



# Planning and Zoning Commission Regular Meeting Agenda

Wednesday, March 06, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
  - a. Approval of the Minutes from the February 21, 2024 Planning and Zoning Commission Meeting.
4. **Sign Review Commission**
5. **Planning and Zoning Commission**
  - a. Final Plat - Combination of two (2) lots - 171 Charles St. - Patrick L. Mollman  
PLAT OF TRACT A1 OF M.S. 207 FORMERLY TRACT A OF M.S. 207 FORMERLY TRACT A OF M.S. 207 AND LOT MK5 OF THE MICKELSON TRAIL CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA LOCATED IN THE NE ¼ OF SECTION 27, T5N, R3E, B.H.M.  
  
Action Required:
    1. Approval/Denial by the Deadwood Planning and Zoning Commission
  - b. Approve and acknowledge subscription agreement in the amount of \$3,000.00 with Deckard Technologies for third-party monitoring service of short-term rentals. Target date for transfer of monitoring services from Harmari to Deckard is project by or before May 1, 2024. Projected cost savings is \$2,000.00 per year.
6. **Items from Citizens not on Agenda**  
(Items considered but no action will be taken at this time.)
7. **Items from Staff**
8. **Adjournment**

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



# Planning and Zoning Commission Regular Meeting Minutes

Wednesday, February 21, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

## 1. Call to Order

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, February 21, 2024 at 4:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

## 2. Roll Call

### PRESENT

Commissioner (Chair) John Martinisko  
 Commissioner (Vice-Chair) Josh Keehn  
 Commissioner (Secretary) Dave Bruce  
 Commissioner Ken Owens  
 Commissioner Charles Eagleson  
 City Commissioner Mike Johnson

### STAFF PRESENT

Kevin Kuchenbecker, Planning, Zoning and Historic Preservation Officer  
 Trent Mohr, Building Inspector  
 Leah Blue-Jones, Zoning Coordinator

## 3. Approval of Minutes

- a. Approval of the January 17, 2024 Minutes

***It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve the January 17, 2024 minutes. Voting yea: Martinisko, Keehn, Bruce, Owens, Eagleson.***

## 4. Sign Review Commission

## 5. Planning and Zoning Commission

- a. Final Plat - Division of property and creating property lines - Miller Street - City of Deadwood

PLAT OF TRACT 3 OF BLOCK 30, O.T. DEADWOOD; BEING A PORTION OF TRACT 1 OF THE MILLER STREET SUBDIVISION; CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

Action Required:

1. Approval/Denial by the Deadwood Planning and Zoning Commission

Mr. Kuchenbecker shared the Final Plat - Division of property and creating property lines - Miller Street - City of Deadwood.

Mr. Kuchenbecker stated that the applicant for the plat is the City of Deadwood; the purpose is to facilitate a transfer of land and creation of property lines. The plat is currently zoned Public Use. The City of Deadwood desires to have this plat on the tax roll. This plat will create Tract 3 of the Miller Street Subdivision and consists of 0.024 acres +/-, is located outside of a flood zone, has facilities, and is located in an area of both Commercial and Public Use.

Mr. Keehn asked if the property would be for sale. Mr. Kuchenbecker stated that it would be up to the City of Deadwood to make that decision. If put up for sale, it would most likely be transferred to Deadwood-Lead Economic Development.

***It was moved by Commissioner Bruce and seconded by Commissioner Keehn to approve the Final Plat - Division of property and creating property lines - Miller Street - City of Deadwood. Voting Yea: Martinisko, Keehn, Bruce, Owens, Eagleson.***

- b. Act as Planning & Zoning Commission to approve/deny Findings of Fact and Conclusion - Conditional Use Permit - RV Park - 20577 Highway 85 - B & L Properties (Brad Kooiker) legally described as Lot A in Lot H2 of H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, Lawrence County, South Dakota and Lot C in H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota. Recommended Approval by Planning and Zoning Commission on July 19, 2023 and Approval by Board of Adjustment on August 7, 2023.

Mr. Kuchenbecker shared Findings of Fact and Conclusion - Conditional Use Permit - RV Park - 20577 Highway 85 - B & L Properties (Brad Kooiker) legally described as Lot A in Lot H2 of H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, Lawrence County, South Dakota and Lot C in H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota. Recommended Approval by Planning and Zoning Commission on July 19, 2023 and Approval by Board of Adjustment on August 7, 2023.

