

Return Completed Form To:
Planning and Zoning
108 Sherman Street
Deadwood, SD 57732



Questions Contact:
Jeremy Russell
(605) 578-2082 or
jeramyr@cityofdeadwood.com

Application No. _____

PETITION FOR ZONING AMENDMENT

Application Fee: \$200.00

Applicants: Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Name of Petitioner: TRD, LLC - Project Agent Leah M. Berg, P.E. Telephone: (605) 545-1120

Address: 16 Peck Street Deadwood SD 57732
Street City State Zip

Email: LBerg@proacesinc.com

Legal Description of Property: Lots 1 & 2, Block 1B of the Ridge Development, The City of Deadwood, South Dakota
(Must Be Exact)

Submit a detailed letter explaining your request referencing Standards of Review (17.100.030).

Present Zoning Classification: PF Requested Zoning Classification: R2

Existing Use of Property: None

Signature of Applicant: Date: 08/23/2022

Signature of Property Owner: Date: 8/23/2022
DocuSigned by:
A7A79DDBA78545F...

Fee: \$ _____ Paid On _____ Receipt Number _____

Legal Notice Published Date: _____ **Hearing Date:** _____

PLANNING AND ZONING ADMINISTRATOR:			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
PLANNING AND ZONING COMMISSION:			
Approved/P&Z Commission:	Yes	No	Date: _____
DEADWOOD BOARD OF ADJUSTMENT:			
Approved/City Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): _____



**PETITION FOR ZONING AMENDMENT
PARK FOREST DISTRICT (PF)
TO
R2 MULTI-FAMILY RESIDENTIAL DISTRICT
the RIDGE Development, Deadwood, SD**

Applicant/Petitioner: TRD, LLC
- Randy and Cheri Horner
16 Peck Street, Deadwood, SD 57732

Project Agent: Leah M. Berg, P.E.
LBerg@proacesinc.com Cell: 605-545-1120

Legal Description: Lots 1 & 2, Block 1B of the Ridge
Development, The City of Deadwood, South
Dakota.
(13.2 Acres - Plat attached)

1. Objectives:

- Re-Zone Lots 1 & 2, Block 1B of the Ridge Development from Park Forest to R2 Multi-Family Residential District.
- These Lots are part of the TIF District # 14 and have been planned to be multi-family apartment use.
- The Ridge Development will be Re-Zoned in the near future but this Re-Zone for the apartment Lots only is to ensure that the Ridge Apartments project remains on track for an October 2022 groundbreaking and permits can be issued by the City of Deadwood.
- Multi-Family use is not the intent of the current Park Forest Zoning District.

2. Standards of Review (17.100.030):

- The proposed amendment does not appear to be in conflict with any applicable portions of Title 17 - Zoning.
- The proposed amendment is consistent with all elements of the comprehensive plan.
- The proposed amendment is compatible with surrounding zone districts and land uses, the Ridge Development will be re-zoned with a PUD and the master plan for the Development included these Lots as multi-family use.
- The effect of the proposed amendment on traffic generation and road safety was taken into account during the planning of the RIDGE Development and Hwy 85 turn lanes have been incorporated into TIF District #14. Public safety is held as a priority throughout the Development.
- The Ridge Development, with the proposed area being Multi-Family, was presented to the City of Deadwood during project planning and Public Works was able to verify that capacity of public facilities would not be exceeded.
- The proposed amendment is consistent and compatible with the community character in the City of Deadwood and helps to meet the affordable housing needs of residents.
- There have been large changes in conditions affecting the subject parcel and the surrounding neighborhood with the Ridge Development being formed. This supports the proposed amendment.
- The proposed amendment does not appear to be in conflict with the public interest, and is in harmony with the purpose and intent of Title 17 - Zoning.

COUNTY TREASURER'S CERTIFICATE

I, Debra J. Kadle, Lawrence County Treasurer, do hereby certify that 2020 taxes which are liens upon the herein Platted property have been paid.

Dated this 28 day of September, 2021.

Debra J. Kadle, Lawrence County Treasurer



CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Lawrence County Director of Equalization, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this 15 day of September, 2021.

Lawrence County Director of Equalization



CITY OF DEADWOOD PLANNING COMMISSION

This plat approved by the City of Deadwood Planning Commission.

Dated this 15 day of September, 2021.

City Planner, Chairman

APPROVAL OF HIGHWAY AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the proposed access shall require additional approval.

Dated this 15 day of September, 2021.

Highway Authority

APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS

State of South Dakota County of Lawrence, Be it Remembered that we, the Board of Commissioners of the City of Deadwood, Lawrence County, S.D., do hereby approve the same for filing in the office of the Register of Deeds, Lawrence County, S.D.

Dated this 15 day of September, 2021.

Attest: Recorder



Plat of

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.

