



Rapid City Planning Commission

De-Annexation Project Report

February 9, 2017

Applicant Request(s)	Item #9
Case # 17AN001: Petition for De-Annexation	
Companion Case(s) #: N/A	

Development Review Team Recommendation(s)
The Development Review Team recommends denying the de-annexation request.

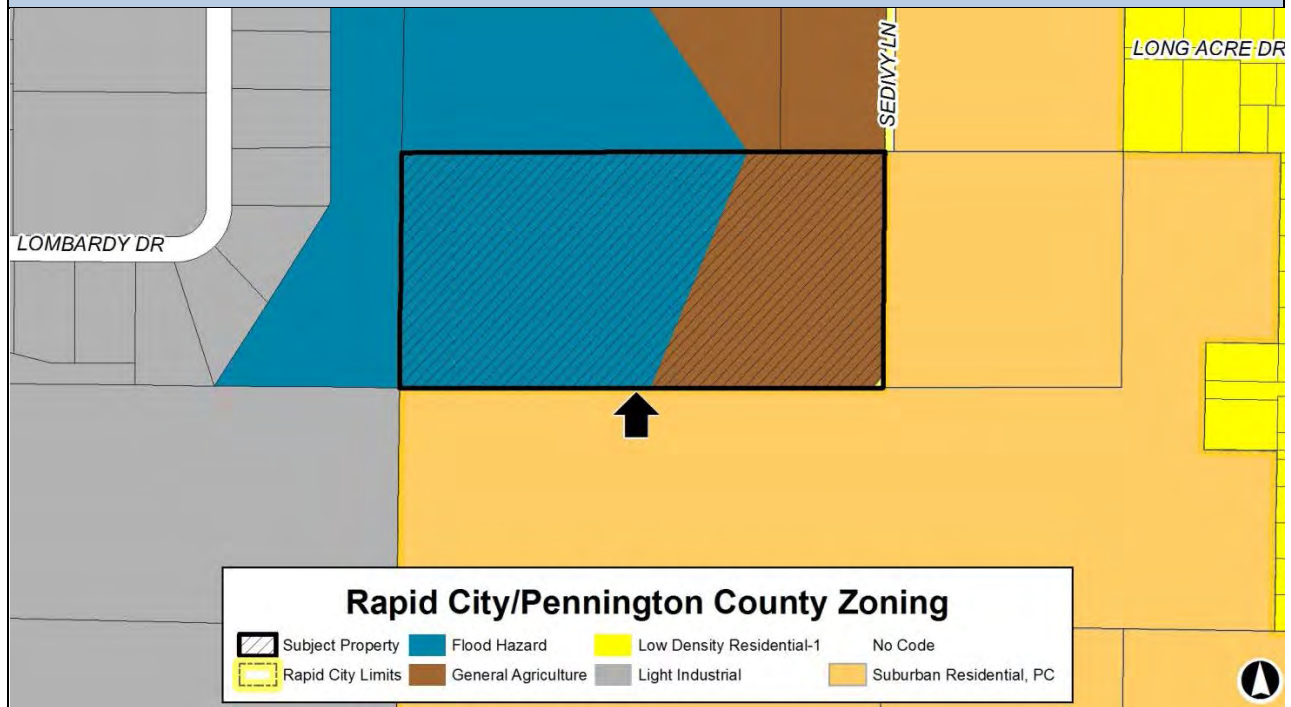
Project Summary Brief	
<p>The applicants request to de-annex a 20 acre tract of land from the Rapid City corporate limits. The property is undeveloped and located south of East Saint Patrick Street at the current terminus of Sedivy Lane. The subject property is zoned Flood Hazard District and General Agricultural District. The adjacent property to the east and south is located in Pennington County, forming the largest jurisdictional “doughnut hole” in Rapid City. The property was involuntarily annexed in 1973. The nearest public water main is approximately 950’ north of the property within the Sedivy Lane right-of-way. The nearest public sewer main is approximately 400’ to the west of the property line. There are other public sewer mains located to the north at approximately 800’ and south at approximately 700’. In 2014, the City adopted Resolution 2014-090 identifying a policy on de-annexation. Of the 14 criteria to consider, there are 7 criteria that do not support the request for de-annexation.</p>	
Applicant Information	Development Review Team Contacts
Applicant: Sylvia Conrad	Planner: Sarah Hanzel
Property Owner: Same	Engineer: Nicole Lecy
Architect: N/A	Fire District: Jerome Harvey
Engineer: N/A	School District: Janet Kaiser
Surveyor: N/A	Water/Sewer: Dan Kools
Other:	DOT: Stacy Bartlett

