

STAFF REPORT
July 21, 2005

No. 05AN008 - Petition for Annexation

ITEM 9

GENERAL INFORMATION:

PETITIONER	H-H Ranch, LLC
REQUEST	No. 05AN008 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	A portion of the E1/2 E1/2, more particularly described as follows: a 33 foot wide strip of land adjacent to the easterly boundary of the N1/2 SE1/4 SE1/4, the NE1/4 SE1/4, and the SE1/4 NE1/4, all located in Section 14, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.5 acres
LOCATION	At the western terminus of Auburn Drive
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Limited Agriculture District (Pennington County)
East:	Low Density Residential District
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	N/A
DATE OF APPLICATION	6/24/2005
REVIEWED BY	Karen Bulman / David L. Johnson

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment due to the North Elk Fire Protection District being paid by the City of Rapid City.

GENERAL COMMENTS: 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 2.5 acres and is located at the western terminus of Auburn Drive, located west of Haines Avenue and north of Tyler Knue Subdivision. The property is currently in the process of annexation and is zoned No Use District upon annexation into the City limits. Land located north, south and west of the subject property is zoned Limited Agriculture District by Pennington County. Land located east of the subject property is zoned Low Density Residential District.

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The applicant would like to relocate the section line highway as part of residential development in the area. In addition to this annexation, the applicant has submitted a request for a Vacation of Right-of-Way (05VR008) to vacate the section line highway and a Comprehensive Plan Amendment to the Major Street Plan (05CA029) to relocate the roadway.

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

Staff recommends that the Petition for Annexation be approved contingent on any payment due to the North Elk Fire Protection District being paid by the City of Rapid City.