Mr. Kuchenbecker stated that there were conditions with the Conditional Use Permit pertaining to access to the property. A concurrence with no change necessary was approved by the Department Of Transportation for access off a state highway, meeting the final conditions required for the Conditional Use Permit.

***It was moved by Commissioner Keehn and seconded by Commissioner Bruce to approve the Findings of Fact and Conclusion for the Conditional Use Permit for B&L Properties (Brad Kooiker) - RV Park at 20577 Highway 85, Deadwood, Lawrence County, South Dakota. Voting Yea: Martinisko, Keehn, Bruce, Owens, Eagleson.***

- c. Discussion and general acceptance of proposed street names for Stage Run Palisades Tract (Phase III - Stage Run Development). Names proposed as Palisades Stone, Bavarian Lode, and Blarney Stone as shown in packet.

Mr. Kuchenbecker began the discussion by stating that Stage Run, Phase 3 is progressing. In Phase 3, there will be an extension of Mystery Wagon Road, and there are three roads that will come off it. Possible street names have been chosen based on the names of historic Mineral Surveys in the general vicinity: Palisades

Stone will come off Mystery Wagon Road. From Palisades Stone, a right turn can be made onto Bavarian Lode, and a left can be made onto Blarney Stone. No action is needed at this time with regard to the proposed street names.

***Commissioner Martinisko stated that the Planning and Zoning Commission generally accept the proposed street names for Stage Run Palisades Tract, Phase III - Stage Run Development.***

## **6. Items from Citizens not on Agenda**

(Items considered but no action will be taken at this time.)

## **7. Items from Staff**

### **a. Fassbender Photographic Collection Newsletter 4th Quarter 2023**

Mr. Kuchenbecker stated that the Fassbender Photographic Collection Newsletter 4th Quarter 2023 allows the public to know what is happening with the Fassbender collection. With the change of leadership at DHI, we will continue to see more information and progress being made with that collection. Commissioner Martinisko stated that putting a display at the Days of 76 Museum has been a big project. Jim Williams has been doing a good job of incorporating the Fassbender collection into the other city museums and things are coming along well.

### **b. Annual Report on Building Permits - Trent Mohr**

Mr. Mohr discussed Building Permits for the last five (5) years and explained the number of permits in 2023 went down, but valuations increased, which is explained by the Lawrence County Public Safety Center which was a big-ticket item. Generally, people are building less, but paying more to build.

- c. Mr. Kuchenbecker stated that the bi-weekly FEMA meeting (#10) was today, and substantial progress is being made on that project. Staff is very pleased with the contractor, the design team, and FEMA has been very cooperative. Over the next couple of weeks, the steps will be poured to provide creek access from the Sherman Street parking lot. Utilities should be completed in approximately 30 days. The project will remove 6 power poles in the vicinity of Taco Johns to Conrad's old hardware store. The final grade on the wall from Oberlander's to the end of the project upstream is ready for topsoil and landscaping. A temporary parking surface for Deadwood Dental & Deadwood Eye Care is open already. We will be going out to bid in a March for 1A - the retaining wall around the Deadwood Mountain Grand, and 1B - the utilities around City Hall and the Dollar Store. These projects will also include sidewalk, railings and pedestrian lights so we will have a direct connection for pedestrians from Sherman Street to the core downtown. It will look a lot like what we have by the Deadwood Welcome Center. Commissioner Eagleson asked for clarification on where the route for the path will be. Mr. Kuchenbecker explained that it will go along Water Street and allow pedestrians to either walk under the parking garage or by Deadwood Mountain Grand. Water Street will be narrowed slightly, and a walking path will be created behind the guardrail. All the utilities will be buried. The biggest impact of buried utilities will be a transformer that will be in the City Hall parking lot. Mr. Mohr stated that to be above the base flood elevation, the base of the transformer will be 4 feet high.**

