

STAFF REPORT
April 5, 2007

No. 07AN002 - Petition for Annexation

ITEM 8

GENERAL INFORMATION:

PETITIONER	CETEC Engineering Services, Inc. for OS Development, Inc.
REQUEST	No. 07AN002 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	S1/2 NE1/4, SE1/4 less Tract 1 of Bradeen Subdivision, S1/2 NW1/4, Section 22, and NE1/4 NE1/4, W1/2 NE1/4, SE1/4 NE1/4, Section 27, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 468 acres
LOCATION	West of Reservoir Road approximately one mile south of the intersection of SD Hwy 44 and Reservoir Road
EXISTING ZONING	Suburban Residential District / Limited Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Limited Agriculture District (Pennington County)
South:	Limited Agriculture District / General Agriculture District (Pennington County)
East:	Limited Agriculture District/General Agriculture District (Pennington County)
West:	Limited Agriculture District / General Agriculture (Pennington County) / Low Density Residential District with a Planned Residential Development (Rapid City)
PUBLIC UTILITIES	NA
DATE OF APPLICATION	3/9/2007
REVIEWED BY	Karen Bulman / Todd Peckosh

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

The subject property will be zoned No Use Zoning District upon annexation into the City

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limits. The applicant has submitted a Preliminary Plat application (07PL047) and a Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk and street light conduit along Reservoir Road as it abuts the subject property and to provide a sidewalk on both sides of a collector street extending through the subject property (07SV019).

STAFF REVIEW: This undeveloped property contains approximately 468 acres and is located west of Reservoir Road approximately one mile south of the intersection of South Dakota Highway 44 and Reservoir Road. The property is currently zoned Suburban Residential District and Limited 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 Limited Agriculture District by Pennington County. Land located south and east of the subject property is zoned Limited Agriculture District and General Agriculture District by Pennington County. Land located west of the subject property is zoned Limited Agriculture District and General Agriculture District by Pennington County and Low Density Residential District with a Planned Residential Development by Rapid City. The draft Southeast Connector Neighborhood Future Land Use Plan indicates that this area may be appropriate for Low Density Residential land uses and Low Density Residential land uses with a Planned Residential Development. The annexation of this property and the subsequent platting will allow water and sewer improvements to be extended to the area and will enhance the infrastructure for development west of the subject property.

The legal description for a majority of this annexation includes the property to the center line of Reservoir Road, a north/south section line on the east side of the subject property. As such, the City of Rapid City and Pennington County will need to coordinate the maintenance of this road.

The subject property is located adjacent to property recently annexed into the boundaries of the southeast City limits of Rapid City. The City Council has adopted a short and long term annexation priority list and the subject property is identified as a long term priority. As such, the annexation of this property is appropriate. In addition, in order to promote the orderly growth and development of Rapid City, the annexation of contiguous land is required before it is platted.

The annexation and the subsequent development of the subject property will provide sewer improvements to areas currently within the City limit boundaries. The applicant has indicated that a sewer main will be extended to the west lot line of the subject property to serve future development within this area. It is anticipated, that the sewer main will eventually be extended from the subject property to serve Elks Meadows Subdivision, Elk Creek Estates and Plum Creek Subdivision.

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 annexation diminishes their tax base. The Rapid Valley Fire District has been contacted to determine any costs that may need to be reimbursed. Annexation will be contingent on payment due to the Rapid Valley Fire District being paid by the City of Rapid City.

Staff recommends that the Petition for Annexation be approved contingent on any payment

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