Subject Property Information	
Address/Location	South of East Saint Patrick Street; southeast of the current terminus of Sedivy Lane
Neighborhood	Southeast Connector
Subdivision	N/A
Land Area	20 acres
Existing Buildings	Void of structural development
Topography	Flat
Access	East Saint Patrick Street to Sedivy Lane
Water Provider	Located within City service boundary
Sewer Provider	Located within City service boundary
Electric/Gas Provider	Located within the West River Electric Association District
Floodplain	Portions of the property are located on FEMA SFHA (Floodway and 100 year floodplain)
Other	

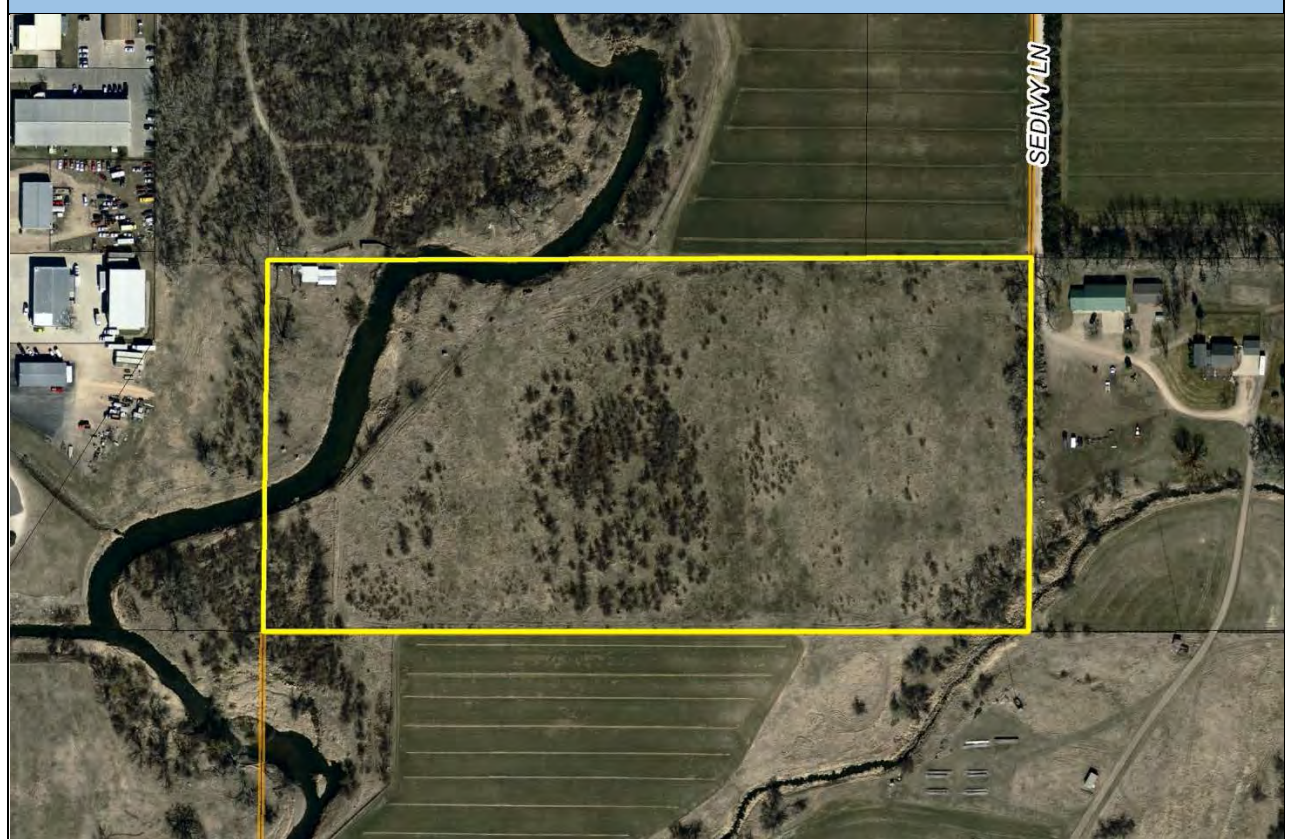
Subject Property and Adjacent Property Designations