- d. Mr. Kuchenbecker stated that all thirty-six Short-Term Rentals who are licensed have paid their annual fees. The city is considering a move to Deckhart Technologies as a third-party monitoring system for STRs. It would be a cost savings to the city and offer a more robust search engine.
- e. Commissioner Bruce asked the status of State of South Dakota House Bill 1149. Mr. Kuchenbecker stated that the bill was defeated.
- f. Mr. Kuchenbecker stated that we have a couple of Conditional Use Permit applications coming within the next month or so.
- g. Mr. Kuchenbecker stated that The Ridge is still stalled.
- h. Mr. Kuchenbecker stated that the Parking Study has been drafted.
- i. Commissioner Eagleson shared that the Deadwood Cracker Barrel would be held Saturday, February 24, 2024, at 11:00 a.m. at Deadwood Mountain Grand. Mr. Kuchenbecker said that Mr. Odenbach has introduced a bill to secure funding that could be used for creek clean up, clean water, and the creation of an environmentally friendly pathway to Devils Bathtub and along Whitewood Creek. In addition, Senate Bill 86 would allow five additional off sale liquor licenses to hotels and convention centers within a gaming community. The bill has passed the Senate and is in the House. Mr. Mohr stated a bill was introduced forcing municipalities to allow campaign signs for a certain length of time. We will have to update our ordinances to reflect the new law when it takes effect July 1, 2024.

## 8. Adjournment

***It was moved by Commissioner Owens and seconded by Commissioner Bruce to adjourn the Planning and Zoning Commission Meeting. Voting Yea: Martinisko, Keehn, Bruce, Owens, Eagleson***

There being no further business, the Planning and Zoning Commission adjourned at 4:26 p.m.

ATTEST:

\_\_\_\_\_  
Chairman, Planning & Zoning Commission

\_\_\_\_\_  
Secretary, Planning & Zoning Commission

***Leah Blue-Jones, Zoning Coordinator***

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



**Kevin Kuchenbecker**  
Planning, Zoning and  
Historic Preservation Officer  
Telephone (605) 578-2082  
kevin@cityofdeadwood.com

**PLANNING AND ZONING MEETING  
BOARD OF ADJUSTMENT  
STAFF REPORT  
March 6, 2024**

**APPLICANT:** Patrick L. Mollman

**PURPOSE:** Combining two (2) lots

**GENERAL LOCATION:** Intersection of McGovern Hill Road and Charles Street,  
north of Mickelson Trail

**LEGAL DESCRIPTION:** PLAT OF TRACT A1 OF M.S. 207 FORMERLY TRACT A OF M.S.  
207 FORMERLY TRACT A OF M.S. 207 AND LOT MK5 OF THE MICKELSON TRAIL CITY OF  
DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA LOCATED IN THE NE ¼ OF SECTION  
27, T5N, R3E, B.H.M.

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

**ZONE:** CH – Commercial Highway

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**STAFF FINDINGS:**

Surrounding Zoning:

North: Park Forest  
South: Commercial Highway  
East: Commercial Highway  
West: Commercial Highway

Surrounding Land Uses:

Open Space  
Mickelson Trail  
Mobile Home Park  
Service Station

**SUMMARY OF REQUEST**

*The purpose of this plat is to facilitate the combination of two lots so that a garage can be constructed on the site. This plat describes the area located at the intersection of McGovern Hill Road and Charles Street. This plat will create Tract A1 of M.S. 207.*

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**FACTUAL INFORMATION**

1. The property is currently zoned CH – Commercial Highway.
2. Lot will be comprised of 0.497 Acres±.
3. The subject property is located within a Commercial Highway Zoning designation.
4. The property is located outside of a special flood hazard zone.
5. Public facilities are available to serve the property.
6. The area is currently characterized by a mixture of open space, commercial and residential uses along Charles Street.

**STAFF DISCUSSION**

Tract A of the subject property is owned by Southside Services, Inc., and Lot MK5 is owned by Patrick L. Mollman. The interest is to have the two parcels combined and owned by Patrick L. Mollman and Rhonda Mollman. Currently, Tract A is being utilized as a service station and Lot MK5 is an unimproved lot. The lot(s) meets 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.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

**ACTION REQUIRED:**

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

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



Questions Contact Section 5 Item a.  
**Kevin Kuchenbecker**  
(605) 578-2082 or  
kevin@cityofdeadwood.com

Application No. \_\_\_\_\_

## APPLICATION FOR PLAT

**Application/Filing Fee: \$200.00 per lot**

**The application fee needs to be paid when plat is submitted to the Planning and Zoning Office.**

**Applicants:** Please read thoroughly prior to completing this form. Only complete applications will be considered for review. Applications must be received no later than fifteen (15) days prior to the P&Z Commission meeting. Mylar(s) must be received by the Planning and Zoning office no later than the Wednesday before the scheduled meeting. The Planning and Zoning Commission meets the first and third Wednesday of each month.

Applicant: Pat Mollman

Address: 171 Charles St. Deadwood SD 57732  
Street City State Zip

Phone Number: 605-578-1857 Email Address: SouthsideService157@aol.com

Property Address: 171 Charles St.

