

DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, September 16, 2020 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order
2. Approval of September 2, 2020 Minutes
3. Sign Review Committee
25 Lee Street (Hotel by Gold Dust) – Pineview Group, LLC – Install New Projecting Sign
Action Required:
 - a. Approval/Denial by Sign Review Commission
4. Planning and Zoning Commission
Amendment to Planning and Zoning Tax Increment District Twelve
 - a. Tax Increment District #12 Project Plan Amendment #1
Action required: Recommend Approval or Denial by Planning and Zoning
 - b. Resolution Approving Amendment #1 for Project Plan for Tax Increment District #12
Action required: Recommend Approval or Denial by Planning and Zoning
 - c. Contract for Private Development Amendment #1
Action required: Recommend Approval or Denial by Planning and Zoning
Findings of Fact and Conclusions – Conditional Use Permit – 21 Lincoln Avenue – Tom and Nyla Griffith

Lots 1, 2, and 3 and Southerly 10 Feet of Lots 12, 13, and 14 and the Vacated Alley, Block Forty-two (42), Original Town, City of Deadwood, Lawrence County, South Dakota

Action Required:

 - a. Recommend Approval/Approval with Conditions/Denial by Planning and Zoning Commission
Condensing Parcels/Construction – 79 Sherman Street – Scott and Sharon Jacobs

Lot 17A, Block 34 Original Townsite, City of Deadwood, Located in the SW1/4 of Section 23, T5N, R3E, B.H.M., Lawrence County, South Dakota Formerly Lots 23A and 17, Block 34

Action Required:

 - a. Approval/Denial by Planning and Zoning Commission
5. Items from Staff
6. Adjourn

Planning and Zoning Commission meetings are not available by ZOOM unless requested.

Please practice CDC's social distancing recommendations.

Please be considerate of others and if you no longer have business activities during the meeting do not feel obligated to remain.



PLANNING AND ZONING COMMISSION

Wednesday, September 2, 2020

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson John Martinisko on Wednesday, September 2, 2020 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: John Martinisko, Bill Rich, Brett Runge and Josh Keehn

Absent: Jeff Lawler

Board of Adjustments Present: Charlie Mook and David Ruth, Jr.

Staff Present:

Jeramy Russell, Trent Mohr and Cindy Schneringer

Approval of August 19, 2020 Minutes:

It was moved by Mr. Rich and seconded by Mrs. Runge to approve the August 19, 2020 meeting minutes. Aye - All. Motion carried.

Planning and Zoning Commission

Conditional Use Permit - 21 Lincoln Avenue - Nyla and Tom Griffith

Mr. Russell stated the applicant is requesting a conditional use permit for a specialty resort bed and breakfast totaling six rooms but technically seven as two of the rooms are actually one. The applicants are Nyla and Tom Griffith. The address is 21 Lincoln Avenue and the legal description is Lots 1, 2, and 3 and Southerly 10 feet of Lots 12, 13, and 14 and the Vacated Alley, Block Forty-two (42), Original Town, City of Deadwood, Lawrence County, South Dakota. It is zoned R-1 Residential. A public hearing was held with the majority of the discussion revolving around parking requirements/concerns. *It was moved by Mr. Rich and seconded by Mr. Keehn to approve the conditional use permit for a specialty resort bed and breakfast for Nyla and Tom Griffith, 21 Lincoln Avenue with the following conditions: the Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void; the Bed and Breakfast must be owner occupied; proof of a state excise number shall be provided to the Planning and Zoning Office for their files; proof that the Building Inspector has inspected the building and it meets all of the building codes; proper paperwork is filed with the City of Deadwood Finance Office for BID taxes; proof of City of Deadwood Business License; and visitors/guest are required to have off street parking. Aye - All. Motion Carried.*

Items from Staff (no action taken)

- Mr. Russell reported that Jeff Lawler submitted a letter of resignation and will go before the next City Commission for approval. After approval, we will post a request for applications for the open position on all social media.

Adjournment:

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

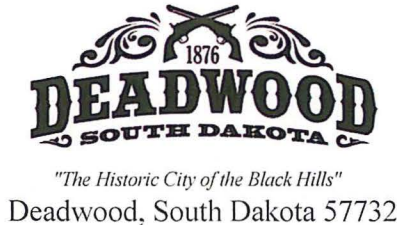
There being no further business, the Planning and Zoning Commission adjourned at 5:51p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Cindy Schneringer, Planning & Zoning Office/Recording Secretary



Deadwood, South Dakota 57732

SIGN PERMIT STAFF REPORT

Sign Review Commission
September 16, 2020

Applicant: Garth Ligtenberg / Conrad's Signs for Pineview Group, LLC.

Address: 25 Lee Street, Deadwood, SD 57732

Site Address of Proposed Signage: 25 Lee Street (Hotel by Gold Dust)

Computation of Sign Area

Building Frontage: 147 Feet.

Total Available Signage: 294 Square Feet.

Existing Signage: Two projecting signs and two wall signs (117.5 Square Feet total).

Remaining Available Signage Area: 176.5 Square Feet.

Proposed Sign Project: Install new projecting sign (17.5 Square Feet).

Proposed Building Materials: Composite metal. (see attached rendering).

Proposed Lighting of the Signs: None.

Location of Proposed Sign: Attached is a photograph with the sign depicted in its proposed location above the stairs.

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant will be opening a new business in the basement of this building. This business involves solving a series of puzzles before time runs out to win. This sign is to advertise this new business and is associated with the exterior stair to the basement to meet the public entrance requirement.

The proposed sign and its location are compliant with the sign ordinance.

OFFICE OF
Planning & Zoning
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-2084



"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

TRENT MOHR
Building Inspector
Dept. of Planning & Zoning
Telephone: (605) 578-2082
Fax: (605) 578-2084

Variances

The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

Sign Review Commission Action

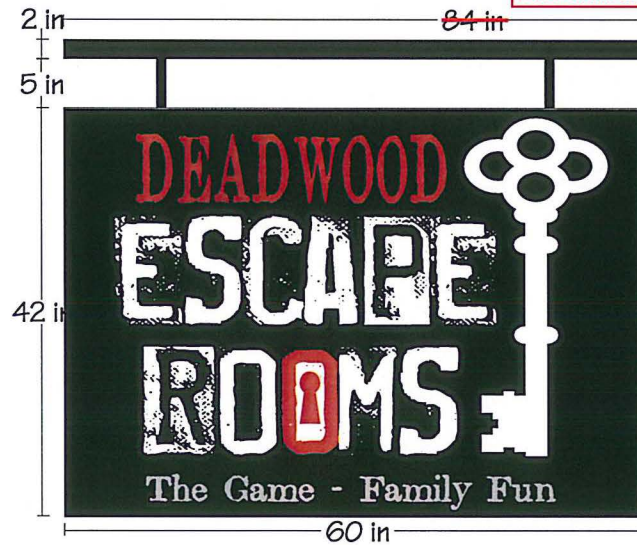
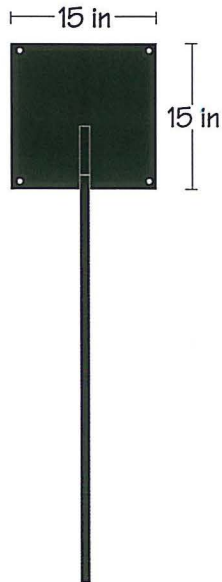
Motion to approve permit for new projecting sign at 25 Lee Street

OR

Motion to deny proposed sign permit application as submitted.

