PUBLIC UTILITIES	None
REPORT BY	Bill Lass

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved with the following stipulations:

Urban Planning Division Recommendations:

1. Prior to City Council approval of the annexation petition, the City of Rapid City shall have paid any reimbursement for outstanding debt due to the Whispering Pines Fire District; and,
2. Prior to City Council approval of the Resolution of Annexation, the legal descriptions for the following street segments shall be added to the Resolution: all portions of Moon Meadows Drive from its intersection with U.S. Highway 16 to the western edge of the subject property, and the full width of U.S. Highway 16 from the southern edge of the subject property north to the current City limits.

GENERAL COMMENTS: The owners of this parcel of property have submitted a petition requesting annexation to the City of Rapid City. The property is currently undeveloped. The property abuts U.S. Highway 16 on the east. Moon Meadows Drive bisects the property in an east/west direction. The current City limits is located on the opposite side of the U.S. Highway

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16 right-of-way directly across from the northeast corner of the subject property. The process of Annexation by Petition (or *voluntary annexation*) is provided for under Section 9-4-1 of SDCL.

STAFF REVIEW: Staff has reviewed this proposed annexation from the perspective of the City's ability to service this area and the impact of development on the surrounding areas.

Zoning/Land Use: Future development of this property will need to comply with the requirements of the City of Rapid City Zoning Ordinance. The applicant has submitted three separate rezoning applications which seek to rezone portions of the property to the Light Industrial, General Commercial and Medium Density Residential Zoning Districts. In the event the property is annexed before the rezoning applications are approved and effective, the property would be rezoned automatically to the "No Use" Zoning District. No building permits can be issued for the property until such time as the property is rezoned from the "No Use" District to some other applicable zoning district.

Adjacent Road Right-of-Way: Staff is in the process of researching the legal descriptions for several public roadway segments adjacent to the subject property. Based upon this research, Staff is recommending that all right-of-way and H-Lots comprising the portions of Moon Meadows Road and U.S. Highway 16 which abut the subject property be included in the final Resolution of Annexation to be heard by the City Council. Staff is also recommending that all right-of-way and H-Lots comprising the approximately one-quarter mile long segment of U.S. Highway 16 between the subject property and the City limits be included in the final Resolution of Annexation. This stretch of right-of-way was not included as part of previous annexations and therefore should be included as part of the current request.

Fire District: The property to be annexed is currently located in the Whispering Pines Fire District. According to SDCL 31-31A-35, a municipality is obligated to compensate rural fire districts when annexations diminish their tax base. Staff is in the process of contacting the Fire District to confirm the presence of any debt.

Public Utilities: The City currently does not have City sewer and water service extended to the subject property, although the potential for extending these services to the property does exist. City sewer and water are currently extended as far south as the intersection of Catron Boulevard and U.S. Highway 16 which is approximately one-half mile to the north of the subject property.

Staff concludes that the area proposed to be annexed can be expected to develop to an urban level of density within the foreseeable future and therefore annexation is appropriate. Moreover, Staff finds that the City of Rapid City can adequately service this annexation area without an adverse impact to the surrounding area or the City as a whole.

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