

STAFF REPORT
August 23, 2007

No. 07AN004 - Petition for Annexation

ITEM 4

GENERAL INFORMATION:

APPLICANT	Joe Muth for Doeck, LLC
AGENT	Doug Sperlich for Sperlich Consulting, Inc.
PROPERTY OWNER	H-H Ranch, LLC/ Eldene Henderson
REQUEST	No. 07AN004 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	The SE1/4 of the NE1/4 ,the NE1/4 of the SE1/4, and the SE1/4 of the SE1/4 of Section 14; and the NE1/4 of Section 23, all less the East 33 feet previously annexed, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 160 acres
LOCATION	At the northern terminus of Bunker Drive and west of Haines Avenue
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District (Planned Residential Development)
East:	Low Density Residential II District - Low Density Residential District - Medium Density Residential District - Medium Density Residential District (Planned Residential Development)
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	To be Extended
DATE OF APPLICATION	7/20/2007
REVIEWED BY	Jonathan Smith / Mary Bosworth

RECOMMENDATION:

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

GENERAL COMMENTS:

The property is located at the north terminus of Bunker Drive, and west of Haines Avenue. The property is currently undeveloped and void of any structural development. The property is currently zoned General Agriculture by Pennington County and consists of 160 acres.

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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:

The property is currently zoned General Agriculture District by Pennington County. Land located north, and west of the property is also zoned General Agriculture District by Pennington County. Land located east of the property is currently zoned Medium Residential District, Low Residential District, Low Residential II District, and Medium Residential District with a Planned Development Designation by the City of Rapid City. Land located south of the property is zoned Low Density Residential District with a Planned Residential Development. Upon annexation the property will be rezoned to No Use District. As urbanization occurs in the future the property will be rezoned to the appropriate zoning classification.

The property is located adjacent to property recently annexed into the boundaries of the City of Rapid City on June 16, 2003 (#03AN005), and property which was annexed on April 18, 2005 (#05AN005). As such the annexation of this property is appropriate. In addition, in order to promote the orderly growth and development of Rapid City, the annexation of contiguous land is required to be platted before development can occur.

The annexation and subsequent development of the property will provide water and sewer service to the property. Staff has noted that limited water service can be extended to the property because a portion of the property lies above 3450 feet in elevation. Property that is located higher than 3,450 feet in this area cannot be provided water service by the City of Rapid City. Wastewater service to the property appears to be adequate as the property is located within the Country Road Lift Station Service area. Staff has noted that water and sewer need to be extended to the property of part as the platting process. Care will be taken in the design of the development to insure that adequate sewer and water are available to all proposed lots.

The annexation area is presently located in the North Elk Fire Protection District. Under SDCL 34-31A-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 if any costs many 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 finds that the Petition for Annexation is appropriate and is consistent with the requirements for voluntary annexation. 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.