

STAFF REPORT

June 26, 2003

No. 03AN007 - Petition for Annexation

ITEM 3

GENERAL INFORMATION:

PETITIONER	Davis Engineering, Inc. for Verlyn and Cindy Bourne
REQUEST	No. 03AN007 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	Lot B less the west two feet located in the SW1/4 SW1/4 of Section 20, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	approximately 2.7 acres
LOCATION	5511 Hidden Valley Lane
EXISTING ZONING	County
SURROUNDING ZONING	
North:	County
South:	General Agriculture District
East:	County
West:	County
PUBLIC UTILITIES	Private on-site wastewater and water
DATE OF APPLICATION	05/12/2003
REPORT BY	Vicki L. Fisher

RECOMMENDATION:

Staff recommends that **the property listed in the attached Petition for Annexation, an area of 2.7 acres, more or less, be approved for annexation.**

GENERAL COMMENTS:

This item was continued at the June 5, 2003 Planning Commission meeting at the applicant's request to allow the City Council to act on an associated Variance to the Subdivision Regulations and Special Exception requests at their June 16, 2003 City Council meeting. This Staff Report has been revised as of June 18, 2003. All added and/or revised text is shown in bold print. The applicant has submitted a Petition for Annexation on the above legally described property as a companion item to a Preliminary and Final Plat to subdivide the subject property into two lots to be known as Lot A and Lot B. The applicant has also submitted a Variance to the Subdivision Regulations to waive all street improvements on Hidden Valley Lane and Hidden Valley Road. In addition, the applicant has submitted several Special Exception requests to preclude constructing the two streets in compliance with the City's Street Design Criteria Manual. The applicant has also

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submitted a rezoning request to change the zoning designation on the property from No Use District to Low Density Residential District and a Comprehensive Plan Amendment to change the future land use designation from industrial to Low Density Residential. (See companion items #03PL054, 03SV020, 03RZ022 and 03CA014.)

On May 19, 2003 the City Council approved Layout Plat #03PL043 to subdivide the subject property as identified on this Preliminary and Final Plat.

The property is located west of Sturgis Road between Hidden Valley Lane and Hidden Valley Road. Currently, a single family residence is located on proposed Lot A. Proposed Lot B is currently void of any structural development.

STAFF REVIEW:

The applicant has indicated that if the Variances to the Subdivision Regulations and the Special Exception requests to the Street Design Criteria Manual are not approved, the Petition for Annexation will be withdrawn. As such, the applicant has requested that the Petition for Annexation be continued to the June 26, 2003 Planning Commission meeting to allow the City Council to act upon the Variance to the Subdivision Regulations and Special Exception requests at their June 16, 2003 City Council meeting. **On June 16, 2003, the City Council approved a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, street light conduit, sewer and water on Hidden Valley Lane and Hidden Valley Road with the stipulation that the applicant sign a Waiver of Right to Protest future assessment projects for the improvements. In addition, Special Exceptions were granted to allow Hidden Valley Road, a cul-de-sac street, to be in excess of 500 feet in length and to waive the requirement to provide intermediate turnarounds at intervals not to exceed 600 feet; to allow Hidden Valley Road, a principal arterial street, to have a 14% gradient in lieu of the maximum allowed 10% gradient; and, to allow access from Hidden Valley Road, a principal arterial street, in lieu of a lesser order street as required by the Street Design Criteria Manual.**

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 urbanized 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.

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Staff's review of the requested annexation suggests that the proposed annexation is a natural extension of the existing residential development along Hidden Valley Road and Hidden Valley Lane. Further the annexation of this area will provide for an equitable tax base based on the existing residential development currently located on the property and the proposed additional residential development of the property.

The annexation area is presently located in the Black Hawk Fire Protection District. Under SDCL 31-31A-35, a municipality is obligated to compensate rural fire districts when annexations diminish their tax base. The Black Hawk 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.