

STAFF REPORT
July 6, 2006

No. 05TI019 - Tax Increment District No. 49 Project Plan

ITEM 38

GENERAL INFORMATION:

PETITIONER	Centerline
REQUEST	No. 05TI019 - Tax Increment District No. 49 Project Plan
EXISTING LEGAL DESCRIPTION	Lot 1 – 28 and all adjacent rights-of-way, Block 11, Plainview #2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 – 14 and all adjacent rights-of-way, Tract A (formerly lots 15A thru 25A) and all adjacent rights-of-way, Lot 15-28 less lot 15A -25A and all adjacent rights-of-way, all located in Block 12, Plainview #2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Unplatted balance of SW1/4SE1/4 and the unplatted balance of SE1/4SE1/4 and all adjacent rights-of-way, all located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 3 and Lot 4 and all adjacent rights-of-way, Tract A & S1/2 vacated part of alley adjacent to Tract A and all adjacent rights-of-way, Lot A of Lot 1, Lot 2 and the S1/2 vacated Watertown St adjacent to said lot, Lot B of Lot 1, all located in Block 2, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract I and the N1/2 vacated portion of alley adjacent to Tract I and the S1/2 vacated Watertown St adjacent to Tract I and all adjacent rights-of-way, Block 2, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All Block 3 and W375' of N1/2 vacated Watertown Street adjacent to Block 3 less W150' & less Lot 1-2 and the S1/2 vacated Madison Street adjacent to E475' Block 3 and the vacated alley in Block 3 less portion between Lots 1 & 2 and all adjacent rights-of-way, all located in Block 3, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1-2 and the S1/2 vacated Madison St adjacent to Lot 1 and the N1/2 vacated Watertown Street adjacent to Lot 2 and the vacated alley between Lots 1-2, Block 3 and all adjacent rights-of-way, all located in Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All of Block 1 and all adjacent rights-of-way, Feigels Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 -2 and the balance of Block 4 and all adjacent rights-of-way, all located in Block 4, Feigels Subdivision, Section

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31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, SE1/4NE1/4 including Meadowlark Hills Sub & all adjacent rights-of-way, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A & E1/2 vacated Cherry Ave of NE1/4NE1/4 and all adjacent rights-of-way, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract B, C, D, F, G, and H and all adjacent rights-of-way, all of Block 1, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract E & E15' of vacated Cherry St adjacent to said Tract E, Block 1 and all adjacent rights-of-way, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, E100' of Tract A, Block 1 and adjacent right-of-way, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A less the E100' and the E15' of vacated Cherry St adjacent to said Tract A and adjacent right-of-way, Block 1, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All of the 90' wide East Anamosa Street right-of-way located in the NE1/4 of Section 31 and the SE1/4 of Section 30, and the East Anamosa Street right-of-way located in the NW1/4 of Section 31 and the SW1/4 of Section 30 all adjacent to LaCrosse Street, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All Railroad Right-of-Way located in the NE1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A and Lot B and all adjacent rights-of-way, West Century Sub, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, N170' of S313.96' of Lot 2 and adjacent right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 and Lot 2 and all adjacent rights-of-way, Buckingham Rental Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot B of Lot 1 of SW1/4NW1/4 and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A, B, C, and D of Lot 1 of NW1/4SW1/4 and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract 1, Century "21" and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A in NE1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract D in NE1/4NW1/4

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including Lot 1 of Tract D of Heubner Subdivision and all adjacent rights-of-way, all located in Heubner Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, N16.04' of Lot 2 of SW1/4NW1/4 and adjacent right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H2 and Lot H3 of the SW1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H3 and H4 of the SE1/4NW1/4, Lot H1 of Lot A of the SE1/4NW1/4, Lot H2 of the SE1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 of the S1/2NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 of the N1/2NE1/4 as recorded on Plat of Lot H1 of the N1/2NE1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in the NW1/4NE1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 of Lot B of Lot 1 in the NW1/4SW1/4, Lot H1 of Lot B of Lot 1 of the NW1/4SW1/4, Lot 2 of the NW1/4SW1/4, Lot H1 of Lots 7 & 8 of the NW1/4SW1/4, Lot H1 of Lots 3,4, 5 & 6 of the NW1/4SW1/4, Lot H1 and Lot H2 of the NW1/4SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota

LOCATION	West of Century Road, east of LaCrosse Street and south of US 1-90
EXISTING ZONING	General Commercial District - General Agriculture District - Medium Density Residential District - Light Industrial District
SURROUNDING ZONING	
North:	General Commercial District - General Agriculture District
South:	General Commercial District - Light Industrial District
East:	General Commercial District - Light Industrial District
West:	Light Industrial District - Medium Density Residential District - General Commercial District
PUBLIC UTILITIES	To be extended
DATE OF APPLICATION	11/28/2005
REVIEWED BY	Karen Bulman / Bob Dominicak

RECOMMENDATION: Staff recommends that the Tax Increment District No. 49 Project Plan be continued to the **August 10, 2006** Planning Commission meeting at the applicant's request.