Property Owner: Southside Service, Inc & Pat & Rhonda Mollman

Property Owner Phone Number: 605-578-1857 or 920-9873

Full Legal Description of Property: PLAT OF TRACT A1 OF M.S. 207

Purpose of this Plat: combine 2 lots

Summary of this Plat: \_\_\_\_\_

**1. The following documents shall be submitted:**

- a. An improvement survey, including all easements,
- b. Development plan, including site plan with location of buildings, usable open space, off-street parking, loading areas, refuse area, ingress/egress, screening, proposed or existing signage, existing streets, and
- c. A copy of the full legal description from the Lawrence County Register of Deeds Office.



Check the box to confirm the following information is included on the plat and is accurate:

- The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
  - Land is identified with a new legal description for the transfer of the land.
  - Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
  - A date is shown on the plat and serves to "fix in time" the data represented on the plat.
  - The street bounding the lot is shown and named.
  - All certifications are indicated and correct on the plat.
  - Dimensions, angles, and bearings are shown along the lot lines.
  - Scale of the plat is shown and accompanied with a bar scale.
  - Area's taken out of the mineral survey and remaining acreage is indicated on the plat.
- I understand I am required to have the Lawrence County Register of Deeds email a digital copy of the completed final copy of this plat to kevin@cityofdeadwood.com.

