

DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, March 6, 2019 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order
2. Approval of February 6, 2019 Minutes
3. Planning and Zoning Commission and Board of Adjustments

Plat -- Jeffrey D. Snedeker – Transfer of Property

Lots 10A1 and 10A2, Block B, Sunnyside Addition, Formerly Lot 10A, Block B, Sunnyside Addition
Located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South
Dakota

Action Required:

- a. Approval/Denial by Planning and Zoning Commission
- b. Approval/Denial by Deadwood Board of Adjustment

Resolution Creating Tax Incremental District Number Eleven – 5:05 p.m.

Action Required:

- a. Approval/Denial by Planning and Zoning Commission
- b. Approval/Denial by Deadwood Board of Adjustment

4. Items from Staff
 - a. Outlaw Square
 - b. Hwy 14A/85
5. Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION
Wednesday, February 6, 2019

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Tony Biesiot on Wednesday, February 6, 2019, at 5:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

Planning and Zoning Commission Present: Tony Biesiot, Brett Runge, Jim Shedd, and Bill Rich

Absent: John Martinisko

Board of Adjustments Present: Charlie Struble

Staff Present:

Bob Nelson Jr., Trent Mohr and Meghan Wittmis

Approval of January 16, 2019 Minutes:

It was moved by Mr. Shedd and seconded by Mr. Rich to approve the January 16, 2019 meeting minutes. Aye - All. Motion carried.

Election of Officers

Chairman

It was moved by Mr. Rich and seconded by Mr. Shedd to nominate Tony Biesiot for Chairman. Aye - All. Motion carried.

Vice Chairman

It was moved by Mr. Biesiot and seconded by Mr. Rich to nominate Mrs. Runge for Vice Chairman. Aye-All. Motion carried.

Secretary

It was moved by Mr. Biesiot and seconded by Mrs. Runge to nominate Mr. Martinisko for Secretary. Aye-All. Motion carried.

Sign Review Commission

137 Charles Street (Hickok House Hotel) - FIB Properties - Re-face Existing Freestanding Sign

Mr. Mohr stated at the last meeting permission was granted to put a temporary banner over the existing Best Western sign. Before you is the long-term re-facing of the sign. The top two pictures on the hand out are what the sign will be. They intend to keep the sign internally illuminated, a variance was previously granted. Mrs. Runge asked if there is anything in our ordinance about phone numbers and email addresses on signs. Mr. Nelson Jr. stated it would probably fall under content. *It was moved by Mr. Rich and seconded by Mr. Shedd to approve the sign for 137 Charles Street - FIB Properties. Aye - All. Motion carried.*

399 Cliff Street (Twin City Hardware) - Les and Cindy Bellet - Install New Wall Sign

Mr. Mohr stated the building was resided last year and all the signs were removed. The owner is now requesting permission to install signs. There will be one more request coming. This is a 40 square foot externally illuminated wall sign to be placed on the front of the building. The proposed sign and its location are compliant and do not require a variance. *It was moved by Mr. Rich and seconded by Mr. Shedd to approve the wall sign for 399 Cliff Street, Twin City Hardware. Aye - All. Motion carried.*

Planning and Zoning Commission and Board of Adjustments:

Plat -Stage Run Development - Deadwood Stage Run LLC

Mr. Nelson Jr. stated this is a final plat submitted by Deadwood Stage Run LLC. The purpose is to transfer property legally described as Lot C2 and Common Lot B of Block 1 and Lot C1 of Block 2 of Palisades Tract of Deadwood Stage Run Addition; All Located in the SW1/4 of Section 14, the SE 1/4 of Section 15, the NE1/4NE1/4 of Section 22, And the N1/2NW1/4 of Section 23, T5N, R3E, BHM., City of Deadwood, Lawrence County, South Dakota. This is R2 Multi-Family with in the PUD. Lots C1 and C2 are being purchased by a developer and will be seeking a TIF in the near future. Common Lot B will become City property. *It was moved by Mrs. Runge and seconded by Mr. Rich to approve the plat for Lot C2 and Common Lot B of Block 1 and Lot C1 of Block 2 of Palisades Tract of Deadwood Stage Run Addition; All Located in the SW1/4 of Section 14, the SE 1/4 of Section 15, the NE1/4NE1/4 of Section 22, And the N1/2NW1/4 of Section 23, T5N, R3E, BHM., City of Deadwood, Lawrence County, South Dakota Aye - All. Motion Carried.*

