

OFFICE OF  
PLANNING, ZONING AND  
HISTORIC PRESERVATION  
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Deadwood, SD 57732



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**STAFF REPORT  
PLANNING AND ZONING  
AMENDMENT TO ZONING MAP  
SEPTEMBER 7, 2022**

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**APPLICANT:** TRD, LLC (Randy Horner)

**PURPOSE:** Rezoning Request – Park Forest to Residential Multifamily

**GENERAL LOCATION:** Northeast of Preacher Smith Monument

**LEGAL DESCRIPTION:** *LOTS 1 & 2, BLOCK 1B OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT LOCATED IN GOV'T LOTS 10 AND 12 OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 3 EAST, BLACK HILLS MERIDIAN, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA.*

**FILE STATUS:** All legal obligations have been completed

**CURRENT ZONING:** Park Forest

**ASSESSOR'S NUMBER:** 30940-00503-010-02  
30940-00503-010-01

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**STAFF FINDINGS:**

Surrounding Zoning:

North: Commercial Highway  
South: Park Forest/Lawrence County  
East: Lawrence County  
West: Park Forest

Surrounding Land Uses:

Residential Business  
Common Ownership  
Lawrence County  
Vacant/Common Ownership

**SUMMARY OF REQUEST**

The applicant has submitted a request for a zoning amendment to change from Park Forest zoning district to Residential Multifamily. The location of this property is Northeast of the Preacher Smith Monument in the Ridge Development. An address is forthcoming but has not yet been assigned.

## COMPLIANCE

1. The Zoning Officer provided notice identifying the applicant, describing the project and its location and giving the scheduled date of the public comment in accordance with Section 17.96.020
2. A sign was posted on the property for which the requests were filed.

## STAFF DISCUSSION

The applicant has submitted a request for a zoning amendment for the purpose of constructing two apartment buildings. If approved, the apartments would create an opportunity for the Deadwood workforce to find more affordable housing within the city. The current Park Forest zoning district would not allow for this project under the use by right nor the conditional uses.

### SECTION 17.100.030 -STANDARDS OF REVIEW

**In reviewing an amendment to the text of this Ordinance or an amendment to the Official Zoning District Map, the City Commission and Planning and Zoning Commission shall consider the following:**

- A. Whether the proposed amendment conflicts with any applicable portions of this Ordinance.

*The surrounding area is currently zoned Park Forest. This will be the first of a series of zoning amendments for the Ridge development. There are no conflicts that would prevent the Planning and Zoning Commission reviewing the applicants proposed zoning amendment.*

- B. Whether the proposed amendment is consistent with all elements of the Deadwood Comprehensive Plan.

*The 2018 Comprehensive Plan Future Land Use Map identifies the area as Parks and Recreation use. The Ridge development plans to incorporate hiking and biking trails within the community for residents and visitors alike. In addition, the 2018 Comprehensive Plan also advises the City to continue to work with developers to encourage new housing developments and include a variety of housing types to meet the needs of Deadwood residents, while keeping the aesthetics of a small historic town in a natural forested setting.*

- C. Whether the proposed amendment is compatible with surrounding Zoning Districts and land uses, considering existing land use and neighborhood.

*The subject property is surrounded by primarily two zoning districts: Park Forest and Commercial Highway. Within these two zoning districts you will find commercial businesses, residential homes, and vacant land.*

- D. Whether the extent to which the proposed amendment would result in demands on public facilities, and the extent to which the proposed amendment would exceed the capacity of such public facilities, including, but not limited to transportation facilities, sewage facilities, water supply, parks, drainage, schools, and emergency medical facilities.

*The proposed project impacts on the public facilities are not currently known. The City is concerned about the substantial growth with three new subdivisions planned in the next few years and the impacts these developments may have on City infrastructure. A study of the Deadwoods water capacity is currently being developed.*

*The subject property is not located within any floodplain.*

- E. The effect of the proposed amendment on traffic generation and road safety.

*Currently the property has a low volume of pedestrian traffic and vehicular traffic going in and out of the property. Access to the property is off US Hwy 85 and turn lanes into The Ridge Development will be required by the Department of Transportation at some point in the future. Both the City and the developer have that understanding.*

- F. Whether the proposed amendment is consistent and compatible with the community character in the City of Deadwood.

*The proposed amendment is in harmony with the overall character of existing development of Deadwood.*

- G. Whether there have been changed conditions affecting the subject parcel or the surrounding neighborhood, which support the proposed amendment.

*The City of Deadwood is currently in a housing shortage and the proposed amendment would support the current housing need as described in the 2021 housing study.*

- H. Whether the proposed amendment would be in conflict with the public interest and is in harmony with the proposed amendment may or may not be in conflict with the public interest.

*At this time, there have been no comments in support or against this amendment and there will be a time for public comment prior to the discussion on this amendment.*

#### ACTION REQUIRED:

1. Recommended **Approval or Denial** by Deadwood Planning and Zoning Commission.
2. Approval/Denial by the Deadwood Board of Adjustment.