

STAFF REPORT

October 4, 2001

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**No. 01AN018 - Petition for Annexation**

**ITEM 4**

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GENERAL INFORMATION:

PETITIONER	South Dakota Department of Transportation
REQUEST	<b>No. 01AN018 - Petition for Annexation</b>
LEGAL DESCRIPTION	U.S. Interstate 90 and right-of-way from Deadwood Avenue eastward, all located within Sections 21, 22 and 27, T2N, R7E, BHM, Pennington County, South Dakota, including: Lot H1 NE1/4 SE1/4, Lot H1 SE1/4 SE1/4, all located in Section 21, T2N, R7E, BHM, Pennington County, South Dakota, and Lot H1, Lot H1 of Lot Y of Lot H2, Lot H1 of Lot X of Lot H2, all located in SW1/4 of Section 22, T2N, R7E, BHM, Pennington County, South Dakota, and Lot H1 W1/2 NW1/4 and NE1/4 NW1/4, and Lot H1 NE1/4, all located in Section 27, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 71.862 acres
LOCATION	U.S. Interstate 90 from Deadwood Avenue eastward through Sections 21, 22 and 27
EXISTING ZONING	Interstate R.O.W.
SURROUNDING ZONING	
North:	R.O.W. (Lange Rd)/Light Industrial District/Limited Agriculture District (County)
South:	General Agriculture District/Light Industrial District/General Commercial District/R.O.W. (Deadwood Avenue)
East:	Interstate R.O.W.
West:	Interstate R.O.W.
PUBLIC UTILITIES	N/A
REPORT BY	Karen Bulman

RECOMMENDATION: Staff recommends that the Petition for Annexation be approved.

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 of the State right-of-way.

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The north boundary of U.S. Interstate 90 is the location of Lange Road and undeveloped property outside the City limit boundaries. South of U.S. Interstate 90 is the Deadwood Avenue area, which was annexed into the City in 1982. To the east and west of U.S. Interstate 90 is the continuation of this highway.

A possible Tax Increment District to facilitate the development of the area north of Interstate 90 from Deadwood Avenue east to the hogback is being proposed. A Tax Increment District can only be applied to lands within the corporate limits of Rapid City. On August 20, 2001, the City Council authorized staff to develop a proposal for annexation of property located east and west of Deadwood Avenue and north of U. S. Interstate 90. In reviewing City limit boundaries, Staff has identified this right-of-way, which has not been included in previous area annexations.

A letter was sent to the South Dakota Department of Transportation requesting that they consider signing a petition for voluntary annexation of U.S. Interstate 90. This petition for annexation, submitted by the South Dakota Department of Transportation, encompasses U.S. Interstate 90 from Deadwood Avenue eastward through Sections 21, 22, & 27 to the Harmony Heights Subdivision area. A letter was also sent to the Pennington County Commissioners requesting that they consider signing a petition for voluntary annexation of Lange Road, which will be considered under a separate application.

STAFF REVIEW: In reviewing City limit boundaries, Staff has identified this right-of-way, contiguous to the City limits, which has not been included in previous area annexations. The process for annexation by petition, provided for under Section 9-4-1 SDCL 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. As such, this area has been identified as appropriate for annexation.

Staff received no adverse comments regarding the requested annexation and believes that the annexation of this property would provide more cohesive municipal boundaries.