	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	FHD; GAD	LDN	Void of structural development
Adjacent North	FHD; GAD	LDN	Void of structural development
Adjacent South	SR - PC	LDN	Void of structural development (Agriculture)
Adjacent East	SR - PC	LDN	Void of structural development (Agriculture)
Adjacent West	FHD; LI	LI	Light Industrial

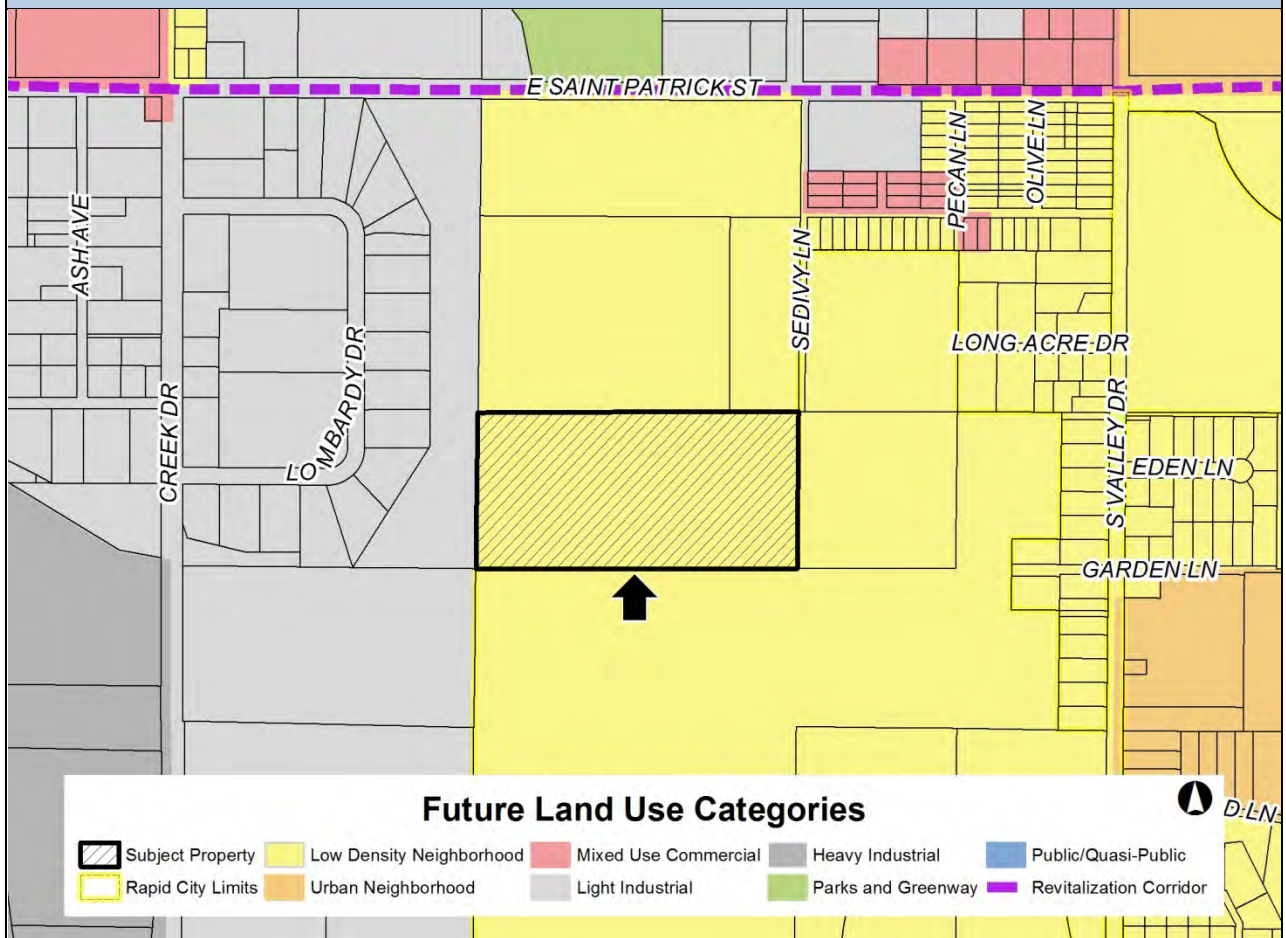
Zoning Map



Existing Land Uses



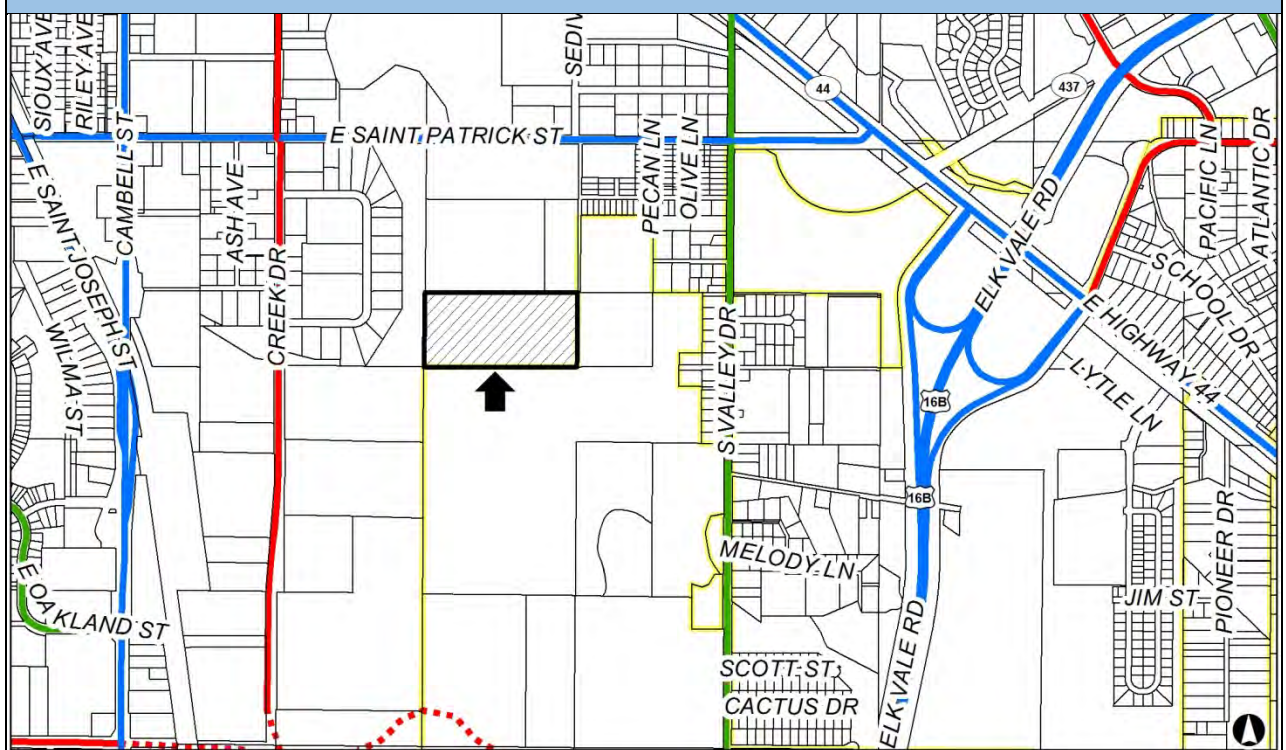
Comprehensive Plan Future Land Use



Future Land Use Categories

- Subject Property
- Low Density Neighborhood
- Mixed Use Commercial
- Heavy Industrial
- Public/Quasi-Public
- Rapid City Limits
- Urban Neighborhood
- Light Industrial
- Parks and Greenway
- Revitalization Corridor








Parks or Transportation Plan



Major Street Plan

- Subject Property
- Rapid City Limits
- Collector
- Minor arterial
- Principal arterial
- Proposed minor arterial

