

STAFF REPORT
August 22, 2013

No. 13AN003 - Petition for Annexation

ITEM 3

GENERAL INFORMATION:

APPLICANT	Shane Geidel
AGENT	Renee Catron - Renner & Associates, LLC
PROPERTY OWNER	Richard G and Cindy Wulf
REQUEST	No. 13AN003 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	A portion of the SE1/4 of the NE1/4, Section 20, T2N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Commencing at the ¼ Section Corner common to Sections 20 and 21, T2N, R8E, BHM, thence N 03°08'35"W, a distance of 910.84' to the point of beginning; Thence, first course: S 89°52'15" W a distance 1047.10'; Thence, second course: N 00°00'26" E a distance 416.00; Thence third course: N 89°52'15" E a distance 1047.10'; Thence, fourth course: S 00°00'26" W a distance of 416.00, to the point of beginning
PARCEL ACREAGE	Approximately 10 acres
LOCATION	3775 Dyess Avenue
EXISTING ZONING	General Agricultural District (Pennington County)
FUTURE LAND USE DESIGNATION	Residential and Public
SURROUNDING ZONING	
North:	General Agricultural District (Pennington County) - Suburban Residential District (Pennington County)
South:	General Agricultural District (Pennington County)
East:	Light Industrial District
West:	General Agricultural District (Pennington County) - Limited Agricultural District (Pennington County)
PUBLIC UTILITIES	City water and private septic
DATE OF APPLICATION	July 26, 2013
REVIEWED BY	Kip Harrington / Brandon Quiett

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved contingent on any payment due to the North Haines Fire Protection District being made by the City of Rapid City.

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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 property contains approximately 10 acres and is located at 3775 Dyess Avenue. In 1983, the City Council approved a resolution requiring annexation into the City limits of Rapid City for any and all properties being platted and contiguous to Rapid City. The adjacent property to the east is within the City limits.

The property is zoned General Agricultural District by Pennington County and will be zoned No Use District upon annexation into the City limits. Land located north of the property is zoned General Agricultural District and Suburban Residential District by Pennington County. Land located south of the property is zoned General Agricultural District by Pennington County. Land located west of the property is zoned General Agricultural District and Limited Agricultural District by Pennington County. Land located east of the property is zoned Light Industrial District. The City's Future Land Use Plan identifies the eastern portion of the property as Residential and the western portion of the property as Public. A Comprehensive Plan Amendment (#13CA012) to change the western portion of the property from Public to Residential has been submitted in conjunction with this Petition for Annexation, along with a rezone application (#13RZ020) to change the zoning from No Use District to Low Density Residential District.

Access to this property is from Dyess Avenue, a minor arterial street on the City's Major Street Plan. City water is available in the Dyess Avenue right-of-way and the property is served by an on-site septic system.

The proposed annexation area is presently located in the North Haines Fire Protection District. Under SDCL 34-31A-35, a municipality is obligated to compensate Fire Districts when annexation diminishes their tax base. The North Haines 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 Haines 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 North Haines Fire Protection District being paid by the City of Rapid City.

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