PEDESTRIAN SIGN

SQUARE TUB ALUMINUM CONSTRUCTION, PAINTED BLACK
3mm OMEGABOND FACES WITH PREMIUM VINYL GRAPHICS
TOTAL: 1 DOUBLE SIDED



FILE #	02_FIS0011
COMPANY	THE HOTEL BY GOLD DUST
ADDRESS	24 LEE ST DEADWOOD, SD
CONTACT	
MODEL	
PHONE	605-582-1400
EMAIL	marlene.fischer@goldust.com
DATE	02/26/2020
SALES/CONSULTANT	DANIEL LOGUE
DESIGNER	DANIEL LOGUE
SCALE	NOT TO SCALE



1740
East North St.
Rapid City
SD 57701

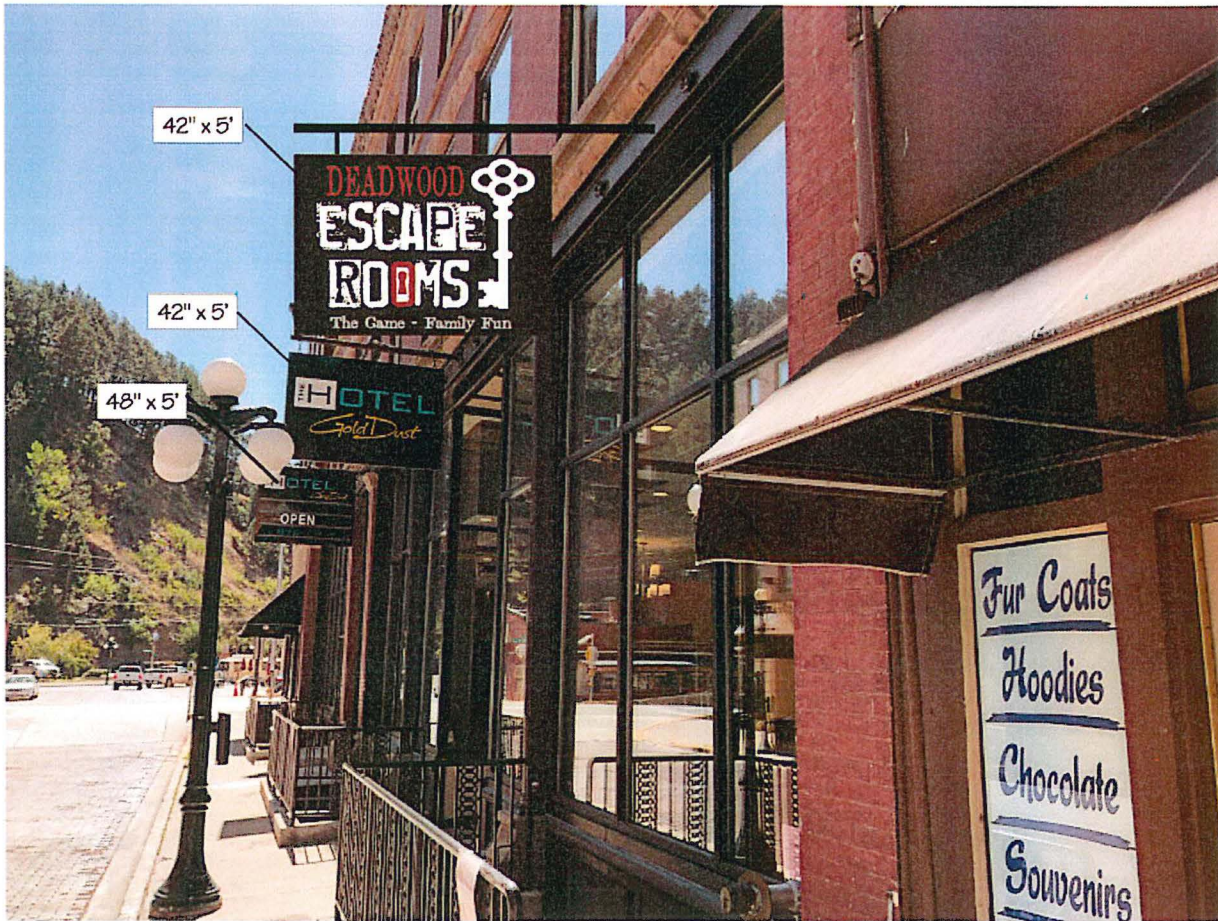
Phone:
605-348-8744

Fax:
605-388-6199

Email:
signs@hills.net



PEDESTRIAN SIGN



FILE #	001050001
COMPANY	THE HOTEL BY GOLD DUST
ADDRESS	25 LEE ST. DEADWOOD, SD
CONTACT	MICHELLE
PHONE	605-552-7400
EMAIL	michelle@hotelbygold.com
DATE	08/16/2020
SALES CONSULTANT	DANIEL LOGUE
DESIGNER	DANIEL LOGUE
SCALED	NOT TO SCALE



1740
East North St.
Rapid City
SD 57701

Phone:
605-348-8744

Fax:
605-388-6199

Email:
signs@hills.net



**NOTICE OF PUBLIC HEARING
BEFORE THE DEADWOOD BOARD OF ADJUSTMENT AND
DEADWOOD PLANNING AND ZONING COMMISSION**

NOTICE is hereby given that the Deadwood Planning and Zoning Commission will hold a Public Hearing on proposed Amendment #1 to Deadwood Tax Increment District #12. Said hearing will be held at the Deadwood City Hall Commission Chambers, located at 102 Sherman Street, on **Wednesday, September 16, 2020, at 5:05 P.M.** Amendment #1 to Tax Increment District #12 proposes to increase the project cost from \$300,000 to \$650,000 and includes all or a portion of the following parcels:

Lot C2 of Block 1 of Palisade Tract, Deadwood Stage Run Addition, Sections 14 and 23, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota; and

Tract B-1A of Tract B of M.S. 751, Section 23, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota

All located in the City of Deadwood, Lawrence County, South Dakota including within and adjacent rights-of-ways.

Interested persons may present written comments to the City Planning Department or appear in person at the Public Hearing scheduled for the time and place specified above.

Dated this 26th day of August, 2020

City of Deadwood, Lawrence County, South Dakota

Jeremy Russell
Planning and Zoning Administrator

PUBLISH: Black Hills Pioneer:

Publish once at the total approximate cost of \$

CITY OF DEADWOOD

**TAX INCREMENT
DISTRICT #12
PROJECT PLAN**

ADMENTMENT #1

**Affordable Housing
Stage Run Apartments**

Prepared by the
BKE Consulting
For the City of Deadwood
May 6, 2019
September 21, 2020 Amendment #1

INTRODUCTION

Tax Increment Financing is a method of financing improvements and development in an area, which has been determined to be blighted or will stimulate and develop the general economic welfare and prosperity of the State. South Dakota Codified Law (SDCL) Chapter 11-9 give municipalities the ability to create and use Tax Increment Financing as a tool to encourage either the redevelopment of property and/or economic development opportunities in the community. Deadwood Tax Increment District #12 was created to stimulate the economic welfare of the state, region, and community by promoting commercial development.

The assessed value of a district is determined by the South Dakota Department of Revenue at the time the district is created by the City Council. This valuation is termed the Tax Increment Base for the district, or simply the "base valuation." As the property taxes for the property are paid, that portion of the taxes paid on the Base Valuation continue to go to those entities, (City, County, School, etc.), which levy property taxes.

When in succeeding years the assessed valuation of the district increases, the total property taxes paid by the owners of property in the district will increase accordingly. That increase in taxable valuation is the "increment." When the tax bills are paid, only that portion of the tax bill, which results from the Base Valuation, is paid to the taxing entities. The remainder of the tax bill, known as the tax increment, is deposited in a special fund. It is this plan, which determines how these accumulated funds will be used. It is anticipated that one or more of the properties in this proposed Tax Increment District will be used for commercial purposes. The creation of this Tax Increment District for economic development purposes will not require an additional levy to make up for the School District's share of the property taxes included in the Tax Increment.

For the purpose of this document, the following terms are defined as the following:

Affordable Housing

For the purposes of SDCL13-13-10.9, affordable housing is only those tax increment financing districts where:

(1) The original selling price of any house in the district will be at or below the first-time homebuyer purchase price limit being used by the South Dakota Housing Development Authority as of the date the house is sold; or

(2) The monthly rental rate of all multifamily housing units in the district will be at or below the calculated rent for the state's eighty percent area median income, being used by the South Dakota Housing Development Authority, as of the date the district is created, for a minimum of five years following the date of first occupancy.

