

STAFF REPORT
February 22, 2007

No. 07AN001 - Petition for Annexation

ITEM 5

GENERAL INFORMATION:

PETITIONER	Dream Design International, Inc.
REQUEST	No. 07AN001 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	Government Lot 3 and the SE1/4 of the NW1/4, less Lot A, located in Section 4, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 81.03 acres
LOCATION	East of Valley Drive and west of Concourse Drive
EXISTING ZONING	Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District
East:	Light Industrial District
West:	Limited Agriculture District (Pennington County)
PUBLIC UTILITIES	City sewer and water / Rapid Valley Sanitary District
DATE OF APPLICATION	1/26/2007
REVIEWED BY	Karen Bulman / Todd Peckosh

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment due to the Rapid Valley Fire Protection District.

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.

The subject property will be zoned No Use Zoning District upon annexation into the City limits. As such, the applicant has submitted a request to rezone a portion of the property from No Use District to Low Density Residential District (07RZ008) and a portion of the property from No Use District to Medium Density Residential District (07RZ009). In addition, the applicant has submitted a Preliminary Plat application (07PL015), a Variance to the Subdivision Regulations to waive the requirement to install street light conduit and sewer along Homestead Street (07SV004), a Variance to the Subdivision Regulations to waive the requirement to provide easements across lots or centered on rear or side lot lines for utilities and drainage (07SV005), a SDCL 11-6-19 Review to create an H Lot and to construct

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Homestead Street (07SR011), an Initial and Final Planned Residential Development for the Low Density Residential land use (07PD004) and a Planned Development Designation for the Medium Density Residential land use (07PD005).

STAFF REVIEW: This undeveloped property contains approximately 81.03 acres and is located east of Valley Drive and west of Concourse Drive. The property is currently zoned Limited Agriculture District in Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north of the subject property is zoned General Agriculture District by Pennington County. Land located south of the subject property is zoned Low Density Residential District. Land located west of the subject property is zoned Limited Agriculture District by Pennington County. Land located east of the subject property is zoned Light Industrial District. The Elk Vale Neighborhood Future Land Use Plan indicates that this area may be appropriate for a Low Density Residential land uses with a Planned Residential Development and Medium Density Residential land uses with a Planned Residential Development.

The subject property is located wholly within the boundaries of the City limits of Rapid City. The City Council has adopted a short and long term annexation priority list and the subject property is identified as a short term priority. As such, the annexation of this property is appropriate and desired. In addition, in order to promote the orderly growth and development of Rapid City, the annexation of contiguous land is required before it is platted.

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