Plat - Railroad Ave. - City of Deadwood

Mr. Nelson Jr. stated this is a final plat submitted by the City of Deadwood for the potential transfer of property. Legally described as Deadwood City Shop Tracts A-1 and A-2; Formerly Deadwood City Shop Tract A, Consisting of Lots 2 and 3 of E.L. Keener Lots in M.S. 335, Lots 1 and 2, Block 3 of Mirick Addition in M.S. 735 and Portions of Lots 3, 4, and 5 of Railroad Avenue Block in M.S. 735; City of Deadwood, Lawrence County, South Dakota. This is all zoned R2 Multi-

Family. Track A-2 is directly behind the Trolley Barn. Tract A-1 is behind the Copper Key apartments. There are discussions regarding re-building the apartments and changing the footprint. They would need some of this ground to make it happen. Mr. Rich asked if the remainder of Lots 3 and 4 owned by Deadwood too. Mr. Nelson Jr. stated yes it is in public right away. *It was moved by Mrs. Runge and seconded by Mr. Shedd to approve the plat for Deadwood City Shop Tracts A-1 and A-2; Formerly Deadwood City Shop Tract A, Consisting of Lots 2 and 3 of E.L. Keener Lots in M.S. 335, Lots 1 and 2, Block 3 of Mirick Addition in M.S. 735 and Portions of Lots 3, 4, and 5 of Railroad Avenue Block in M.S. 735; City of Deadwood, Lawrence County, South Dakota. Aye – All. Motion Carried.*

Items From Staff (no action taken)

- Outlaw Square: They have not been working the last few days. The first water valve change out has taken place last Friday. The City added a valve that wasn't in the scope of work. Therefore we shouldn't see a wide spread shut off for the rest of the upgrades that need to be done. There is a utility coordination meeting tomorrow to discuss relocation of the utilities.
- Highway 14A/85: Contractor has done some submittals on products. Anticipates starting at Tin Lizzie.

Adjournment:

It was moved by Mr. Shedd and seconded by Mrs. Runge to adjourn the Regular Meeting of the Planning and Zoning Commission. Aye – All. Motion carried.

There being no further business, the Planning and Zoning Commission adjourned at 5:13 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Meghan Wittmis, Planning & Zoning Office/Recording Secretary

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-2084



Bob Nelson, Jr.
Planning & Zoning
Administrator
Telephone (605) 578-2082
bobjr@cityofdeadwood.com

**STAFF REPORT
PLANNING AND ZONING
FEBRUARY 20, 2019 JOINT MEETING**

APPLICANT: JEFFREY D SNEDEKER
59 STEWART ST
DEADWOOD, SD 57732

PURPOSE: Transfer Property

GENERAL LOCATION: Upper Main Street

LEGAL DESCRIPTION: Lots 10A1 and 10A2, Block B, Sunnyside Addition, Formerly Lot 10A, Block B, Sunnyside Addition Located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: C1 – Commercial District

STAFF FINDINGS:

Surrounding Zoning:

North: R1 – Residential

South: R1 – Residential

East: C1 – Commercial

West: R1 – Residential

Surrounding Land Uses:

Vacant Land

Mixed Uses

Mixed Uses

Dwellings

SUMMARY OF REQUEST

The Final Plat of the Lots 10A1 and 10A2 has been submitted to transfer property. The property is located on Upper Main Street.

FACTUAL INFORMATION

1. The property is currently zoned C1 – Commercial District
2. Lot 10A1, is comprised of 0.247 Acres±
Lot 10A2, is comprised of 0.069 Acres±
3. The subject property is located within a low density designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property
6. The area is currently characterized by residential dwellings and a mix of uses.

STAFF DISCUSSION

Lot 10A2 involved in the plat will be transferred as part of a real estate sale involved with the sale of 819 Main Street for parking. The lots meet the area and bulk requirements for square footage.

1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown on the plat and serves to "fix in time" the data represented on the plat.
5. The street bounding the lot is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.