Base Valuation or Tax Incremental Base

Means the aggregate assessed value of all taxable property located within a Tax Incremental District on the date the district is created. (SDCL § 11-9-20)

Blighted Areas

A. Areas conducive to disease or crime defined as blighted. Any area, including slum area, in which the structures, buildings, or improvements, by reason of:

(1) Dilapidation, age, or obsolescence;

(2) Inadequate provisions for ventilation, light, air, sanitation, or open spaces;

(3) High density of population and overcrowding;

(4) The existence of conditions which endanger life or property by fire and other causes; or

(5) Any combination of such factors;

are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and which is detrimental to the public health, safety, morals, or welfare, is a blighted area. (SDCL § 11-9-9)

- B. Developed areas impairing growth defined as blighted. Any area which by reason of:
- (1) The presence of a substantial number of substandard, slum, deteriorated, or deteriorating structures;
 - (2) Predominance of defective or inadequate street layouts;
 - (3) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 - (4) Insanitary or unsafe conditions;
 - (5) Deterioration of site or other improvements;
 - (6) Diversity of ownership, tax, or special assessment delinquency exceeding the fair value of the land;
 - (7) Defective or unusual conditions of title;
 - (8) The existence of conditions which endanger life or property by fire and other causes; or
 - (9) Any combination of such factors;
substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use, is a blighted area. (SDCL § 11-9-10)
- C. Open areas impairing growth defined as blighted. Any area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of a municipality, is a blighted area. (SDCL § 11-9-10)

City

City of Deadwood, South Dakota

Developer

Stage Run Properties, LLC

Developer's Agreement

The agreement between Developer and City concerning this Tax Incremental District.

District

Deadwood Tax Incremental District #12.

Economic Development

That 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

The improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the district. (SDCL § 11-9-8)

Fiscal Year

The fiscal year of City of Deadwood.

Grant

The transfer for a governmental purpose of money or property to a transferee that is not a related party to or an agent of the municipality. (SDCL § 11-9-1(3))

Infrastructure Improvements

A street, road, sidewalk, parking facility, pedestrian mall, alley, bridge, sewer, sewage treatment plant, property designed to reduce, eliminate, or prevent the spread of identified soil or groundwater contamination, drainage system, waterway, waterline, water storage facility, rail line, utility line or pipeline, or other similar or related structure or improvement, together with necessary easements for the structure or improvement, for the benefit of or for the protection of the health, welfare, or safety of the public generally.

Municipality

Any incorporated city or county in the state. (SDCL § 11-9-1(4))

Planning Commission

The City of Deadwood Planning and Zoning Commission.

Project Costs

Any expenditure or monetary obligations by City of Deadwood, whether made, estimated to be made, incurred or estimated to be incurred, which are listed as Project Costs herein will include any costs incidental thereto but diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by City of Deadwood in connection with the implementation of this Plan. (SDCL § 11-9-14)

Project Plan

A properly approved Plan for the development or redevelopment of a tax incremental district including all properly approved amendments thereto as recommended pursuant to SDCL § 11-9-13. (SDCL § 11-9-1(6))

Taxable Property

All real taxable property, in accordance with SDCL 10-4, located in a Tax Incremental District.

Tax Incremental District

A contiguous geographic area within a City and/or County defined and created by resolution of the governing body and named City of Deadwood Tax Incremental District #12.

Tax Increment Valuation or Increment

The total value of the Tax Incremental District minus the tax incremental base pursuant to SDCL § 11-9-19.

OVERVIEW

Amendment #1 includes an additional \$355,000 of Projects Costs over the original \$300,000 Project Costs. All changes that are part of Amendment #1 are in **bold**.

Through this document, the City of Deadwood Planning and Zoning Commission addresses legal requirements of specifying a Project Plan for the development of Tax Incremental District #12. The plan proposes that tax increment funds generated by the development of multifamily dwelling units that will be used to pay for the costs associated with improvements involving sitework and utilities improvements that are necessary for the multifamily development to take place.

Principal elements addressed in this plan include the following:

1. Existing uses and proposed development activities within the designated Tax Incremental District boundary;
2. Developer's planned economic development proposal within the legally established Tax Incremental District project area;
3. Listing of estimated Project Costs that are proposed for the Tax Incremental District and that will be funded by incremental tax revenues generated within the District;
4. Description of proposed method of financing estimated Project Costs specified in Item 3 above;
5. Specific delineation of the Tax Incremental Base, as specified under South Dakota Law (SDCL 11-9), and the fiscal impact of the proposed Tax Incremental District project upon those entities levying taxes on property in the District; and
6. Economic feasibility of the overall development project and its associated ability to generate incremental tax revenue sufficient to retire the debt incurred in the process of funding Project Costs referenced in Item 3 above.

TAX INCREMENT DISTRICT

In an associated action, Tax Increment District #12 is being created. TID #12 is located east side of the Stage Run subdivision (see Exhibit 1). All projects that are funded through tax increment financing must be located within the District and must be under construction within five years of creation of the District.

BASE VALUE ANALYSIS OF THE CITY OF DEADWOOD

State law requires that tax increment districts cannot exceed ten percent of the taxable value of City of Deadwood (SDCL § 11-9-7). This value for City of Deadwood is approximately \$216,680,997. The total amount of value allowed in Tax Increment Districts in the City of Deadwood is \$14,606,259. The Department of Revenue has not established the base value of the Tax Incremental District #12 (SDCL § 11-9-20) as of this time. It is projected that the base value of this parcel will be approximately \$189,330. In Table #1, it documents the current active Tax Increment Districts in the City of Deadwood and their base values when they were created. The creation of this District does not exceed the maximum value allowed in Tax Increment Districts.

Table #1 Base Value Analysis	
2018 Deadwood Valuation	\$216,680,997
SDCL 11-9-7 - 10% Based Valuation	\$20,295,494
Tax Incremental District #6	\$140,605
Tax Incremental District #8	\$878,448
Tax Incremental District #9	\$551,358
Tax Incremental District #10	\$9,551,358
Tax Incremental District #11(est.)	\$3,484,490
Tax Incremental District #12(est.)	\$189,330
Total Base Value in Tax Incremental Districts	\$14,801,589
Base Valuation Remaining	\$6,872,510

PROJECT DEVELOPMENT

The developer is proposing to construct a series of duplex and 4-plex apartment buildings on a recently platted lot on the east of the Stage Run development. The units will be an up/down duplex units connected a two-stall garage with a few just duplex units. The units will be similar to units the developer constructed on the west side of the development. The size of all units will be two bedrooms and two bath and 835 square feet.

In 2018, the South Dakota Legislature changed a number of the provisions to the Tax Increment Financing statutes. One of the changes was defining how Tax Increment Financing can be used for affordable housing. For multifamily housing, the rental rates must meet the following requirements – “The monthly rental rate of all multifamily housing units in the district will be at or below the calculated rent for the state's eighty percent area median income, being used by the South Dakota Housing Development Authority, as of the date the district is created, for a minimum of five years following the date of first occupancy.” South Dakota Housing Development Authority rental rate for a two-bedroom apartment is \$1,284. With the assistance of Tax Increment Financing, the developer is planning to have the rates in the \$900 to \$1,000 per month range which significantly lower than the minimum rate requirement. As part of the associated Developer Agreement, the developer will be required to provide documentation on the previous year rental rates to insure compliance with the state statutes.

In the recent adopted Comprehensive Plan Housing Element, the community identified a number of “wish list” items which included more housing (of all types), affordable and quality housing and apartments/multi-family housing units. In addition, the Comprehensive Plan Housing Element first two principles are:

- Improve the availability of housing for all income levels, making it possible for more people to both live and work in Deadwood.
- Encourage the development of a variety of housing types to better meet the needs of individuals throughout their lifetimes.

The propose development helps meet the adopted Deadwood Comprehensive Plan's "wish list" items and principles of to diversify the housing option available to residents at an affordable level.

This need for this type of housing was identified in the 2016 Deadwood/Lead Housing Study. In that report, it identified a need for 72-82 rental units to be developed by 2021. The study was completed before expansion of a number of hotel/gaming establishments and the announcement of the expansion of the Sanford Underground Research Facility for LBNF/DUNE facility. This growth is putting additional pressure for all types of housing in the community.

All project expenditures must be completed within five years. Should the tax increment revenues exceed the anticipated loan payments, the district debt would be retired early resulting in the full value of the property being returned to the tax rolls more quickly.

EXISTING LAND USES

The property is currently vacant/open space except for old storage/barn building. Lot C2 of Block 1 of Palisade Tract, Deadwood Stage Run Addition is identified as Commercial within the Stage Run Planned Unit Development Designation. Multi-family dwelling units are an allowed used as part of the Planned Unit Development. Tract B-1A of Tract B of M.S. 751 is zoned Park Forest. (see Exhibit 2)

PROPOSED LAND USES/ZONING

There will be no propose changes to any land uses or zoning. Lot C2 of Block 1 of Palisade Tract, Deadwood Stage Run Addition has a Neighborhood Residential land use designation on the Deadwood Comprehensive Plan Future Land Use Map. Tract B-1A of Tract B of M.S. 751 has a Forest Reserve land use designation on the Deadwood Comprehensive Plan Future Land Use Map. (See Exhibit 3)

CHANGES TO THE MASTER PLAN, MAP, BUILDING CODES, AND MUNICIPAL ORDINANCES

This plan does not address issues of or changes to the Deadwood Comprehensive Plan or map, master plan, building codes or municipal ordinances since none of these actions are required to implement the provisions of this Project Plan.