Relevant Case History			
Case/File#	Date	Request	Action
Annexation File #51	10/1/1973	Resolution of Intent to Annex & Resolution of Annexation	Approved
Planning Commission Criteria and Findings for Approval or Denial			
Pursuant to Resolution #2014 – 090 “Resolution Adopting a Policy Regarding De-Annexation” the Planning Commission shall consider the following criteria for a request to De-Annex:			
Criteria		Findings	
1. The subject property is located outside the Urban Services Boundary established by <u>Plan Rapid City, April 2014</u> or subsequent updates;		False. This condition does not support de-annexation.	
2. The City has not expended significant funds to benefit property by bringing utilities to the subject property, addressing drainage on the subject property, or other improvements to benefit the subject property;		True. This condition supports de-annexation.	
3. The subject property is located outside any “doughnut hole” the common council has identified within its annexations priorities to close;		False. This condition does not support de-annexation. De-annexation of this property would enlarge a jurisdictional “doughnut hole.”	
4. The subject property is located at least 500 feet from any municipal utility service;		False. This condition does not support de-annexation. The nearest public sewer main is approximately 400’ to the west of the west property line.	
5. The subject property is located at least 500 feet from any municipally maintained transportation facility;		True. This condition supports de-annexation. The City Street Department maintains Sedivy Lane approximately 670’ north of the northeast property corner of the subject property.	
6. The subject property is located within 500 feet of platted property;		True. This condition does not support de-annexation.	
7. The subject property is located outside of the focused growth areas as identified in <u>Plan Rapid City</u> ;		False. This condition does not support de-annexation.	
8. The subject property is located outside any active tax increment financing district boundary;		True. This condition supports de-annexation.	
9. The exclusion of the subject property creates an irregular boundary creating difficulty for the City of Rapid City to administer services;		True. This condition does not support de-annexation.	
10. The subject property is located outside an area where there is a tendency for imminent growth of the City;		False. This condition does not support de-annexation.	
11. The subject property is located at least 500 feet from any project identified within the Rapid City 5-year Capital Improvements Program;		True. This condition supports de-annexation.	
12. The exclusion of the subject property creates portions of the remaining corporate limits to be discontinuous;		False. This condition supports de-annexation.	
13. The subject property does not include residences for any person(s) who utilize City services;		True. This condition supports de-annexation.	
14. The subject property is primarily agricultural in character or used for agricultural purposes only.		True. This condition supports de-annexation. However, some agricultural uses are allowed in the zoning district in which this property is located.	

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial	
In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following values, principles, goals, and policies within the Rapid City Comprehensive Plan:	
Comprehensive Plan Conformance – Core Values Chapters	
	A Balanced Pattern of Growth
BPG-1.1A: Compact Growth	“Encourage compact growth and infill development within and adjacent to established city limits.” De-annexation of the subject property would enlarge the jurisdictional doughnut hole and would not comply with the Rapid City Comprehensive Plan.
BPG-1.1C: Annexation Criteria	“Coordinate with counties and adjacent jurisdictions to develop and follow criteria and procedures for the annexation of contiguous land within the 3-mile platting jurisdictions.” Given the location and characteristics of the subject property, de-annexation is not supported by the Rapid City Comprehensive Plan
	A Vibrant, Livable Community
N/A	N/A
	A Safe, Healthy, Inclusive, and Skilled Community
N/A	N/A
	Efficient Transportation and Infrastructure Systems
TI-1	
	Economic Stability and Growth
N/A	N/A
	Outstanding Recreational and Cultural Opportunities
N/A	N/A
	Responsive, Accessible, and Effective Governance
N/A	N/A

Comprehensive Plan Conformance – Growth and Reinvestment Chapter	
Future Land Use Plan Designation(s):	LDN
Design Standards: N/A	
N/A	Design components are not reviewed with a petition for de-annexation.

Comprehensive Plan Conformance – Neighborhood Area Policies Chapter	
Neighborhood:	
Neighborhood Goal/Policy:	
SEC-NA1.1: Annexation	“Require the annexation of contiguous properties when development occurs and require an annexation agreement for non-contiguous properties stating that they agree to be annexed into Rapid City when eligible.” De-annexation of the subject property would not comply with this neighborhood policy.
SEC-NA1.1J: Urban Services	“Allow the extension of City infrastructure within the Urban Services Boundary to serve new and existing development.” This property is located

	within the Urban Services Boundary and City infrastructure can service this property in the future. De-annexation would not comply with this neighborhood policy.
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The Development Review Team Recommends approving the Petition for De-Annexation for the following reasons:

	Seven of the fourteen de-annexation policy criteria do not support this de-annexation. In particular:
	<ul style="list-style-type: none"> • This property is located within the City Urban Services Boundary and can be served by City infrastructure.
	<ul style="list-style-type: none"> • De-annexation of the property would result in increasing the City's jurisdictional "doughnut hole."

Staff recommends denying the request for de-annexation.