

STAFF REPORT
May 25, 2006

No. 06AN002 - Petition for Annexation

ITEM 25

GENERAL INFORMATION:

PETITIONER	Bill Freytag
REQUEST	No. 06AN002 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	The unplatted portion of the S1/2 S1/2 W1/2 SW1/4, less 33 foot strip of land located along the west and south boundary lying within the Rapid City Corporate boundary, Section 13, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 18.5 acres
LOCATION	At the western terminus of Country Road West
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Medium Density Residential District (Planned Residential Development)
South:	Low Density Residential District II
East:	Medium Density Residential District
West:	General Agriculture District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	4/13/2006
REVIEWED BY	Karen Bulman / Emily Fisher

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment due to the North Elk Fire Protection District.

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.

In addition to this application for a Petition for Annexation (06AN002), the applicant has submitted a request for a Rezoning from No Use District to Medium Density Residential District (06RZ011).

STAFF REVIEW: This undeveloped property contains approximately 18.5 acres and is located at the western terminus of Country Road West. The property is currently zoned General

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Agriculture District in Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north of the subject property is zoned Medium Density Residential District with a Planned Residential Development. Land located south of the subject property is zoned Low Density Residential District II. Land located east of the subject property is zoned Medium Density Residential District and land located west of the subject property is zoned General Agriculture District. The applicant has applied to rezone the subject property from No Use District to Medium Density Residential District (06RZ011) in conjunction with the Petition for Annexation.

The annexation area is presently located in the North Elk Fire Protection 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 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 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.