PROPOSED METHOD FOR THE RELOCATION OF DISPLACED PERSONS

No statement of a proposed method for the relocation of displaced persons is included, since such displacement is not applicable with respect to this Tax Incremental District project.

ELEMENTS OF THE PROJECT PLAN

This Project Plan, as required by SDCL 11-9-13, will address the following elements:

- 1) Public Works and Other Improvements;
- 2) Economic Feasibility Study;
- 3) Project Costs;
- 4) Fiscal Impact Statement; and,
- 5) Financing Method Description.

Additionally, the following exhibits are offered:

- Tax Increment District Boundary Map
- Existing Land Use
- Existing Zoning
- Proposed Improvements

1. PUBLIC WORKS AND OTHER IMPROVEMENTS (SDCL § 11-9-13 (1))

The project plan includes the following Tax Increment District costs associated with the proposed development. (Exhibit #4):

Removals, Demolition & Mobilization	\$42,000
Sitework & Excavation	\$645,600
Utilities	\$274,500
Interior Streets	\$259,000
Total cost of all improvements	\$1,221,100

2. ECONOMIC FEASIBILITY STUDY (SDCL § 11-9-13 (2))

Tax Increment District #12 is proposed for creation in accordance with SDCL 11-9-2 to 11-9-11. As of this date, the assessed valuation for the proposed district is projected as \$189,330. In accordance with SDCL 11-9-20, certification of the base value will be requested from the South Dakota Department of Revenue following creation and approval of the district by the City Council.

ANTICIPATED CERTIFIED BASE VALUATION OF PROPERTY IN TAX INCREMENT DISTRICT #12 - \$189,330

EXPECTED INCREASE IN VALUATION

The applicant is proposing to construct 38 apartment units in the Stage Run Development. It is estimated that the cost of the proposed expansion will be approximately **\$4,650,000** and **4,185,000** in new assessed value.

ESTIMATED FUTURE VALUATION OF PROPOSED DISTRICT

Estimated Assessed Value of District	\$	189,330
Estimated Assessed Value of Project	\$	4,185,000
Other Anticipated Increases in Assessed Value	\$	0
Estimated Total Increment Valuation	\$	4,185,000

REVENUE ESTIMATES FROM TAX INCREMENTS

The Plan anticipates 40 semi-annual payments over 20 years. The potential negative short-term impact on the various taxing entities will be offset by the increase in the tax base in future years.

Non-Agricultural (Other) 2019 Tax Levies and Percentage of Total Levy

Taxing Entity	Tax Levy	% of Total Levy
School District 40-1	.011376	53.78%
City of Deadwood	.004978	23.53%
Lawrence County	.004000	18.90%

Sanitary District	.000799	3.78%
Total Mill Levy	.021153	

2019 Non-Agricultural Tax Rate: 21.153 Mills

The estimated tax increment available to pay for project costs in the Plan can be calculated by multiplying the anticipated tax rate by the increment in valuation. This calculation results in the following tax increments, which become available as taxes are paid for the applicable periods. This plan does not anticipate any additional increment other than those identified in the plan.

OVERALL PROJECTED TAX INCREMENT INCOME

Built Date	Assessment Date	Taxes Paid	Commercial Increment	Tax Increment
2019	2020	2021		
2020	2021	2022		
2021	2022	2023	\$4,185,000	\$88,525
2022	2023	2024		\$88,525
2023	2024	2025		\$88,525
2024	2025	2026		\$88,525
2025	2026	2027		\$88,525
2026	2027	2028		\$88,525
2027	2028	2029		\$88,525
2025	2026	2027		\$88,525
2026	2027	2028		\$88,525
2027	2028	2029		\$88,525
2028	2029	2030		\$88,525
2029	2030	2031		\$88,525
2030	2031	2032		\$88,525
2031	2032	2033		\$88,525
2032	2033	2034		\$88,525
2033	2034	2035		\$88,525
2034	2035	2036		\$88,525
2035	2036	2037		\$88,525
2036	2037	2038		\$88,525
2037	2038	2039		\$88,525
2038	2039	2040		\$88,525
2031	2032	2033		\$88,525
2032	2033	2034		\$88,525
2033	2034	2035		\$88,525
2034	2035	2036		\$88,525
2035	2036	2037		\$88,525
2036	2037	2038		\$88,525

TOTAL TAX INCREMENT EXPECTED TO ACCRUE BY 12/31/30: \$1,416,405

NOTE: Tax increment payments are calculated using 90% of estimated future property valuation and 100% of expected **2019** mill levy.

3. PROJECT COSTS (SDCL § 11-9-13 (3))

The following description is the costs associated with the development of the multi-family housing in the Stage Run Addition. These include site development, utilities, and interior streets, fees, and other costs.

Tax Incremental District #12 Development Costs

	Development Costs ⁽¹⁾	Tax Incremental District Costs ⁽²⁾	Total Costs
Capital Costs			
Removals, Demolition & Mobilization		\$42,000	\$42,000
Sitework & Excavation		\$645,600	\$645,600
Building Construction (38 units)	\$4,037,500		\$4,037,500
Utilities		\$274,500	\$274,500
Interior Streets		\$259,000	\$259,000
Sub-Total	\$4,037,500	\$1,221,100	\$5,099,600
Contingency Costs	\$403,750	\$217,775	\$621,525
Capital Cost Total	\$4,441,250	\$1,438,875	\$5,721,125
Professional Fees Engineering	\$87,110		
Financing Costs (only District related) Interest		\$572,253	\$572,253
Administrative Costs			
Organization Costs Project Plan Preparation		\$20,000	\$20,000

Total Costs	\$4,528,360	\$2,031,128	\$6,559,488
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⁽¹⁾ SDCL § 11-9-16(5) - A list of estimated nonproject costs.

District Project Costs (SDCL § 11-9-14)

The following costs have been identified as eligible costs to be included in the Project Plan.

Kind of Project	Number of Projects	Location	Amount	Reference ⁽²⁾
Capital Costs	5	District	\$1,438,875	11-9-15(1)
Financing Costs	1	District	\$572,253	11-9-15(2)
Real Property Assembly				11-9-15(3)
Professional Fees				11-9-15(4)
Imputed Administrative Costs				11-9-15(5)
Relocation Costs				11-9-15(6)

Organizational Costs		District	\$20,000	11-9-15(7)
Discretionary Costs and Grants				11-9-15(8)
Eligible Project Costs			\$2,031,128	

(2)
SDCL §11-9-15

- (1) Capital costs, including the actual costs of the construction of public works or improvements, buildings, structures, and permanent fixtures; the demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and permanent fixtures; the acquisition of equipment; the clearing and grading of land; and the amount of interest payable on tax increment bonds issued pursuant to this chapter until such time as positive tax increments to be received from the district, as estimated by the project plan, are sufficient to pay the principal of and interest on the tax increment bonds when due;
- (2) Financing costs, including all interest paid to holders of evidences of indebtedness issued to pay for project costs, any premium paid over the principal amount thereof because of the redemption of obligations prior to maturity and a reserve for the payment of principal and interest on obligations in an amount determined by the governing body to be reasonably required for the marketability of obligations;
- (3) Real property assembly costs, including the actual cost of the acquisition by a municipality of real or personal property within a district less any proceeds to be received by the municipality from the sale, lease, or other disposition of property pursuant to a project plan;
- (4) Professional service costs, including those costs incurred for architectural, planning, engineering, and legal advice and services;
- (5) Imputed administrative costs, including reasonable charges for the time spent by municipal employees in connection with the implementation of a project plan;
- (6) Relocation costs;
- (7) Organizational costs, including the costs of conducting environmental impact and other studies and the costs of informing the public of the creation of a district and the implementation of project plans; and
- (8) Payments and grants made, at the discretion of the governing body, which are found to be necessary or convenient to the creation of a district, the implementation of project plans, or to stimulate and develop the general economic welfare and prosperity of the state. No payment or grant may be used for any residential structure pursuant to § 11-9-42.

