

STAFF REPORT
April 10, 2008

No. 08AN006 - Petition for Annexation

ITEM 6

GENERAL INFORMATION:

APPLICANT / AGENT	Dream Design International, Inc.
PROPERTY OWNER	DTH LLC
REQUEST	No. 08AN006 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	NE1/4 NW1/4, NE1/4, N1/2 N1/2 NW1/4 SE1/4, N1/2 N1/2 W1/2 NE1/4 SE1/4, E1/2 NE1/4 SE1/4, Section 21, T2N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 235 acres
LOCATION	West of Elk Vale Road
EXISTING ZONING	General Agriculture District - Pennington County
SURROUNDING ZONING	
North:	General Agriculture District - Pennington County
South:	General Agriculture District - Pennington County / General Agriculture District
East:	Mobile Home Residential District (Planned Residential Development) / Light Industrial District (Planned Commercial Development) / Public District / Flood Hazard District / General Agriculture District - Pennington County
West:	General Agriculture District - Pennington County / Limited Agriculture District - Pennington County
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	3/28/2008
REVIEWED BY	Karen Bulman / Karley Halsted

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 235 acres and is located north of Seger Road and west of Elk Vale Road. The property is void of any existing structures. The property is zoned General Agriculture District by Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north of the property is zoned General Agriculture District by Pennington County. Land located east of the property is zoned Mobile Home Residential District with a Planned Residential Development, Light Industrial District with a Planned Industrial Development, Public District, Flood Hazard District, and General Agriculture District by Pennington County. Land located south of the property is zoned General Agriculture District by Rapid City and General Agriculture District by Pennington County. Land located west of the property is zoned both General Agriculture District and Limited Agriculture District by Pennington County. The Adopted Comprehensive Plan indicates that this area may be appropriate for agriculture and public land uses. In addition, the Comprehensive Plan indicates that a majority of the property is located within the floodplain boundary of the Box Elder Creek Drainage Basin.

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.