

STAFF REPORT

September 2, 2003

No. 03AN010 - Petition for Annexation

ITEM

GENERAL INFORMATION:

PETITIONER	Selador Ranches, Inc.
REQUEST	No. 03AN010 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	On property described by metes and bounds as beginning at the NW corner of Section 29, T1N, R7E, BHM, Pennington County, South Dakota; which shall be the true point of Beginning; thence east along the Section line a distance of 2147.50 feet; thence north a distance of 233.00 feet; thence west a distance of 2180.51 feet; thence south a distance of 233.00 feet; thence east a distance of 33.01 feet, more or less, to the true point of Beginning; all located in Sections 19 and 20, T1N, R7E, BHM, Pennington County, South Dakota; and, beginning at the NW corner of Section 29, T1N, R7E, BHM, Pennington County, South Dakota; which shall be the true point of Beginning; thence south along the Section line a distance of 4000.00 feet; thence west a distance of 250.00 feet; thence north a distance of 1090.00 feet; thence east a distance of 216.99 feet; thence north a distance of 2910.00 feet; thence east a distance of 33.01 feet; more or less, to the true point of Beginning; all located in Section 30, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20.124 acres
LOCATION	West of Red Rock Estates and north of Sheridan Lake Road
EXISTING ZONING	General Agriculture District (County)
SURROUNDING ZONING	
North:	General Agriculture District (County)
South:	General Agriculture District (City)/General Agriculture District (County)
East:	Low Density Residential District/General Agriculture District (City)/General Agriculture District (County)
West:	General Agriculture District (County)
PUBLIC UTILITIES	NA

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DATE OF APPLICATION 08/22/2003

REPORT BY Karen Bulman

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment that may be due to the Whispering Pines Fire District being made by the City of Rapid City upon annexation.

GENERAL COMMENTS: The process for annexation by petition is provided for under Section 9-4-1 SDCL. This statute states that by resolution, the City may annex a contiguous area, if the 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. The petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

This undeveloped property is located west and north of Red Rock Estates and Sheridan Lake Road. The 20.124 acre property includes a 6.2558 acre north/south segment that is the proposed location of a City water reservoir to serve the Red Rock Estates development and the surrounding area. An application for a Tax Increment District for the placement of a water reservoir on the subject property will be considered at the September 25, 2003 Planning Commission meeting. The 11.663 acre east/west segment of the proposed annexation is located on the north portion of the Red Rock Estate Golf Course along the section line highway. The applicant wishes to include this property in the annexation to the City and will subsequently request to vacate a portion of the section line highway. The vacation of the section highway request will be considered at the October 9, 2003 Planning Commission meeting. The balance of the annexation area is also section line highway which will be included in the vacation request to be considered on October 9, 2003.

STAFF REVIEW: The south and east boundary of the subject property is adjacent to the Rapid City limits. The subject property is currently zoned General Agriculture District by Pennington County. The property to the north and west is zoned General Agriculture District by Pennington County. The property to the south of the subject property is zoned General Agriculture District by the City and by Pennington County. The property to the east is zoned General Agriculture District by Pennington County and Low Density Residential District and General Agriculture District by Rapid City.

The annexation area is presently located in the Whispering Pines Fire Protection District. Under SDCL 31-31A-35 a municipality is obligated to compensate rural fire districts when annexation diminishes their tax base. The Whispering Pines Fire District has an outstanding capital improvement loan and they have been contacted to determine any costs that may need to be reimbursed. To date the Whispering Pines Fire District has not submitted a dollar amount. Annexation will be contingent on any payment due to the Whispering Pines Fire District.

The process for annexation by petition, provided for under Section 9-4-1 SDCL states that

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by resolution, the City may annex a contiguous area, if the 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. As such, this area has been identified as appropriate for annexation.

Staff is recommending approval of this annexation contingent on any payment that may be due to the Whispering Pines Fire District being made by the City of Rapid City upon annexation.