Based on discussion with the City, it was determined that the maximum allowed expenditures would not exceed \$300,000 and other **\$350,000 with this amendment for a total of \$650,000** not including financing costs. This was due the current city debt capacity and potential other City projects. This **Amended** Project Plan authorizes a **\$650,000** of Tax Increment Financing to use for the **\$2,031,128** of eligible costs plus financing costs. The remaining balance will be the responsibility of developer.

AUTHORIZE TOTAL CONSTRUCTION COSTS AND FEES \$650,000
ESTIMATED TOTAL ELIGIBLE FINANCING COSTS \$572,253
ESTIMATED TOTAL ELIGIBLE PROJECT COSTS \$1,175,566

4. FISCAL IMPACT STATEMENT (SDCL § 11-9-13 (4))

The impact on taxing entities can be derived from determining the tax increment anticipated during the life of the district. The true impact on taxing entities of the Plan is the increase in valuation of the property within the Tax Increment District. The taxing entities are only foregoing that income during the life of the district and will realize that income as soon as the debt from the project costs in the Plan is retired. The purpose of this Plan is to encourage that increase in valuation.

At first glance it may appear that the negative impact on the various taxing entities is notable. But when it is considered that without the use of the Tax Increment Finance proposed in this

plan it is very likely that there would be no increase in the taxable value of the property within this District or, at least, any increase would be significantly delayed, the impact can be considered truly positive.

The impact on the various taxing entities after the Tax Incremental District is influenced by the entity's relative share of the total tax levy burden within the District. A specific entity would receive its relative proportion of the estimated annual taxes that would become available to all taxing entities after the Tax Incremental District debt is retired or the District is dissolved, whichever occurs first.

NET IMPACT ON TAXING ENTITIES

Year Pd	NA Increment*	School	City	County	Sanitary	Total
2021						
2022						
2023	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2024	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2025	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2026	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2027	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2028	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2029	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2030	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2031	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2032	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2033	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2034	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2035	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2036	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2037	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2038	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525
2039	\$4,185,000	\$47,609	\$20,833	\$16,740	\$3,344	\$88,525

*The increment value increase is based on 90% of full and true value.

Estimated Payout for Tax Increment District #12

There is impact on the Lead-Deadwood School Districts but because this Tax Incremental District meets the requirements of SDCL 13-13-10(9) for affordable housing development, the impact is only for the Capital Outlay and Special Education portion of the School District mill levy. The Tax Incremental District retains that portion of the increment that would go to the Lead-Deadwood School Districts; however, the State makes up the difference to the School District to their General Fund. It is estimated that the Tax Increment District #12 will dissolve at the end of 2036.

5. FINANCING METHOD (SDCL § 11-9-13 (5))

The financing method to be used in the funding of this Plan is to be obtained by the Developer. Since the Developer will be responsible for any principle and interest payments due, it is imperative that adequate growth and improvements are occurring to offset the cost of those improvements. If the tax increment revenues exceed the anticipated loan payments, the debt will be retired early. Deposits made in the Tax Incremental District as taxes are paid on the property in succeeding years will retire the debt on the Tax Incremental District Project Costs covered in the Plan. The City of Deadwood Finance Officer will make the disbursements from that fund in accordance with this Plan. According to SDCL 11-9-25, positive tax increments will be allocated to that fund until the debt from the project costs is retired or twenty years.

	YEAR 2019	BALANCE FORWARD	PROJECT COST	INTEREST	NEW BALANCE	TIF PAYMENT	CAPITALIZED INTEREST	YEAR END BALANCE
1	2019.1	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	2019.2	\$0	\$0	\$0	\$0	\$0	\$0	\$0
2	2020.1	\$0	\$262,500	\$9,188	\$271,688	\$0	\$9,188	\$271,688
	2020.2	\$271,688	\$262,500	\$18,697	\$552,884	\$0	\$18,697	\$552,884
3	2021.1	\$552,884	\$62,500	\$21,538	\$636,923	\$0	\$21,538	\$636,923
	2021.2	\$636,923	\$62,500	\$24,480	\$723,902	\$0	\$24,480	\$723,902
4	2022.1	\$723,902	\$0	\$25,337	\$749,239	\$0	\$25,337	\$749,239
	2022.2	\$749,239	\$0	\$26,223	\$775,462	\$0	\$26,223	\$775,462
5	2023.1	\$775,462	\$0	\$27,141	\$802,603	\$44,263	\$0	\$758,341
	2023.2	\$758,341	\$0	\$26,542	\$784,883	\$44,263	\$0	\$740,620
6	2024.1	\$740,620	\$0	\$25,922	\$766,542	\$44,263	\$0	\$722,279
	2024.2	\$722,279	\$0	\$25,280	\$747,559	\$44,263	\$0	\$703,296
7	2025.1	\$703,296	\$0	\$24,615	\$727,912	\$44,263	\$0	\$683,649
	2025.2	\$683,649	\$0	\$23,928	\$707,577	\$44,263	\$0	\$663,314
8	2026.1	\$663,314	\$0	\$23,216	\$686,530	\$44,263	\$0	\$642,267
	2026.2	\$642,267	\$0	\$22,479	\$664,747	\$44,263	\$0	\$620,484
9	2027.1	\$620,484	\$0	\$21,717	\$642,201	\$44,263	\$0	\$597,938
	2027.2	\$597,938	\$0	\$20,928	\$618,866	\$44,263	\$0	\$574,603
10	2028.1	\$574,603	\$0	\$20,111	\$594,715	\$44,263	\$0	\$550,452
	2028.2	\$550,452	\$0	\$19,266	\$569,718	\$44,263	\$0	\$525,455
11	2029.1	\$525,455	\$0	\$18,391	\$543,846	\$44,263	\$0	\$499,583
	2029.2	\$499,583	\$0	\$17,485	\$517,069	\$44,263	\$0	\$472,806
12	2030.1	\$472,806	\$0	\$16,548	\$489,354	\$44,263	\$0	\$445,092
	2030.2	\$445,092	\$0	\$15,578	\$460,670	\$44,263	\$0	\$416,407
13	2031.1	\$416,407	\$0	\$14,574	\$430,982	\$44,263	\$0	\$386,719
	2031.2	\$386,719	\$0	\$13,535	\$400,254	\$44,263	\$0	\$355,991
14	2032.1	\$355,991	\$0	\$12,460	\$368,451	\$44,263	\$0	\$324,188
	2032.2	\$324,188	\$0	\$11,347	\$335,535	\$44,263	\$0	\$291,272
15	2033.1	\$291,272	\$0	\$10,195	\$301,467	\$44,263	\$0	\$257,204
	2033.2	\$257,204	\$0	\$9,002	\$266,206	\$44,263	\$0	\$221,944
16	2034.1	\$221,944	\$0	\$7,768	\$229,712	\$44,263	\$0	\$185,449
	2034.2	\$185,449	\$0	\$6,491	\$191,940	\$44,263	\$0	\$147,677
17	2035.1	\$147,677	\$0	\$5,169	\$152,846	\$44,263	\$0	\$108,583

	2035.2	\$108,583	\$0	\$3,800	\$112,384	\$44,263	\$0	\$68,121
18	2036.1	\$68,121	\$0	\$2,384	\$70,505	\$44,263	\$0	\$26,243
	2036.2	\$26,243	\$0	\$918	\$27,161	\$44,263	\$0	\$0
19	2037.1	\$0	\$0	\$0	\$0	\$44,263	\$0	\$0
	2037.2	\$0	\$0	\$0	\$0	\$44,263	\$0	\$0
20	2038.1	\$0	\$0	\$0	\$0	\$44,263	\$0	\$0
	2038.2	\$0	\$0	\$0	\$0	\$44,263	\$0	\$0

Totals		\$650,000	\$572,253		\$1,222,253	\$125,462		
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Exhibit #1
Tax Increment District #12 Boundary

