

STAFF REPORT

October 26, 2000

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**ANNEX #00AN010 - Petition for Annexation**

**ITEM 14**

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GENERAL INFORMATION:

PETITIONER	Don Ward for BGW Development
REQUEST	<b>ANNEX #00AN010 - Petition for Annexation</b>
LEGAL DESCRIPTION	<p>A tract of land located in the Southeast One Quarter of the Southwest One Quarter (SE1/4 SW1/4) of Section Twenty-One (21), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian (BHM), Pennington County, South Dakota, more fully described as; Beginning at the southwest corner of Lot 16R Revised in Block 3 of Wildwood Subdivision, Rapid City, Pennington County, South Dakota, said corner being marked by a rebar; thence, easterly along the southern line of said Lot 16R, a distance of 158.11 feet, more or less, to the southeast corner of said Lot 16R which is also the southwest corner of Lot 17 in Block 3 of Wildwood Subdivision, said corner being marked by a rebar with survey cap No. 1771; thence, easterly along the southern line of said Lot 17, a distance of 171.43 feet, more or less, to the southeast corner of said Lot 17 which is also the northwest corner of Lot 18 in Block 3 of Wildwood Subdivision, said corner being marked by a rebar with survey cap No. 1771; thence, southerly along the western line of said Lot 18, a distance of 384.90 feet, more or less, to the southwest corner of Lot 18 which is also the southwest corner of Lot 19 in Block 3 of Wildwood Subdivision, said corner being located on the southern section line of Section Twenty-One (21) of Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian (BHM) and said corner being marked by a rebar with survey cap No. 1771; thence, westerly along said section line, a distance of 370.00 feet, more or less; thence, northerly, a distance of 33 feet, more or less, to the edge of section line right-of-way, said corner being marked by a rebar with survey cap No. 1771; thence, northeasterly, a distance of 215.82 feet, more or less, said corner being marked by a rebar with survey cap No. 1771; thence, northerly, a distance of 140.00 feet, more or less, to the point of beginning. Said tract of land contains 2.76 acres, more or less.</p>
PARCEL ACREAGE	Approximately 2.76 Acres
LOCATION	Southwest of Wildwood Subdivision and north of Rolling Thunder Trail

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EXISTING ZONING                      Suburban Residential District (County)

SURROUNDING ZONING

North:                      Low Density Residential District (City)  
South:                      General Agriculture District (City)  
East:                      Low Density Residential District (City)  
West:                      Suburban Residential District (County)

PUBLIC UTILITIES                      City Water

REPORT BY                      Bill Lass

**RECOMMENDATION:** Staff recommends that the Petition for Annexation be approved with the following stipulation:

Pennington County Fire Coordinator Recommendations:

1. Prior to City Council approval of the annexation, the Whispering Pines Fire Department shall be reimbursed for any long-term debt.

**GENERAL COMMENTS:** The owner of this parcel of property has submitted a petition requesting annexation to the City of Rapid City. The property is currently undeveloped and is surrounded by the City limits on the north, east and south sides. The property abuts Wildwood Subdivision on the east and north sides. The subject property is also part of a related plat and Subdivision Variance request (see companion items). Access to the subject property is provided via a private access easement from Wildwood Drive which then connects with an east/west section line highway. A related road renaming proposal seeks to name this roadway "Shooting Star Trail" (see companion item). The process of Annexation by Petition (or *voluntary annexation*) is provided for under Section 9-4-1 of SDCL.

**STAFF REVIEW:** Staff has reviewed this proposed annexation from the perspective of the City's ability to service this area and the impact of development on the surrounding areas.

Zoning/Land Use: Future development of this property will need to comply with the requirements of the City of Rapid City Zoning Ordinance. This area has not yet been addressed as part of the City's Future Land Use Plan. The petitioner has not submitted a rezoning request for the subject property. As it stands now, the annexation will be approved prior to the property being rezoned. This will result in the property being automatically rezoned to the "No Use" District. No building permits can be issued for the property until such time as the property is rezoned from the "No Use" District to some other applicable zoning district.

Fire District: The property to be annexed is currently located in the Whispering Pines Fire District. According to SDCL 31-31A-35, a municipality is obligated to compensate rural fire

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districts when annexations diminish their tax base. Staff is in the process of contacting the Fire District to confirm the presence of any debt.

Public Utilities: The City currently does not have City sewer service extended to the subject property although the potential exists for the extension of sewer in the future. In the meantime, the property will be served by a private septic tank and drainfield. City water will be extended across the subject property to serve the Red Rock Subdivision being developed to the west. Therefore City water will be available for this property.

Staff concludes that the area proposed to be annexed can be expected to develop to an urban level of density within the foreseeable future and therefore annexation is appropriate. Moreover, Staff finds that the City of Rapid City can adequately service this annexation area without an adverse impact to the surrounding area or the City as a whole.