

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

April 20, 2011

JOINT MEETING

The Joint Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson Jim Shedd on Wednesday April 20, 2011 at 5:00 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT PLANNING & ZONING: Jim Shedd, Marie Farrier and Mel Allen, and Sheree Green.

ABSENT PLANNING & ZONING: Larry Ryan.

PRESENT BOARD OF ADJUSTMENT: Mayor Francis Toscana, Georgeann Silvernail, and Lenny Schroeder.

ABSENT BOARD OF ADJUSTMENT: Bruce Oberlander, and Joe Peterson.

APPROVAL OF MINUTES:

Mr. Allen moved to approve the minutes of the April 6, 2011 Joint Meeting. Ms. Farrier seconded and the motion carried.

<u>All in favor</u>	<u>-</u>	<u>4</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

SIGNS:

ADAMS MUSEUM & HOUSE, INC. - 54 SHERMAN STREET - REQUEST FOR TWO BANNERS AND WAIVER OF SIGN PERMIT FEE

Mr. Keith Umenthum, Building Inspector, stated the Adams Museum & House, Inc. was requesting a change in their Risky Business Banners which are displayed on the front corner and the back corner of the museum building. He explained that the new banners will read MAKKA UNCI and will be the same size, constructed of the same material, and displayed for the same length of time, two years, as the current risky business banners. Ms. Rose Speirs, Communications Director for the Adams Museum & House, Inc., explained that the banners will promote the Adams new Lakota exhibit. Mr. Umenthum stated that the Adams Museum & House was also requesting a waiver of the sign permit fee. Ms. Green asked Mr. Umenthum if there needed to be two motions for the request. Mr. Umenthum stated that the request could be taken in one motion.

Ms. Green moved to approve placement of two banners at 54 Sherman Street for the next two years and the waiver of the sign permit fee for the Adams Museum & House, Inc. Ms. Farrier seconded and the motion carried.

<u>All in favor</u>	<u>-</u>	<u>4</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

ACES-N-8S TATTOO - 376 MAIN STREET - REQUEST FOR A WALL SIGN WITH NO VARIANCES REQUIRED

Mr. Umenthum stated the applicant was requesting permission to install a painted metal wall sign above the entrance door of the business located at 376 Main Street for Aces-n-8s Tattoo and Piercing Parlor. Mr. Umenthum stated that the sign would be 4' x 2' or 8 square feet. He noted that the sign complies with the sign ordinance and that staff recommended approval of the request.

Ms. Farrier moved to approve the request by Aces-n-8s for a wall sign at 376 Main Street with no variances required. Mr. Allen seconded and the motion carried.

<u>All in favor</u>	<u>-</u>	<u>4</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

Mr. Shedd noted that the Planning and Zoning Commission had moved the Findings of Fact in order to allow the Board of Commission to attend the night's Municipal League.

FINDINGS OF FACT AND CONCLUSIONS FOR A VARIANCE FROM FRONT YARD SETBACK - 754 STAGE RUN

Mr. Robert Nelson Jr., Zoning Administrator, stated approval of the Findings of Fact and Conclusions would close out the file for 754 Stage Run. He noted that the applicants had stayed within the variance.

Ms. Farrier moved to approve the Findings of Fact and Conclusions for a Variance from Front Yard Setback - 754 Stage Run. Ms. Green seconded and the motion carried.

All in favor - 4
Opposed - 0

Mr. Shedd closed the Planning and Zoning Commission and turned the meeting over to the Board of Adjustment.

Mr. Toscana opened the Board of Adjustment to consider the Findings of Fact for 754 Stage Run and thanked the Planning and Zoning Commission for moving up the Findings of Fact in consideration of the Board of Adjustment's prior commitment.

Ms. Silvernail moved to approve the recommendation from the Planning and Zoning Commission to approve the Findings of Fact and Conclusions for a Variance from Front Yard Setback at 754 Stage Run. Mr. Schroeder seconded and the motion carried.

All in favor - 3
Opposed - 0

Mr. Toscana adjourned the Board of Adjustment and turned the meeting back over to the Planning and Zoning Commission.

Mr. Shedd reopened the Planning and Zoning Commission.

RESOLUTION CREATING TAX INCREMENT DISTRICT #9

Mr. Cam Lund, Architect for Cadillac Jacks, was present to answer questions.