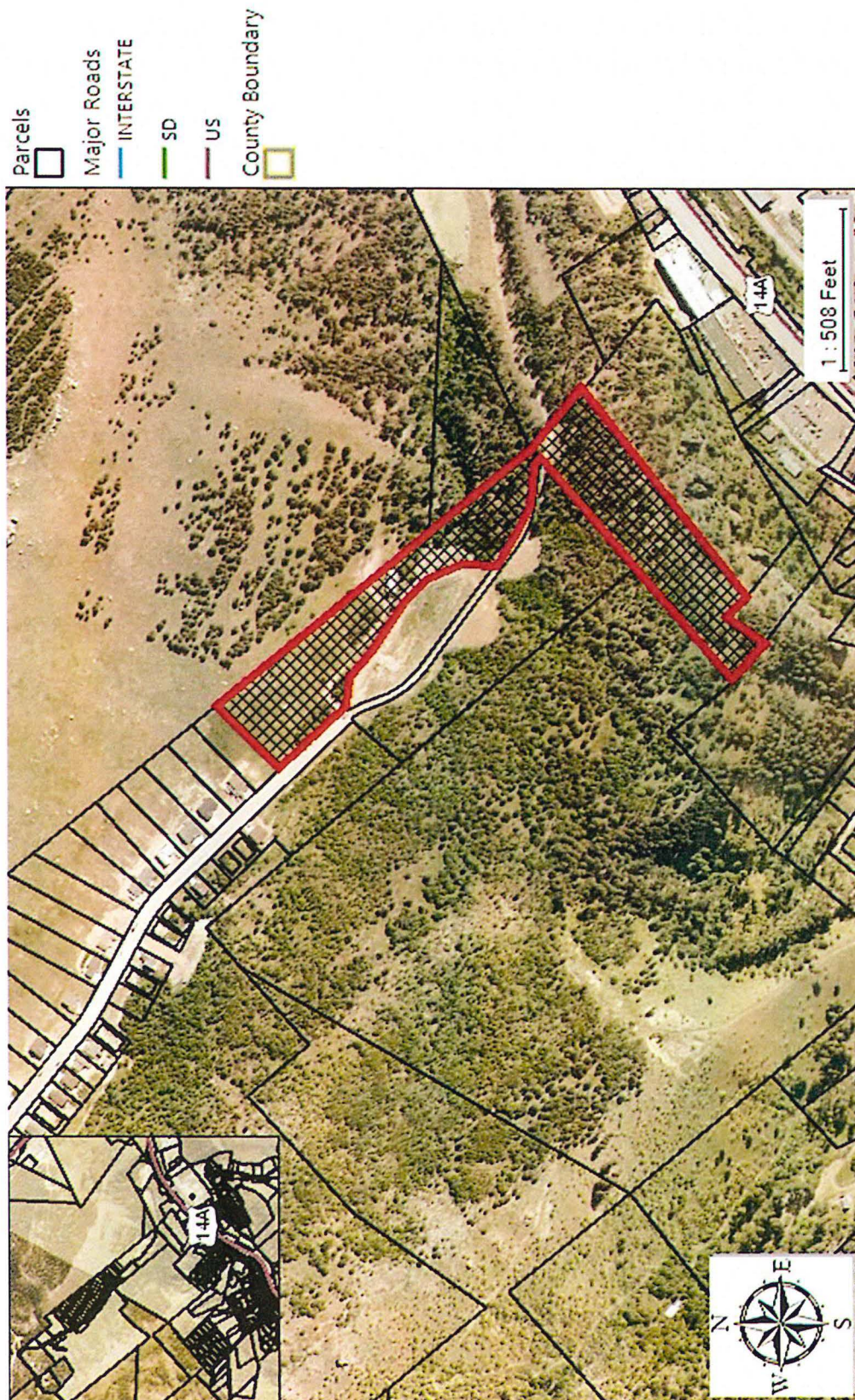


Exhibit #2
Tax Increment District #12 Zoning Districts

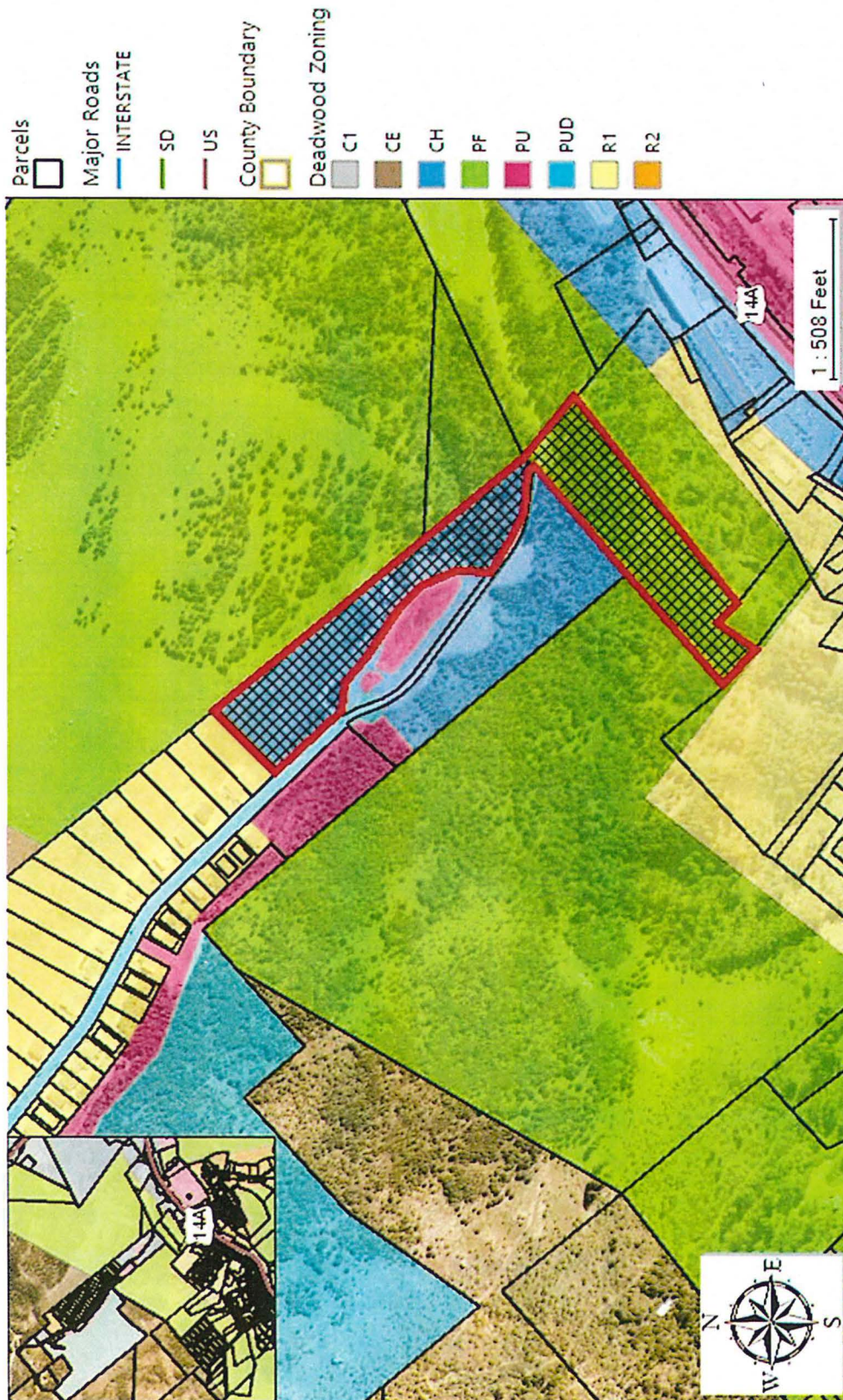


Exhibit #3
Deadwood Comprehensive Plan Future Land Use Map

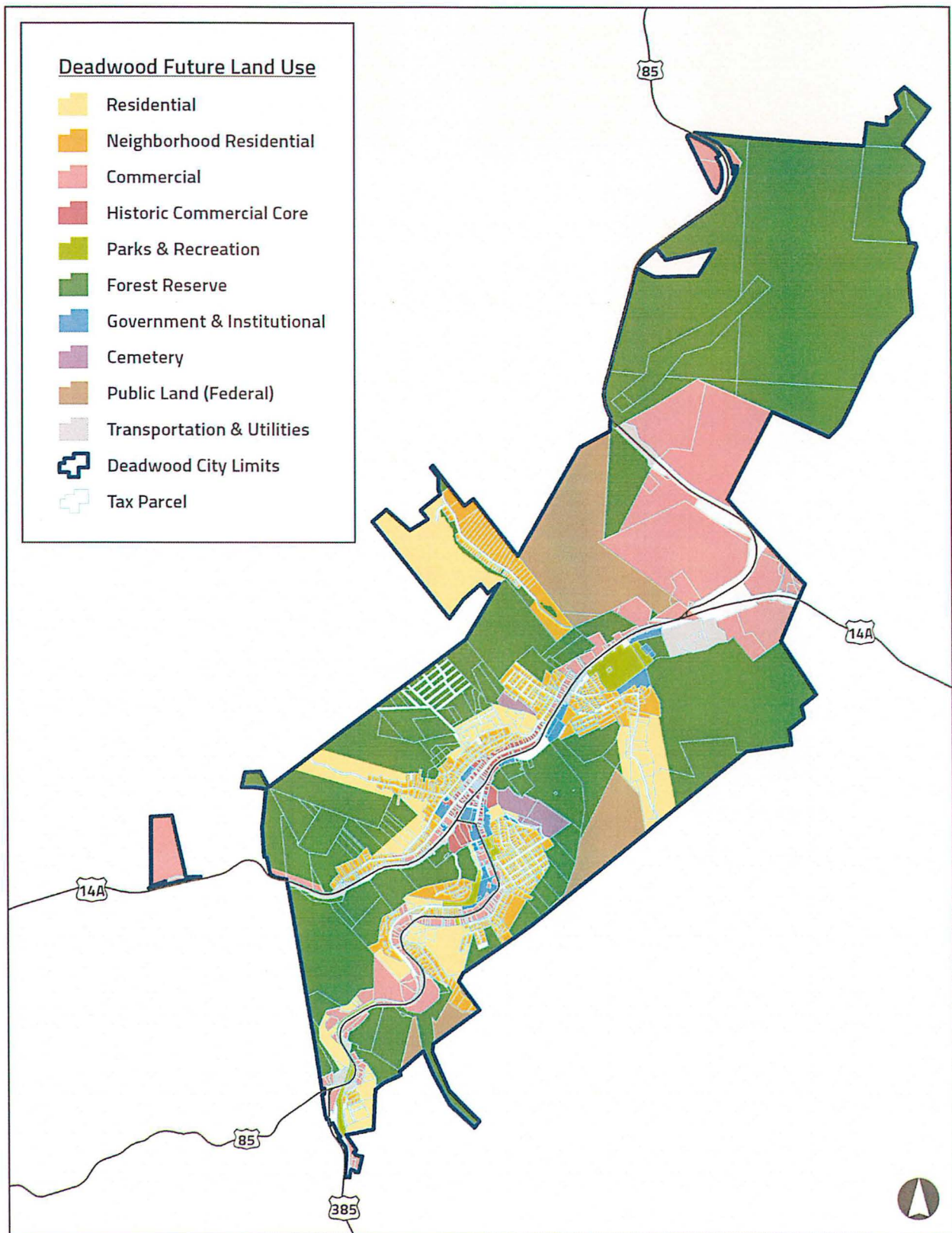


Exhibit #4 Stage Run Apartment Site Plan and Improvements



RESOLUTION # 2020-??

**RESOLUTION APPROVING AMENDMENT #1 TO PROJECT PLAN
FOR TAX INCREMENT DISTRICT #12
AS SUBMITTED BY THE DEADWOOD PLANNING COMMISSION**

WHEREAS the Deadwood City Commission has determined that it is in the best interest of the City to implement plans which promote economic development and growth in the City. A key component to help with economic development is affordable housing; and

WHEREAS the Commission embraces the concept of Tax Increment Financing as a tool to encourage this desirable growth and redevelopment; and

WHEREAS SDCL 11-9-6 provides for the overlapping of one or more tax incremental districts; and

WHEREAS there has been established Tax Incremental District Number #12, which will overlay Tax Incremental District Number #8, along with additional areas; and

WHEREAS there has been established Tax Increment District Number #12; and

WHEREAS the Commission deems desirable to promote affordable and diversified housing to help with economic development; and

WHEREAS the Developers have indicated significant cost increases in the construction of the project over the original approved Project Plan; and

WHEREAS the use of Tax Increment Funding to promote this development is in keeping within the statutes adopted by the South Dakota State Legislature; and

WHEREAS there has been developed an Amendment #1 to the Project Plan for this Tax Increment District which proposes additional costs; and

WHEREAS the Commission has considered Amendment #1 to the Project Plan submitted by the Planning Commission and determined that the Amendment #1 to the Project Plan for Tax Increment District #12 is economically feasible; and

WHEREAS the Council has further determined that this Amendment #1 to the Project Plan is in conformity with the adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City of Deadwood that Amendment #1 to the Tax Increment District Project Plan for Tax Increment District #12 and is hereby, approved as submitted by the Deadwood Planning Commission.

Dated at Deadwood, Lawrence County, South Dakota, this 21st day of September 2020.

CITY OF DEADWOOD

Dave Ruth Jr

Mayor

ATTEST:

Jessicca McKeown

Finance Officer

**CONTRACT FOR PRIVATE DEVELOPMENT
TAX INCREMENT DISTRICT #12
AMENDMENT #1**

THIS AMEMNDED AGREEMENT, made and entered into as of this 21st day of September, 2020, between SECOND STAGE, LLC (herein referred to as "Developer"), a South Dakota limited liability company, and the City of Deadwood, a municipal Corporation and political subdivision of the State of South Dakota supersedes the original agreement date May 6, 2019. This Amendment shall only apply to Section 4, Section 5, and Section 7.

SECTION 4. As reimbursement for the eligible project costs identified in the approved project plan, the City agrees to pay the Developer a grant in an amount not to exceed \$1,175,566. This sum is comprised of a principal balance of \$650,000 for site development and \$572,253 in interest costs based on that balance. The interest is calculated at 7% on the principal balance per annum for up to a twenty (20) year period. Interest will begin to accrue upon the principal amount upon approval of the Developer's Agreement. Interest will