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GENERAL COMMENTS: This staff report has been revised as of June 23, 2006. All revised and/or added text is shown in bold print. The applicant has requested the approval of the Tax Increment District Project Plan to assist in the future extension of East Anamosa Street from E. North Street to Lacrosse Street. The Tax Increment funds are to be utilized for water main costs and contingency funds. The applicant will fund the project costs of the Tax Increment District at 9% interest rate.

This Tax Increment District is an Economic Development Tax Increment District and will therefore not require an additional levy to make up for the School District's share of the property taxes included in the Tax Increment. The public improvements will enhance the ability for new development to occur and increase the community's economic vitality and expand the City's property tax base.

The proposed District boundaries incorporate approximately 150 acres located west of East North Street, east of LaCrosse Street and south of US 1-90.

STAFF REVIEW: The Tax Increment Financing Review Committee reviewed a previous proposal on October 22, 2004 and on November 10, 2004 and found that the proposed project complied with all statutory requirements as well as the City's adopted Tax Increment Policy. However, the Project Plan was tabled at the January 17, 2005 City Council meeting in order to secure a funding source. The Tax Increment Financing Review Committee reviewed this current proposal on November 8, 2005 and November 18, 2005, and found that the proposed project complies with all applicable statutory requirements as well as the City's adopted Tax Increment Policy. In addition to the mandatory criteria, the Committee found that the proposal met the following two optional criteria:

- Criteria #1: The project must demonstrate that it is not economically feasible without the use of Tax Increment Financing.
- Criteria #3: The project will not provide direct or indirect assistance to retail or service businesses competing with existing businesses in the Rapid City trade area.

Additionally, the following discretionary criteria are met:

- Criteria #2: All Tax Increment Fund proceeds are used for the construction of public improvements.
- Criteria #9: The project costs are limited to those specific costs associated with a site that exceed the typical or average construction costs (i.e. excessive fill, relocation costs, additional foundation requirements associated with unusual soil conditions, extension of sewer or water mains, on-site or off-site vehicular circulation improvements, etc.)

Copies of the adopted Tax Increment Financing Policy are attached for your reference.

The Tax Increment Financing Project Review Committee recommends approval of the attached resolution approving the Project Plan for Tax Increment District #49.

The applicant has requested that the application for Tax Increment District #49 Project Plan be continued to the February 9, 2006 Planning Commission meeting in order to finalize

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funding issues. As the funding issues have not been finalized, the applicant is requesting that this application be continued to the February 23, 2006 Planning Commission meeting. As such, staff is requesting that the Tax Increment District No. 49 Project Plan be continued to the February 23, 2006 Planning Commission meeting. (Revised 1-31-06) As the funding issues have not been finalized, the applicant is requesting that this application be continued to the March 23, 2006 Planning Commission meeting. As such, staff is requesting that the Tax Increment District No. 49 Project Plan be continued to the March 23, 2006 Planning Commission meeting. (Revised 2-13-06) As the funding issues have not been finalized, the applicant is requesting that this application be continued to the April 6, 2006 Planning Commission meeting. As such, staff is requesting that the Tax Increment District No. 49 Project Plan be continued to the April 6, 2006 Planning Commission meeting. (Revised 3-14-06) As the funding issues have not been finalized, the applicant is requesting that this application be continued to the May 4, 2006 Planning Commission meeting. As such, staff is requesting that the Tax Increment District No. 49 Project Plan be continued to the May 4, 2006 Planning Commission meeting. (Revised 3-29-06) As the funding issues have not been finalized, the applicant is requesting that this application be continued to the May 25, 2006 Planning Commission meeting. As such, staff is requesting that the Tax Increment District No. 49 Project Plan be continued to the May 25, 2006 Planning Commission meeting. (Revised 4-24-06) As the funding issues have not been finalized, the applicant is requesting that this application be continued to the June 8, 2006 Planning Commission meeting. As such, staff is requesting that the Tax Increment District No. 49 Project Plan be continued to the June 8, 2006 Planning Commission meeting. (Revised 5-11-06) As the funding issues have not been finalized, the applicant is requesting that this application be continued to the July 6, 2006 Planning Commission meeting. As such, staff is requesting that the Tax Increment District No. 49 Project Plan be continued to the July 6, 2006 Planning Commission meeting. (Revised 5-31-06) **As the funding issues have not been finalized, the applicant is requesting that this application be continued to the August 10, 2006 Planning Commission meeting. As such, staff is requesting that the Tax Increment District No. 49 Project Plan be continued to the August 10, 2006 Planning Commission meeting. (Revised 6-23-06)**