

STAFF REPORT
August 7, 2008

No. 08AN010 - Petition for Annexation

ITEM 2

GENERAL INFORMATION:

APPLICANT/AGENT	Dream Design International, Inc.
PROPERTY OWNER	Hagg Brothers, LLC
REQUEST	No. 08AN010 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	The unplatted portion of the N1/2 N1/2 N1/2 N1/2 N1/2 W1/2 SW1/4, Section 35, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.5 acres
LOCATION	South of Sammis Trail and east of U.S. Highway 16
EXISTING ZONING	Highway Services District - General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District (Planned Commercial Development)
South:	Highway Services District - General Agriculture District (Pennington County)
East:	General Agriculture District
West:	Highway Services District (Pennington County)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	7/11/2008
REVIEWED BY	Karen Bulman / Ted Johnson

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment due to the Whispering Pines 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.

STAFF REVIEW: This undeveloped property contains approximately 1.5 acres and is located south of Sammis Trail. This annexation will also include the southern half of Sammis Trail. The northern half of Sammis Trail was annexed in May 2001. The property is void of any

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existing structures.

The property is zoned Highway Service District and 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 Commercial District with a Planned Commercial Development. Land located east of the property is zoned General Agriculture District. Land located west of the property is zoned Highway Service District by Pennington County. Land located south of the property is zoned Highway Service District and General Agriculture District by Pennington County. The U.S. Highway 16 Neighborhood Area Future Land Use Plan identifies the property as appropriate for General Commercial land uses with a Planned Commercial Development. Access to this property will be from U.S. Highway 16, a principal arterial street on the City's Major Street Plan.

The proposed annexation area is presently located in the Whispering Pines Fire Protection District. Under SDCL 34-31A-35, a municipality is obligated to compensate Fire Districts when annexation diminishes their tax base. The Whispering Pines Fire District has been contacted to determine any costs that may need to be reimbursed. Annexation will be contingent on payment due to the Whispering Pines 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 Whispering Pines Fire Protection District being paid by the City of Rapid City.