continue to accrue and be paid until the principal balance is retired or upon the end of the twenty (20) year period in which payments can legally be made pursuant to state law. Any interest that accrues prior to funds being disbursed to the Developer under this Agreement will be capitalized by the City. The City's Finance Office will develop an amortization schedule to track the amount of principal and interest owed to the Developer. The Developer and the City agree that if the principal balance is retired in less than twenty (20) years the City will only be responsible for paying the Developer an amount equivalent to the interest accrued for the term that the principal balance was outstanding. The Developer will secure financing to fund estimated project costs for construction of costs of site improvements, utility improvements, and interior streets specified in the approved Project Plan authorizes up to **\$650,000** in front-end project costs for repayment utilizing project tax increment revenue receipts. Project funding to be secured by the Developer, anticipated to be in the form of a bond or note, will bear an average interest rate over the life of the loan not to exceed seven percent (7.00%) per annum. Further, borrowed funds secured through third-party financing shall not be eligible for interest rate reimbursement exceeding the actual interest rate charged by the third-party lending source, notwithstanding the maximum interest rate specified above.

Documentation of third-party loan secured by Developer, including amount of principal, interest rate and repayment or amortization schedule, shall be provided to City by Developer. Additionally, both parties acknowledge and agree that loan repayment information, including year-end loan balances, are necessary for City to comply with annual outstanding debt reporting information required by the State of South Dakota, and Developer agrees to provide such required information so that City can prepare such reports in a timely manner.

SECTION 5. Total estimated project costs, as set forth in the approved Project Plan, are as follows:

Capital Costs

Removals, Demolition & Mobilization	\$42,000
Sitework & Excavation	\$645,600
Utilities	\$274,500
Interior Streets	\$259,000
Contingency Costs	\$217,775
	<hr/>
	\$1,438,875

Financing Costs (only TIF related)

Interest (7%)	\$572,253
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Organization Costs

TIF Plan Preparation	\$20,000
	<hr/>
Sub-Total	\$20,000

ESTIMATED TOTAL ELIGIBLE PROJECT COSTS	\$2,031,128
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SECTION 7. All positive tax increments received from Tax Increment District #12 shall, upon receipt by the City, be deposited in a special fund to be known as the "Tax Incremental District #12 Fund." The City shall, within thirty (30) days after receipt of each tax increment payment from the Lawrence County Treasurer, disburse all amounts in the fund to the Developer, or its designee, subject to the following limitation: At no time shall the cumulative total payments from the fund exceed the smaller of: (a) the total amount of Project Costs of \$650,000, as specified in Section 4 of this Agreement; plus all associated financing costs, in an amount not to exceed the interest rate limitation specified in Section 4; or (b) disbursements in the amount certified pursuant to Section 6 of this Agreement; plus all associated financing costs, in an amount not to exceed the interest rate limitation specified in Section 4.