Mr. Nelson stated that Mr. Jason Campbell, City Attorney, had reviewed all documentation regarding the Tax Increment District, and submitted for the record a memo stating such. Mr. Nelson turned the meeting over to Mr. Blaze Emerson, with the Black Hills Council of Local Governments.

Mr. Emerson stated that he had put together the TIF #9 for the City of Deadwood. Mr. Emerson first explained the map of the district and noted that the boundaries had been based on the utilities needed for the overhead power. Mr. Emerson then explained the project plan for the new Springhill Suites by Marriott. Mr. Emerson stated that the developer is proposing to put in a new parking structure in front of the existing Cadillac Jacks building in addition to the construction of the Springhill Suites. Mr. Emerson referenced the project plan and noted that a trolley stop would also be constructed. Mr. Emerson stated that in phase one of the project utilities located under the parking garage would be relocated. Mr. Emerson explained that the developers would bury overhead utilities from the South end of First Gold down to Cadillac Jacks. Mr. Emerson explained that the project would also include replacement of current six inch cast iron watermains with ten inch watermains. Mr. Emerson stated that some storm sewers, curbs and gutters would also be included in the project. Mr. Emerson stated that the developers would like to put in a trolley stop as well and include a retaining wall in the project plan. He explained that this would create a nice plaza area. Mr. Emerson stated that the area would also include a "green roof" canopy and other landscaping and seating areas.

Mr. Emerson stated that the proposed plan would cost \$703,852. He stated that the developers are looking at a 12.8 million dollar investment in the property between the motel, parking garage, and upgrades. Mr. Emerson stated that including financing costs and all other fees that the TIF would total \$1,177,230. Mr. Emerson stated that the developers would be looking at an interest rate of no more than 7.25%. Mr. Emerson noted that he does not build any inflation into

the TIF projections. Mr. Emerson explained that if the TIF is approved this year that the taxes would pay off the TIF in year eight.

Mr. Nelson asked if the cost estimates were put together by Lund. Mr. Cam Lund stated he had put them together with outside collaboration. Mr. Nelson asked what would happen if the development costs ended up being more than projected. Mr. Emerson stated that in the Contract for Private Development, which would be between the developers and the City of Deadwood, the maximum amount would be set. Therefore, if projections were short the developers would either have to come back and ask for more money or they would have to pick up the difference. Mr. Nelson stated that he would need to speak with Mr. Campbell and find out if the TIF would go against the City's total debt. Mr. Emerson stated that he always tells cities that it does, according to the Legislative Audit; however, each city can take their own stance on the issue. Mr. Emerson stated that in the past he believed that the City of Deadwood did not count it as part of their debt limit. Mr. Toscana concurred and stated the City of Deadwood takes the stance that it will not go against the debt limit. Mr. Toscana stated that the City is aware that this is in conflict with the Legislative Council. Mr. Emerson stated that he takes the conservative stance because smaller communities, which have a smaller debt capacity, are more greatly affected.

Mr. Emerson stated that he needed two actions, which could be taken in either one or two motions. Mr. Emerson stated that he needed a recommendation to the City Commission to approve the Resolution creating the Tax Increment District, and a recommendation to the City Commission to approve the project plan.

Ms. Green moved to recommend to the City Commission approval of the Resolution to create the boundaries for Tax Increment District #9. Mr. Allen seconded and the motion carried.

<u>All in favor</u>	-	<u>4</u>
<u>Opposed</u>	-	<u>0</u>

Ms. Farrier moved to recommend to the City Commission approval of the Resolution for the Project Plan for Tax Increment District #9. Mr. Allen seconded and the motion carried.

<u>All in favor</u>	-	<u>4</u>
<u>Opposed</u>	-	<u>0</u>

Mr. Allen asked if they would see plans for the project as they had in the past. Mr. Emerson stated that they would not as this was not a necessary step of the TIF process.

OPEN
None

ADJOURNMENT:

Ms. Farrier moved to adjourn the Joint Meeting of the Planning and Zoning Commission. Ms. Green seconded and the motion carried.

<u>All in favor</u>	-	<u>4</u>
<u>Opposed</u>	-	<u>0</u>

There being no further business, the Planning & Zoning Commission adjourned at 5:25 p.m.

ATTEST:

Mr. Jim Shedd
Chairman
Planning and Zoning

Ms. Sheree Green
Secretary
Planning and Zoning