

STAFF REPORT
June 23, 2005

No. 05AN006 - Petition for Annexation

ITEM 3

GENERAL INFORMATION:

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| PETITIONER | Dream Design International |
| REQUEST | No. 05AN006 - Petition for Annexation |
| EXISTING LEGAL DESCRIPTION | NE1/4 NW1/4, Section 19, T2N, R8E, BHM, Pennington County, South Dakota |
| PARCEL ACREAGE | Approximately 40 acres |
| LOCATION | East of West Nike Road and Country Road |
| EXISTING ZONING | General Agriculture District (Pennington County) |
| SURROUNDING ZONING | |
| North: | Low Density Residential District (Pennington County) |
| South: | General Agriculture District (Pennington County) |
| East: | Limited Agriculture District (Pennington County) |
| West: | General Agriculture District (Pennington County) |
| PUBLIC UTILITIES | To be extended |
| DATE OF APPLICATION | 5/13/2005 |
| REVIEWED BY | Karen Bulman / David L. Johnson |

RECOMMENDATION: Staff recommends that the Petition for Annexation be continued to the **July 7, 2005** Planning Commission meeting at the applicant's request.

GENERAL COMMENTS: **This staff report has been revised as of June 15, 2005. All revised and/or added text is shown in bold print.** The process for annexation by petition is provided for under Section 9-4-1 SDCL, which 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. This petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

STAFF REVIEW: This undeveloped property contains approximately 40 acres and is located south of Country Road and east of West Nike Road. The property is currently in the process of annexation and is zoned No Use District upon annexation into the City limits. Land located south and west of the subject property is zoned General Agriculture District by Pennington County. Land located east of the subject property is zoned Limited Agriculture District by Pennington County. Land located north of the subject property is zoned Low Density Residential District.

The annexation area is located in the newly formed (by contract) North Elk Fire Protection

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District. Under SDCL 31-31A-35 a municipality is obligated to compensate rural fire districts when annexation diminishes their tax base. The North Elk Fire Protection District has been contacted to determine any costs that may need to be reimbursed. Annexation will be contingent on payment due to the North Elk Fire Protection District being paid by the City of Rapid City.

The applicant has advised staff that additional land may be included in this annexation petition and requests that this item be continued to the next Planning Commission meeting. **The applicant continues to request that this item be continued so additional land may be included in this annexation. As such, staff recommends that this annexation be continued to the July 7, 2005 Planning Commission meeting. (Revised 6-15-05)**

Staff recommends that the Petition for Annexation be continued to the **July 7, 2005** Planning Commission meeting at the applicant's request.