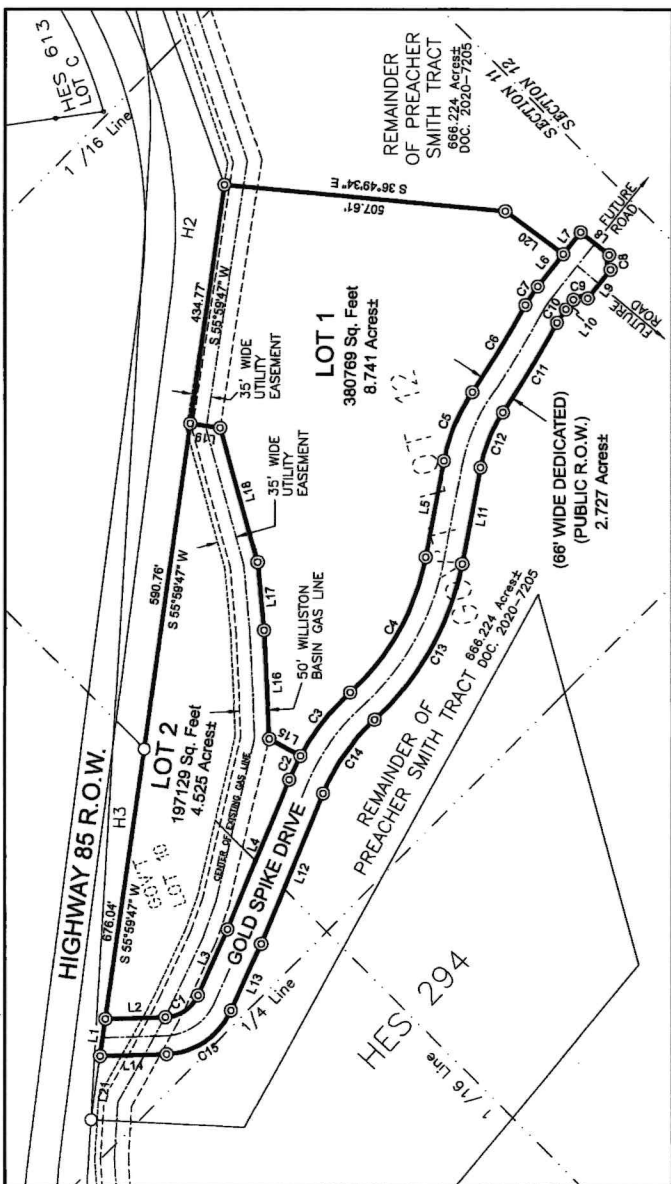


Table with columns: CORNER, BEARING, DISTANCE, BEARING, DISTANCE, CORNER. Lists corner data for various points.



SCALE: 1" = 150 FEET SEPTEMBER 2021

LEGEND

- Found or Set 5/8" Rebar with Cap Marked 'VASKNETZ RLS7719'. Found Limbo Cap unless otherwise noted. Denotes Measurements Previously Recorded. Denotes Measurements Per this Survey.

Table with columns: LINE, BEARING, DISTANCE, BEARING, DISTANCE, CORNER. Lists corner data for various points.

SURVEYOR'S CERTIFICATE. Sharon E. Vasknetz, 2305 Junction Ave., being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owner listed hereon, I have surveyed and plotted the property shown in the manner herein, and that the plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF, I hereunto set my hand and seal

this 15 day of September, 2021. Sharon E. Vasknetz, Registered Land Surveyor No. 7719



OFFICE OF REGISTER OF DEEDS

State of South Dakota County of Lawrence. This plat for Record is hereby received in the office of the Register of Deeds, Lawrence County, South Dakota, on this 15 day of September, 2021. Recorded in Doc. # 2021-9162. Fee: \$46.00

David Johnson, Lawrence County Register of Deeds



Major Drainage Easement

All major drainage easements shown hereon shall be kept free of all obstructions including, but not limited to, buildings, walls, fences, sheds, barns, etc. These easements grant to all public authorities the right to enter the property to inspect, and repair such improvements and structures as it deems necessary to facilitate drainage from any source.

SURVEYOR'S NOTES

- 1) Utility & Meter Discharge Easements: 8' Wide on the interior side of all lot lines. 2) Building Setbacks: Per City of Deadwood Ordinance, 15' from side lot lines and 10' from rear lot lines. 3) Beaks of Bearings using Geodetic North Determined from Global Positioning System (GPS). 4) Per FEMA map panel 46081C0225F effective 4/17/2012. This property is located in an area of minimal flood hazard Zone X.

PLATTED LAND

Land Platted per this Plat: 13,266 Acres. Dedicated Public R.O.W.: 2,727 Acres. Remaining Undeveloped: 10,539 Acres. Total Land Platted: 15,993 Acres.

DC # 2021-9162 page 1 of 2

Plat of
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.



Shanon W. Metz

OWNER'S CERTIFICATE

I, Larry Collier, do hereby certify that I am the Owner of the land shown above and described herein and that I did authorize and do join in and approve the survey and plat. I further certify that the development of this land shall conform to all existing applicable zoning, subdivision, erosion and sediment control regulations. Detached right-of-way as shown herein is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands

this 23 day of Sept 2021

Larry Collier
Larry Collier
18 Peck Street
Deadwood, SD 57732

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF Pennington } SS

On this 23rd day of Sept, 2021, before me, the undersigned officer, personally appeared Larry Collier, known to me to be the person who executed the foregoing Certificate and acknowledged to me that they executed the same for purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.
My Commission Expires
October 23, 2024
Notary Public
Christi Wigge
My commission expires:



OWNER'S CERTIFICATE

I, Randy Horner, do hereby certify that I am the Owner of the land shown and described herein and that I did authorize and do join in and approve the survey and plat. I further certify that the development of this land shall conform to all existing applicable zoning, subdivision, erosion and sediment control regulations. Detached right-of-way as shown herein is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands

this 23 day of Sept 2021

Randy Horner
Randy Horner
3215 Valley Circle
Bismarck, ND 58503

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF Pennington } SS

On this 23rd day of Sept, 2021, before me, the undersigned officer, personally appeared Randy Horner, known to me to be the person who executed the foregoing Certificate and acknowledged to me that they executed the same for purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.
My Commission Expires
October 23, 2024
Notary Public
Christi Wigge
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