Dated at Deadwood, Lawrence County, South Dakota, this 21st day of September 2019.

City of Deadwood

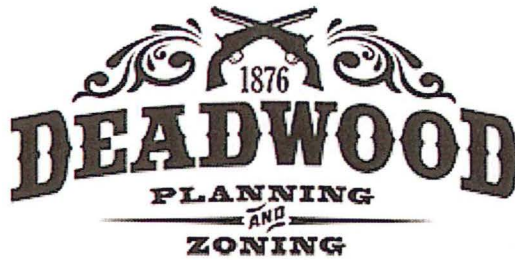
Stage Run Properties, LLC

Dave Ruth, Jr.
Mayor

Scot Munro, Member

ATTEST:

Jessica McKeown
Finance Officer



**FINDINGS OF FACT AND CONCLUSIONS
FOR CONDITIONAL USE PERMIT FOR
SPECIALTY RESORT BED AND BREAKFAST**

NAME: Tom & Nyla Griffith

PURPOSE: Request for a single unit specialty resort bed and breakfast with 7 bedrooms.

ADDRESS: 21 Lincoln Avenue

LEGAL DESCRIPTION: Lots 1, 2, and 3 and Southerly 10 Feet of Lots 12, 13, and 14 and the Vacated Alley, Block Forty-two (42), Original Town, City of Deadwood, Lawrence County, South Dakota.

ASSESSORS NO.: 30025-04200-030-00

RE: Request for Conditional Use Permit for a single unit specialty resort bed and breakfast with 7 bedrooms.

WHEREAS, the above application for a Conditional Use Permit for a single unit Bed and Breakfast in the R1 - Residential District came on review before the Deadwood Planning and Zoning Commission on Wednesday, September 2, 2020. The application was recommended for approval by the Deadwood Planning and Zoning Commission. The Deadwood Board of Adjustment approved the request for a single unit Specialty Resort Bed and Breakfast at 21 Lincoln Avenue as recommended by the Planning and Zoning Commission on September 8th, 2020.

WHEREAS, all present members of the Deadwood Planning and Zoning Commission and the Deadwood Board of Adjustment having reviewed the Conditional Use Permit request and having considered all comments offered and all of the evidence and testimony presented for the application; and, after discussion and consideration of the application and being fully advised in the premises, the Deadwood Planning and Zoning Commission and Deadwood Board of Adjustment hereby enter their:

FINDINGS OF FACT AND CONCLUSIONS

1. Staff provided public notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accordance with Section 17.76.020. Notice was placed in the designated newspaper of the City of Deadwood, ten (10) days in advance of the hearing as required by Section 17.76.060.J
2. An official sign was posted on the property for which the Conditional Use Permit was filed as required by Section 17.76.060.J

Tom & Nyla Griffith
Conditional Use Permit
Single Unit Bed and Breakfast 2020

3. Property owners within three hundred (300) feet of the boundaries of the subject land were notified by first class mail as required by Section 17.76.060.J. One property owner submitted a letter of support and one letter against.
4. The subject property is located within a very low density land use classification on the adopted Land Use Map.
5. The subject area is zoned R1 - Residential District. The area near the subject property consists of a mixture of single family and multi-family dwellings.
6. The use, as proposed would not result in a substantial or undue adverse effect on adjacent property or the character of the neighborhood and the use would not alter the character of the area. The structure is not being enlarged or altered.
7. The granting of the conditional use permit would not increase the proliferation of non-conforming uses. The use is expressly allowed in the R1 - Residential District under certain conditions and the conditions were met.
8. The use would not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation or other services. This type of use does not demand a high degree of services.
9. Based on these findings, the Deadwood Planning and Zoning Commission recommended approval of the request for a Bed and Breakfast. The Deadwood Board of Adjustment approved the request as recommended by the Planning and Zoning Commission with the following conditions:
 - **The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void.**
 - **The Bed and Breakfast must be owner occupied.**
 - **Proof of a state excise number shall be provided to the Planning and Zoning Office for their files.**
 - **Proof that the Building Inspector has inspected the building and it meets all of the building codes.**
 - **Proper paperwork is filed with the City of Deadwood Finance Office for BID taxes.**
 - **Proof of City of Deadwood Business License.**
 - **All parking shall be off street.**

ATTEST:

Jessica Mckeown, Finance Officer
City of Deadwood
/ / /20

David Ruth, Mayor
City of Deadwood
/ / /20

John Martinisko, Chairman
Planning and Zoning Commission
/ / /20

Bill Rich, Secretary
Planning and Zoning Commission
/ / /20

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



Jeremy Russell
Planning and Zoning Administrator
Telephone (605) 578-2082
jeramyr@cityofdeadwood.com

**STAFF REPORT
PLANNING AND ZONING
SEPTEMBER 16, 2020 MEETING**

APPLICANT: Scott and Sharon Jacobs
670 Main Street
Deadwood, SD 57732

PURPOSE: Condensing Parcels/Construction

GENERAL LOCATION: 79 Sherman Street (Jacobs Brewhouse)

LEGAL DESCRIPTION: LOT 17A, BLOCK 34 ORIGINAL TOWNSITE, CITY OF DEADWOOD, LOCATED IN THE SW1/4 OF SECTION 23, T5N, R3E, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA FORMERTLY LOTS 23A AND 17, BLOCK 34

FILE STATUS: All legal obligations have been completed.

ZONE: C1 - Commercial

STAFF FINDINGS:

Surrounding Zoning:

North: C1 – Commercial
South: C1/Public Use
East: C1-Commercial
West: C1-Commercial

Surrounding Land Uses:

Commercial Businesses
Commercial/Public Use
Commercial Businesses
Commercial Businesses

SUMMARY OF REQUEST

Scott and Sharon Jacobs recently remodeled the old ABC Supply building and turned it into Jacobs Brewhouse and Grocer. They would like to extend their operations into Lot 17, which is the vacant Kodiak Arcade building.

FACTUAL INFORMATION

1. The property is currently zoned C1 – Commercial
2. Lot 17A is comprised of 0.197 Acres±
3. The subject property is located within a low density residential designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.

STAFF DISCUSSION

To complete the remodel, they will need to re-plat this into one parcel. This will allow them to create a pass through doorway from the grocery area into the next building. For the pass through to take place, the building code requires a re-plat.

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 certificates 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.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

ACTION REQUIRED:

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

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 OR STREET 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 OR STREET 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.

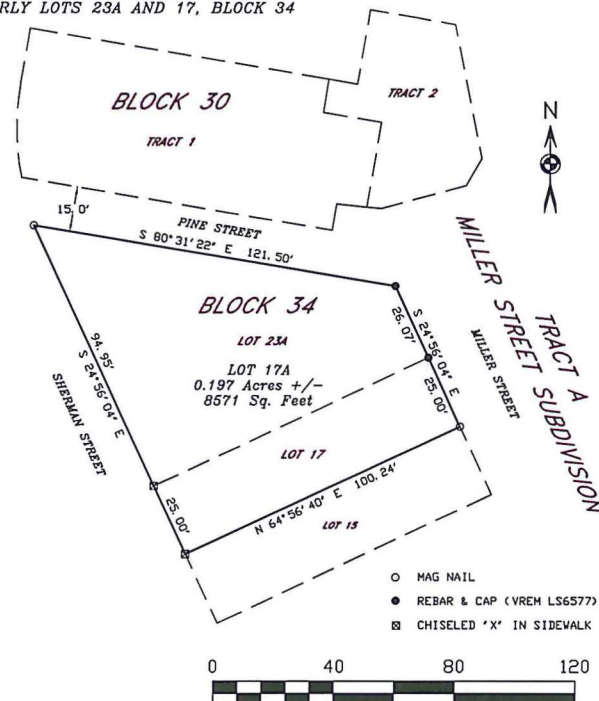
LAWRENCE COUNTY REGISTER OF DEEDS:



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

Date:	9/5/2020
Drawn By:	L. D. Vrem
Project No.:	20-442
Dwg. No.:	20-442.dwg

PLAT OF LOT 17A, BLOCK 34
ORIGINAL TOWNSITE, CITY OF DEADWOOD, LOCATED IN
THE SW1/4 OF SECTION 23, T5N, R3E, B.H.M.,
LAWRENCE COUNTY, SOUTH DAKOTA
FORMERLY LOTS 23A AND 17, BLOCK 34



I, LOREN D. VREM, 332A WEST MAIN ST., 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 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