ACTION REQUIRED:

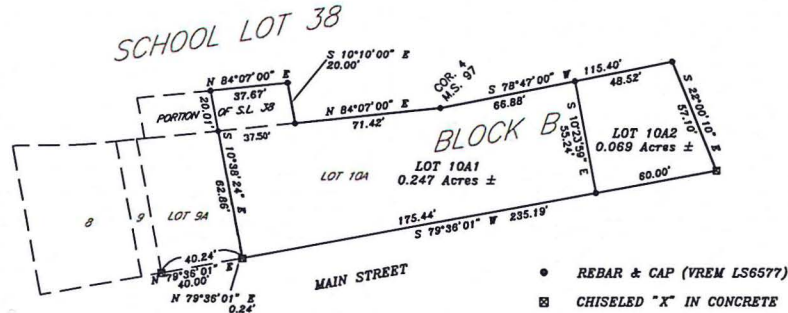
1. Approval / denial by Deadwood Planning and Zoning Commission.
2. Approval / denial by Deadwood Board of Adjustment.

PLAT OF LOTS 10A1 AND 10A2, BLOCK B, SUNNYSIDE ADDITION
FORMERLY LOT 10A, BLOCK B, SUNNYSIDE ADDITION
LOCATED IN THE NE¼ OF SECTION 27, T5N, R3E, B.H.M., CITY
OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA



OWNER/DEVELOPER
JEFF SNEDEKER
59 STEWART ST.
DEADWOOD, SD 57732

0' 40' 80' 120'



- REBAR & CAP (VREM L56577)
- ☒ CHISELED "X" IN CONCRETE

SURVEYOR'S CERTIFICATE

I, LOREN D. VREM, 332A WEST MAIN STREET, LEAD, SOUTH DAKOTA, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA. THAT AT THE REQUEST OF THE OWNER AND UNDER MY SUPERVISION, I HAVE CAUSED TO BE SURVEYED AND PLATTED THE PROPERTY SHOWN AND DESCRIBED HEREON. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE PROPERTY WAS SURVEYED IN GENERAL CONFORMANCE WITH THE LAWS OF THE STATE OF SOUTH DAKOTA AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING. DATED THIS ____ DAY OF _____, 20__.

LOREN D. VREM, R.L.S. 6577

OWNER'S CERTIFICATE
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

_____, DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER: _____ ADDRESS: _____
OWNER: _____ ADDRESS: _____

ACKNOWLEDGMENT OF OWNER
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

ON THIS ____ DAY OF _____, 20__, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY

APPEARED _____
KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC: _____

OWNER'S CERTIFICATE
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

_____, DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER: _____ ADDRESS: _____
OWNER: _____ ADDRESS: _____

ACKNOWLEDGMENT OF OWNER
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

ON THIS ____ DAY OF _____, 20__, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY

APPEARED _____
KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC: _____

CERTIFICATE OF COUNTY TREASURER
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

I, _____, LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY THAT _____ TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID. DATED THIS ____ DAY OF _____, 20__.

LAWRENCE COUNTY TREASURER: _____

APPROVAL OF HIGHWAY AUTHORITY
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

THE LOCATION OF THE PROPOSED ACCESS ROADS ABUTTING THE COUNTY OR STATE HIGHWAY AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY: _____

APPROVAL OF THE CITY OF DEADWOOD PLANNING COMMISSION
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

THIS PLAT APPROVED BY THE CITY OF DEADWOOD PLANNING COMMISSION THIS ____ DAY OF _____, 20__.

CHAIRMAN _____ ATTEST: _____ CITY PLANNER

APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

BE IT RESOLVED THAT THE CITY OF DEADWOOD BOARD OF COMMISSIONERS HAVING VIEWED THE WITHIN PLAT, DO HEREBY APPROVE THE SAME FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS, LAWRENCE COUNTY, SOUTH DAKOTA, DATED THIS ____ DAY OF _____, 20__.

ATTEST: _____ FINANCE OFFICER _____ MAYOR

OFFICE OF THE COUNTY DIRECTOR OF EQUALIZATION
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

I, LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT. DATED THIS ____ DAY OF _____, 20__.

