

STAFF REPORT
December 10, 2009

No. 09AN002 - Petition for Annexation

ITEM 4

GENERAL INFORMATION:

APPLICANT/AGENT	DuWayne and Michelle Britton Ness
PROPERTY OWNER	DuWayne and Michelle Britton Ness
REQUEST	No. 09AN002 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	Lot 3N of Lot 3 of Melody Acres located in the NW1/4 SW1/4, Section 9, T1N, R8E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 0.17 acres
LOCATION	2818 Melody Lane
EXISTING ZONING	Suburban Residential District (Pennington County)
SURROUNDING ZONING	
North:	No Use District
South:	Suburban Residential District (Pennington County)
East:	No Use District
West:	No Use District
PUBLIC UTILITIES	Rapid Valley Sanitary District
DATE OF APPLICATION	11/13/2009
REVIEWED BY	Karen Bulman / Karley Halsted

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment due to the Rapid Valley Fire Protection District being made 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 0.17 acres and is located at 2818 Melody Lane, east of South Valley Drive. There is a residential mobile home located on the property.

The property is zoned Suburban Residential District by Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north, east and

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west of the property is zoned No Use District. Land located south of the property is zoned Suburban Residential District by Pennington County. The Southwest Connector Neighborhood Area Future Land Use Plan identifies the property as appropriate for Low Density Residential land uses. Access to this property will be from Melody Lane and South Valley Drive, a minor arterial street on the City's Major Street Plan. The property is served by the Rapid Valley Sanitary District.

The proposed annexation area is presently located in the Rapid Valley Fire Protection District. Under SDCL 34-31A-35, a municipality is obligated to compensate 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 made by the City of Rapid City.

Staff recommends that the Petition for Annexation be approved contingent on any payment due to the Rapid Valley Fire Protection District being paid by the City of Rapid City.