Signature of Owner/Applicant: Thonda Mollman Date: 2-22-2024

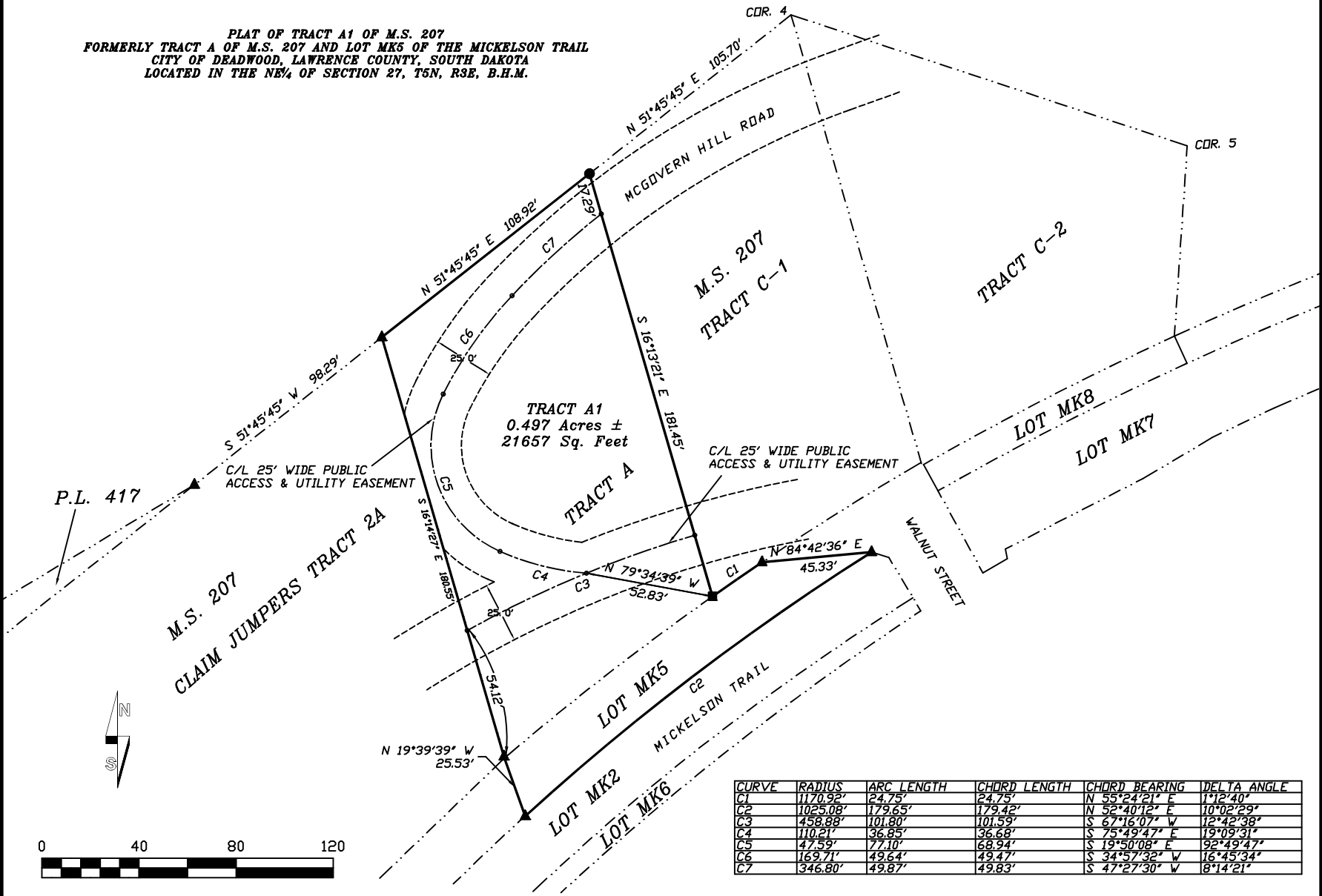
**Staff Use Only**

Fee: \$ 200 Paid On 2/22/24 Receipt Number 191878

<b>PLANNING AND ZONING ADMINISTRATOR:</b>			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
<b>PLANNING AND ZONING COMMISSION:</b>			
Approved/P&Z Commission:	Yes	No	Date: _____
<b>DEADWOOD BOARD OF ADJUSTMENT:</b>			
Approved/Board of Adjustment:	Yes	No	Date: _____

Reason for Denial (if necessary): \_\_\_\_\_

PLAT OF TRACT A1 OF M.S. 207  
 FORMERLY TRACT A OF M.S. 207 AND LOT MK5 OF THE MICKELSON TRAIL  
 CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA  
 LOCATED IN THE NW¼ OF SECTION 27, T5N, R3E, B.H.M.



- REBAR & CAP (VREM LS6577)
- ▲ REBAR & CAP (ARLETH LS3977)
- NAIL & TASSEL

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  
 SOUTHSIDE SERVICE, INC.

\_\_\_\_\_, 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: \_\_\_\_\_  
 OWNER: \_\_\_\_\_

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  
 PATRICK L. MOLLMAN AND RHONDA MOLLMAN

\_\_\_\_\_, 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: \_\_\_\_\_  
 OWNER: \_\_\_\_\_

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\_\_\_\_.

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. \_\_\_\_\_.

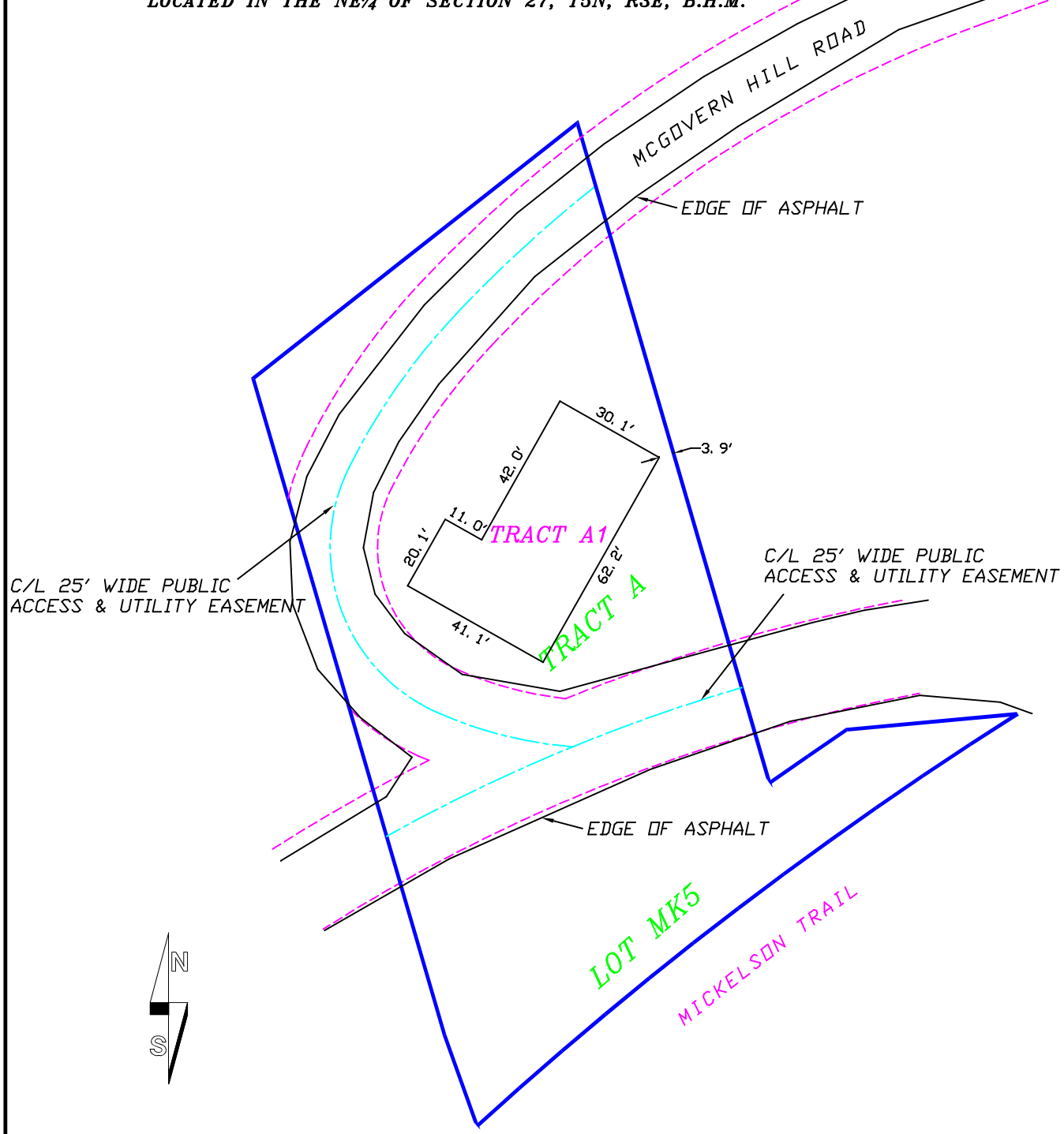
LAWRENCE COUNTY REGISTER OF DEEDS: \_\_\_\_\_ FEE: \$ \_\_\_\_\_



