

# STAFF REPORT

October 26, 2000

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**ANNEX #00AN009 - Petition for Annexation**

**ITEM 22**

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GENERAL INFORMATION:

PETITIONER	Dream Design for Doyle Estes
REQUEST	<b>ANNEX #00AN009 - Petition for Annexation</b>
LEGAL DESCRIPTION	The west 340 feet of the unplatted portion of the S1/2 of the N1/2 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.539 Acres
LOCATION	Approximately 1000 feet north of Jolly Lane Road off of Race Track Road
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	General Commercial District (City)
PUBLIC UTILITIES	To be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the property listed in the attached Petition for Annexation, an area of 2.539 acres, more or less, be approved for annexation.

GENERAL COMMENTS: The process for annexation is provided for under Section 9-4-1 SDCL. The applicant's petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

In conjunction with the Petition for Annexation, the applicant has submitted a rezoning request to rezone the subject property from No Use to Low Density Residential with a Planned Development Designation. The applicant has also submitted a Comprehensive Plan Amendment to amend the Elk Vale Neighborhood Area Future Land Use Plan to change the future land use designation from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential. In addition, the applicant has submitted a Layout Plat request to subdivide the subject property into two lots. (See companion items.) The applicant has indicated that the "Children's Home Organization" is proposing to construct a children's home on the subject property to serve displaced children within our community.

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STAFF REVIEW: Staff has reviewed the proposed 2.539 acre annexation from the perspective of the City's ability to service this area and the appropriateness of the area for urban density development.

Currently, City sewer and water is located within the Elk Vale Road right-of-way located west of the subject property. In addition, Rapid Valley Sanitary District sewer and water lines are located within East 39<sup>th</sup> Street right-of-way located directly south of the subject property. The property is currently located in the Rapid Valley Sanitary District service area boundary. The Engineering Division has indicated that a Master Plan must be submitted identifying the future extension of sewer and water to properties located directly north of the subject property, also owned by the applicant, as well as the subject property. The applicant has indicated that a Utility Master Plan will be submitted upon Preliminary Plat submittal.

The City of Rapid City formally adopted four annexation goals as part of the Rapid City Annexation Policy Document. Those are:

- 1) The annexation of lands which are necessary for the orderly growth and development of the City;
- 2) The annexation of lands which are urbanized or urbanized to the extent that they require an urban level of services;
- 3) The annexation of lands the development of which effects the health and/or safety of the residents of the City; and,
- 4) The annexation of lands to ensure an equitable tax base.

Staff's review of the requested annexation suggests that the proposed annexation is a natural extension of the existing residential development along East 39<sup>th</sup> Street and Race Track Road. Annexation of the area will allow for the extension of the municipal sewer and water services necessary to support urban density development as required to protect the public health and safety. Further the annexation of this area will provide for an equitable tax base.

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 annexations diminish their tax base. The Rapid Valley Fire Protection District has indicated that there are no outstanding capital improvements requiring reimbursement.

Staff received no adverse comments regarding the requested annexation. Based on compliance with the four criteria for the review of annexation requests and compliance with the requirements for annexation by petition, staff recommends approval of the annexation of the previously described property.