

STAFF REPORT
November 23, 2005

No. 05AN013 - Petition for Annexation

ITEM 5

GENERAL INFORMATION:

PETITIONER	Executive Homes, Inc.
REQUEST	No. 05AN013 - Petition for Annexation
EXISTING LEGAL DESCRIPTION	A portion of the N1/2 NE1/4 SE1/4; and the NW1/4 SE1/4, Section 23, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 60 acres
LOCATION	3211 Bunker Drive
EXISTING ZONING	General Agriculture District (Pennington County)
SURROUNDING ZONING	
North:	Low Density Residential District
South:	General Agriculture District (Pennington County)
East:	Low Density Residential District
West:	General Agriculture District (Pennington County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	9/23/2005
REVIEWED BY	Vicki L. Fisher / Michelle Horkey

RECOMMENDATION:

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

GENERAL COMMENTS:

The applicant has submitted a Petition for Annexation to annex the subject property into the City limits of Rapid City. In addition, the applicant has submitted a Layout Plat to subdivide a portion of the subject property into 61 residential lots. (See companion item 05PL203.)

The property is located west of Bunker Drive, south of the Rainbow Ridge Subdivision. Currently, a single family residence is located on the property.

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.

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STAFF REVIEW:

Staff has reviewed the Petition for Annexation and has noted the following considerations:

Zoning: The subject property contains approximately 60 acres and will be zoned No Use District upon annexation into the City limits. Land located north and east is zoned Low Density Residential District by the City of Rapid City. In addition, the property located south and west is zoned General Agriculture District by Pennington County. The Future Land Use Plan identifies the appropriate use of the property as "residential". The surrounding zoning within the City limits of Rapid City supports that the property be zoned Low Density Residential District.

Fire Department: The property is presently located in the North Elk Fire District. Under SDCL 31-31A-35, a municipality is obligated to compensate rural fire districts when annexation diminishes their tax base. The North Elk Fire District has been contacted to determine any costs that may need to be reimbursed. Annexation will be contingent on any payment due to the North Elk Fire District being paid by the City of Rapid City.

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