

STAFF REPORT
December 6, 2007

No. 07AN006 - Petition for Annexation

ITEM 2

GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	City of Rapid City
REQUEST	No. 07AN006 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	Lot DE of Tract 5 of Sletten Addition (formerly a portion of Tract 5 of Sletten Addition) located in Government Lot 3, Section 18, T2N, R8E, BHM, Pennington County, South Dakota, less that portion of the west 33 feet of Tract 5 of Sletten Addition, located in the W1/2 NW1/4 SW1/4, Section 18, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.51 acres
LOCATION	Northeast of the intersection of West Nike Road and Cobalt Drive
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Agriculture District (Pennington County)
South:	Low Density Residential District (Planned Residential Development)
East:	General Agriculture District (Pennington County)
West:	Low Density Residential District (Planned Residential Development)
PUBLIC UTILITIES	City Water and Sewer
DATE OF APPLICATION	11/9/2007
REVIEWED BY	Karen Bulman / Mary Bosworth

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

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STAFF REVIEW: This undeveloped property contains approximately 0.51 acres and is located northeast of the intersection of West Nike Road and Cobalt Drive. The property is currently zoned General Agriculture District in Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north and east of the subject property is zoned General Agriculture District by Pennington County. Land located south and west of the subject property is zoned Low Density Residential District with a Planned Residential Development. The Northeast Area Neighborhood Future Land Use Plan indicates that this area may be appropriate for Public land use with an alternative land use of Planned Residential Development with a maximum density of 2.5 dwelling units per acre.

On February 19, 2007, the City Council authorized the preparation of the DE Lot of Tract 5 of Sletten Addition and authorized acceptance of the deed. A Quit Claim Deed was submitted to the Register of Deeds on October 30, 2007. On November 5, 2007, the City Council authorized the Mayor and Finance Officer to sign the Annexation Petition to annex Lot DE of Tract 5 of Sletten Addition.

Further development of the adjacent Brookfield Subdivision will require drainage improvements. Those drainage improvements are proposed to be located on Lot DE. A Tax Increment District is proposed to assist with funding the construction of large box culverts and grading associated with drainage improvements needed to support the upstream development.

The proposed annexation area is presently located in the North Elk Fire Protection District. Under SDCL 31-31A-35 a municipality is obligated to compensate Fire Districts when annexation diminishes their tax base. The North Elk Fire 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 District being made 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.