LAWRENCE COUNTY DIRECTOR OF EQUALIZATION: _____

OFFICE OF THE REGISTER OF DEEDS
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

FILED FOR RECORD THIS ____ DAY OF _____, 20__ AT ____ O'CLOCK, ____ M., AND RECORDED IN DOC. _____

LAWRENCE COUNTY REGISTER OF DEEDS: _____



Prepared By:
PONDEROSA LAND SURVEYS, L.L.C.
332A WEST MAIN STREET
LEAD, SD 57754
(605) 722-3840

Date:	2/12/2019
Drawn By:	L. D. Vrem
Project No.:	19-34
Dwg. No.:	19-34.dwg

RESOLUTION # 2019-08

RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER ELEVEN

WHEREAS the Deadwood City Commission deems it necessary to create a tax incremental district, pursuant to SDCL 11-9-6, that includes real property as more particularly described herein; and,

WHEREAS the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9 for an overlay tax incremental district; and,

WHEREAS the Council finds that:

1. Not less than twenty-five percent, by area, of the real property within the district is a blighted area or not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and
2. The improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the district
3. The aggregate assessed value of taxable property in the proposed district plus the tax incremental base of all other existing districts does not exceed ten percent (10%) of the total assessed value of property within the City of Deadwood; and

NOW, THEREFORE, BE IT RESOLVED by the City of Deadwood that the real property legally described below shall constitute the final boundaries of Tax Incremental District Number ELEVEN (TID #11):

LOTS 1, 2, 3, 4 AND 5, BLOCK 11, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, ACCORDING TO P.L. ROGERS MAP AND AS SHOWN ON PLAT BOOK 3 PAGE 642 AND A TRIANGULAR STRIP ADJOINING LOT 1 FURTHER DESCRIBED AS FOLLOWS: "BEGINNING AT A POINT ON COURSE 1 OF M.S. 216 FROM WHICH POINT CORNER NO. 4 OF M.S. 216 BEARS N. 8° 24' W. A DISTANCE OF 201 FEET; THENCE S 42° 58' E. A DISTANCE OF 123 FEET TO CORNER NO. 2; THENCE N. 63° 28' W. A DISTANCE OF 110 FEET TO CORNER NO. 3; THENCE 19° 32' E. A DISTANCE OF 44 FEET TO CORNER NO. 1 THE PLACE OF BEGINNING ACCORDING TO THE OFFICIAL PLAT OF P.L. ROGERS AND AS SHOWN ON PLAT BOOK 3 PAGE 642 BEING A PORTION OF M.S. 216 IN THE CITY OF DEADWOOD, EXCEPT THAT PORTION DEEDED TO THE STATE OF SOUTH DAKOTA AS SET OUT IN BOOK 376 PAGE 600, BEING A PORTION OF M.S. 216";

LOTS 1 AND 2, FOUR POINT SUBDIVISION, ORIGINAL TOWN OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS 7, 9, 11, 17 AND 19 IN BLOCK 13, EXCEPTING THEREFROM THE NORTH 70 FEET OF SAID LOT 19, ORIGINAL TOWN, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA, ACCORDING TO THE OFFICIAL PLAT OF P.L. ROGERS OF DEADWOOD;

LOTS 13, 15, 21, AND 23 AND THE NORTHERLY 70 FEET OF LOT 19 IN BLOCK 13, ORIGINAL TOWN OF THE CITY OF DEADWOOD, ACCORDING TO P.L. ROGERS MAP OF THE CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS 25, 27, 29, 31 AND 33, ALL IN BLOCK 13 OF THE CITY OF DEADWOOD, ACCORDING TO P.L. ROGERS MAP OF THE CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

PROBATE LOT 186 LOCATED IN THE CITY OF DEADWOOD, ACCORDING TO THE P.L. ROGERS MAP OF SAID CITY OF DEADWOOD, LAWRENCE COLJNTY, SOUTH DAKOTA;

LOTS A AND C OF PROBATE LOT 227, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

SCHOOL LOT 66 LOCATED IN THE CITY OF DEADWOOD, ACCORDING TO THE P.L. ROGERS MAP OF SAID CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS 32, 34, 36, 38, 40, 42 AND 44, BLOCK 12, O.T., CITY OF DEADWOOD, SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA;

LOT 35, BLOCK 13, O.T., CITY OF DEADWOOD, SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA;

LOTS 6 AND 7, BLOCK 11, O.T., CITY OF DEADWOOD, LOCATED IN THE SW¼ OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA.

ALL LOCATED IN THE CITY OF DEADWOOD, SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST BLACK HILLS MERIDIAN, LAWRENCE COUNTY, SOUTH DAKOTA INCLUDING WITHIN AND ADJACENT RIGHTS-OF-WAYS.

Dated at Deadwood, Lawrence County, South Dakota, this ___day of March 2019.

CITY OF DEADWOOD

David Ruth Jr., Mayor

ATTEST:

Jessicca McKeown, Finance Officer

Proposed Deadwood TIF #11

