

STAFF REPORT
March 6, 2014

No. 14AN001 - Petition for Annexation

ITEM 8

GENERAL INFORMATION:

APPLICANT	E. Jason Stamper - Stamper Black Hills Gold Jewelry Inc.
AGENT	Janelle Finck - Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Stamper Black Hills Gold Jewelry Inc.
REQUEST	No. 14AN001 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	Lot 1R of Block 1 of Old Town, located in Section 26, T1N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 4.36 acres
LOCATION	7201 S. Highway 16
EXISTING ZONING	Highway Service (Pennington County)
FUTURE LAND USE DESIGNATION	Commercial
SURROUNDING ZONING	
North:	General Commercial District (Planned Development)
South:	Highway Service (Pennington County)
East:	General Commercial District (Planned Development)
West:	Highway Service (Pennington County)
PUBLIC UTILITIES	Private Septic Private Well
DATE OF APPLICATION	February 3, 2014
REVIEWED BY	Sarah Hanzel / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Petition for Annexation be approved.

GENERAL COMMENTS: The applicant has submitted a Petition for Annexation following a Preliminary Subdivision Plan application (13PL136) which was approved with stipulations by the Planning Commission on January 9, 2014. One of the stipulations stated that prior to approval of a Final Plat application the property shall be annexed into the City limits.

The process for annexation by petition is provided for under Section 9-4-1 SDCL, which states by resolution that the City may annex a contiguous area if a written petition describing

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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 4.36 acres and is located south of Catron Boulevard on the west side of US Highway 16. The property is zoned Highway Service by Pennington County. It will be zoned No Use District upon annexation into the City limits. Once annexed, the City is required to submit a zoning application.

The property is currently used for jewelry manufacturing, retail and storage. Structures include the Stamper Black Hills Gold Jewelry retail building, storage buildings, and a storage trailer. The future land use designation for this property is Commercial.

The proposed annexation area is located in the Whispering Pines Volunteer Fire Protection District. Under SDCL 34-31A-35, a municipality is obligated to compensate fire districts when annexation diminishes their tax base. Approval of this annexation petition will require a payment of \$1,191.96 to the Whispering Pines Volunteer Fire Protection District to compensate the District for its tax base loss.

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