

STAFF REPORT

June 21, 2001

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**No. 01AN008 - Petition for Annexation**

**ITEM 28**

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GENERAL INFORMATION:

PETITIONER	Midcontinent Communications
REQUEST	<b>No. 01AN008 - Petition for Annexation</b>
LEGAL DESCRIPTION	Lot 1, and 60 foot wide adjacent Philadelphia Street ROW, Huffman Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 1.202 Acres
LOCATION	East of Cambell Street and North of East Philadelphia Street
EXISTING ZONING	General Commercial District (County)
SURROUNDING ZONING	
North:	Limited Agriculture District (County)
South:	Heavy Industrial District (County)
East:	Limited Agriculture District (County)
West:	Light Industrial District (City)
PUBLIC UTILITIES	City sewer and water to be extended
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the property listed in the attached Petition for Annexation, an area of 1.202 acres, more or less, be approved for annexation.

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. The petition appears to meet all requirements for consideration under the provisions for a voluntary annexation. This property, owned by Midcontinent Communications, is located north of B & B Auto Salvage and at the northeastern end of East Philadelphia Street.

The Rapid City Council identified short-term and long-term proposed annexation priorities. On April 2, 2001, the Rapid City Council passed a Resolution Establishing Future Annexation Study Areas. (Map and Resolution are attached to this document). This area is one of the short-term priorities identified by the Rapid City Council. Pursuant to the adopted resolution, Staff requested that Midcontinent Communications submit an annexation petition. They agreed and have returned the petition for voluntary annexation of their property.

STAFF REVIEW: In reviewing the City limit boundaries, Staff has identified this small piece of

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property, adjacent to the City limits, which has not been included in previous area annexations. This property is located in an area east of Cambell Street and north of that is surrounded by the City limits. The subject property is located north of B & B Auto Salvage and on the northeastern end of East Philadelphia Street. The property is currently zoned General Commercial by Pennington County. Light Industrial Zoning District is located west of the property and is the adjacent City limit boundary. Heavy Industrial Zoning District is located south of the property. Land north and east of this property is vacant and is zoned Limited Agricultural.

The annexation area is presently located in the North Haines Fire Protection District. Under SDCL 34-31A-35 a municipality is obligated to compensate rural fire districts when annexations diminish their tax base. Jim Theis, President of the North Haines Fire District, has indicated that there are no outstanding capital improvements requiring reimbursement.

Staff has not received any adverse comments regarding the requested annexation and as such finds this area appropriate for annexation.