

STAFF REPORT

June 21, 2001

No. 01AN009 - Petition for Annexation

ITEM 43

GENERAL INFORMATION:

PETITIONER	Centerline for Olsen Development Company
REQUEST	No. 01AN009 - Petition for Annexation
LEGAL DESCRIPTION	Beginning at the center of Section 19, T2N, R8E, BHM, thence S89°48'30"E 2598.85 feet, thence S00°02'29"E 660.01 feet, thence S89°51'E 17.00 feet, thence S00°02'29"E 1796.7 feet, thence through a right hand curve with a delta angle of 90°10'59" and a radius of 159.49 feet, thence N89°51'33"W 1259.15 feet, thence N00°08'27"E 247.00 feet, thence S89°51'33"E 122.88 feet, thence N00°03'24"E 759.55 feet, thence N89°50'W 1327.19 feet, thence N00°09'19"E 1611.86 feet to the Point of Beginning. Said parcel containing 127.0929 acres more or less
PARCEL ACREAGE	Approximately 127.0929 Acres
LOCATION	Northwest of the intersection of Seger Drive and 143rd Street
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	General Commercial District-Light Industrial District (City)
East:	General Agriculture District-Limited Agriculture District (County) Medium Density Residential District (City)
West:	Suburban Residential District-General Agriculture District-General Commercial District (County)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the property listed in the attached Petition of Annexation, an area of 127.0929 acres, more or less, be approved for annexation.

GENERAL COMMENTS: The process for annexation by petition is provided for under Section 9-4-SDCL. The applicant's petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

The property is located at the northwest corner of Seger Drive and 143rd Avenue. Currently, two residences and several accessory structures, including two large barns, are located in the southeast corner of the property adjacent to 143rd Avenue. The applicant has indicated

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that the structures will eventually be removed from the property to allow for the development of a recreational facility, a residential subdivision and a mobile home park.

On May 7, 2001, the City Council approved a Comprehensive Plan Amendment on the subject property to amend the Northeast Neighborhood Area Future Land Use Plan to change the future land use designation on a 15.51 acre parcel from Low Density Residential with a Planned Residential Development to Medium Density Residential with a Planned Residential Development and to change the future land use designation on a 109.19 acre parcel from Mobile Home Residential to Mobile Home Park with a Planned Residential Development and to Office Commercial with a Planned Commercial Development.

On June 4, 2001, the City Council approved Layout Plat #01PL034 on the subject property to create an approximate 50 acre lot, leaving a 77 acre non-transferable balance.

The applicant has also submitted the following associated requests: a Comprehensive Plan Amendment to the Northeast Neighborhood Area Future Land Use Plan to change the future land use designation on a 24.5565 acre parcel from Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development, a request to rezone 24.5565 acres from No Use District to General Commercial District with a Planned Development Designation and a request to rezone 39.3613 acres from No Use District to Office Commercial District with a Planned Development Designation. (See accompanying files 01CA014, 01RZ030, 01RZ031, 01PD029 and 01PD030.)

STAFF REVIEW: The City of Rapid City formally adopted four annexation goals as part of the Rapid City Annexation Policy Document. Those are:

- 1) The annexation of lands which are necessary for the orderly growth and development of the City;
- 2) The annexation of lands which are urbanized or urbanizing to the extent that they require an urban level of services;
- 3) The annexation of lands the development of which effects the health and/or safety of the residents of the City; and,
- 4) The annexation of lands to ensure an equitable tax base.

Staff's review of the requested annexation suggests that the proposed annexation is a natural extension of the existing residential and commercial development along Seger Drive. Annexation of the area will allow the extension of the municipal sewer and water services necessary to support urban density and commercial development as required to protect the public health and safety. Further the annexation of this area will provide for an equitable tax base.

The annexation area is presently located in the North Haines Fire Protection District. Under SDCL 34-31A-35 a municipality is obligated to compensate rural fire districts when

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annexations diminish their tax base. Jim Theis, President of the North Haines Fire Protection District, has indicated that there are no outstanding capital improvements requiring reimbursement.

Staff received no adverse comments regarding the requested annexation. Based on compliance with the four criteria for the review of annexation requests and compliance with the requirements for annexation by petition, staff recommends approval of the annexation of the previously described property.