

# STAFF REPORT

August 10, 2000

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**ANNEX #00AN007 - Petition for Annexation**

**ITEM 15**

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GENERAL INFORMATION:

PETITIONER	Dean R. Hamm
REQUEST	<b>ANNEX #00AN007 - Petition for Annexation</b>
LEGAL DESCRIPTION	A tract of land located in the SE1/4 of the NW1/4, and the SW1/4 of the NE1/4, Section 32, T2N, R8E, BHM, Pennington County, South Dakota, more particularly described as follows: Beginning at the point of beginning which is the northwest corner of the SW1/4, of the NE1/4, Section 32, T2N, R8E, BHM, Pennington County, South Dakota, Thence, easterly along the 1/16 line of Section 32 with a bearing of N89 51'10"E a distance of 155.07 feet; Thence, S24 12'26"W a distance of 54.88 feet, to a point 50 feet south of the 1/16 line; Thence, westerly along a line and 50 feet south and parallel to the northerly E-W 1/16 line of Section 32 with a bearing of S89 51'10"W a distance of 196.52 feet to a point on the east right-of-way line of U.S. Highway 16 and Interstate 90 Business Loop; Thence, N39 21'57"E along the right-of-way line a distance of 20.44 feet; Thence, along a circular curve to the right with a radius of 3744.72 feet along the right-of-way line a length of 44.59 feet; Thence, easterly along the 1/16 line of Section 32 with a bearing of N89 51'10"E a distance of 22.51 feet to the point of beginning; The above described property is located in the SE1/4 of the NW1/4, and the SW1/4 of the NE1/4, Section 32, T2N, R8E, BHM, Pennington County, South Dakota contains .251 acres more or less
PARCEL ACREAGE	Approximately 7.251 Acres
LOCATION	East of the intersection of Sheridan Lake Road and Tanager Drive
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (PUD) (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (PUD) (County)
West:	Suburban Residential District (PUD) (County)
PUBLIC UTILITIES	City sewer and water

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REPORT BY

Vicki L. Fisher

RECOMMENDATION: Staff recommends that the property listed in the attached Petition of Annexation, an area of 7.251 acres, more or less, be approved for annexation.

GENERAL COMMENTS: The process for annexation by petition is provided for under Section 9-4-SDCL. The applicant's petition appears to meet all requirements for consideration under the provisions for a voluntary annexation.

The subject property along with an adjacent 360 acre parcel and a 60 acre parcel are being petitioned for annexation. The two adjacent properties are under separate ownership and, as such, are being considered on separate Petition of Annexation requests. (See Petition for Annexation #00AN006 and #00AN008).

STAFF REVIEW: Staff has reviewed this proposed 7.251 acre annexation from the perspective of the City's ability to service this area and the appropriateness of the area for urban density development.

The property owners of this parcel and the two above referenced properties have been working with the City of Rapid City to extend City sewer and water to this area. An Infrastructure Development Partnership Fund loan has been approved by the City Council to assist in financing some of the infrastructure improvements. Preliminary plans identify that water will be extended from the Wildwood Subdivision through the 60 acre parcel to the 360 acre parcel to be known as "Red Rock Estates". In addition, the sewer will be extended down Sheridan Lake Road through the subject property to a lift station located within Red Rock Estates. In January of this year, the City Council approved a Layout Plat for Red Rock Estates that presented two alternative development scenarios. The first alternative called for the development of 280 single family units, 80 multi-family units, and an eighteen hole golf course. The second alternative identified the development of 480 single family units, 160 multi-family units, and open space in lieu of the golf course.

The City of Rapid City formally adopted four annexation goals as part of the Rapid City Annexation Policy Document. Those are:

- 1) The annexation of lands which are necessary for the orderly growth and development of the City;
- 2) The annexation of lands which are urbanized or urbanizing to the extent that they require an urban level of services;
- 3) The annexation of lands the development of which effects the health and/or safety of the residents of the City; and,

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4) The annexation of lands to ensure an equitable tax base.

Staff review of the requested annexation suggests that the proposed annexation is a natural extension of the existing residential development along Sheridan Lake Road. Annexation of the area will allow the extension of the municipal sewer and water services necessary to support urban density development as required to protect the public health and safety. Further the annexation of this area will provide for an equitable tax base.

The annexation area is presently located in the Whispering Pines Fire Protection District. Under SDCL 31-31A-35 a municipality is obligated to compensate rural fire districts when annexations diminish their tax base. Tim Wagner, President of the Whispering Pines Rural Fire Protection District, has indicated that there are no outstanding capital improvements requiring reimbursement.

Staff received no adverse comments regarding the requested annexation. Based on compliance with the four criteria for the review of annexation requests and compliance with the requirements for annexation by petition, staff recommends approval of the annexation of the previously described property.