

STAFF REPORT
July 21, 2005

No. 05AN009 - Petition for Annexation

ITEM 10

GENERAL INFORMATION:

PETITIONER	Dream Design International
REQUEST	No. 05AN009 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	Lot 1, Mailloux Subdivision, Section 18, T2N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 2.0 acres
LOCATION	1030 Country Road
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District (Pennington County)
East:	Suburban Residential District (Pennington County)
West:	Low Density Residential District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	6/24/2005
REVIEWED BY	Karen Bulman / David L. Johnson

RECOMMENDATION: 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.

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 two acres and is located north of Country Road and east of West Nike Road. The property is currently in the process of annexation and is zoned No Use District upon annexation into the City limits. Land located north and west of the subject property is zoned Low Density Residential District. Land located east of the subject property is zoned Suburban Residential District by Pennington County. Land located south of the subject property is zoned General Agriculture District by Pennington County.

The annexation area is located in the newly formed (by contract) North Elk Fire Protection

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District. Under SDCL 31-31A-35 a municipality is obligated to compensate rural fire districts when annexation diminishes their tax base. The North Elk Fire Protection 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 Protection District being paid 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.