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

Date:	2/22/2024
Drawn By:	L. D. Vrem
Project No.:	23-310
Dwg. No.:	23-310.dwg

**TRACT A1 OF M.S. 207  
FORMERLY TRACT A OF M.S. 207 AND LOT MK5 OF THE MICKELSON TRAIL  
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA  
LOCATED IN THE NE¼ OF SECTION 27, T5N, R3E, B.H.M.**



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

Date:	2/22/2024
Drawn By:	L. D. Vrem
Project No.:	23-310
Dwg. No.:	23-310.dwg

OFFICE OF  
 PLANNING, ZONING AND  
 HISTORIC PRESERVATION  
 108 Sherman Street  
 Telephone (605) 578-2082  
 Fax (605) 722-0786



**Kevin Kuchenbecker**  
 Planning, Zoning and  
 Historic Preservation Officer  
 Telephone (605) 578-2082  
 kevin@cityofdeadwood.com

## MEMORANDUM

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**Date:** March 6, 2024  
**To:** Planning & Zoning Commission  
**From:** Kevin Kuchenbecker,  
 Planning, Zoning and Historic Preservation Officer  
**Re:** Approve subscription service - Deckard Technologies

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The Planning & Zoning Office is requesting permission to switch providers of our third-party services in assisting the City of Deadwood track, monitor and enforce the short-term rentals within the city limits. Currently, we are in the final months of a three-year contract with Harmari at a cost of \$5,000.00 annually.

Recently, staff had a demonstration from Deckard Technologies on their services to assist municipalities with monitoring, reporting and enforcement of short-term rentals. Staff was impressed with the additional platforms which they mine for which appears much more robust than Harmari. The useability and reporting abilities of Deckard also appear more user-friendly. On top of these benefits, the cost savings results in a \$2,000.00.

If approved by P&Z Commission and City Commission we will begin the build-out with Deckard Technologies during the last few weeks of our contract with Harmari and therefore, not have a lapse in the monitoring of the short-term rentals.

We are requesting approval to switch our subscription agreement from Harmari to Deckard Technologies for third-party monitoring service of short-term rentals. Target date for transfer of services from Harmari to Deckard is May 1, 2024. Transfer of services would cost \$3,000 per year resulting in cost savings of \$2,000.

**Recommended Motion:**

*Approve and acknowledge transfer of subscription agreement with Deckard Technologies for third-party monitoring service of short-term rentals. Target date for transfer of services from Harmari to Deckard is May 1, 2024. Transfer of services would cost \$3,000.00 per year resulting in cost savings of \$2,000.00.*



Rob Piskorowski  
Sales Director  
(586) 215-3934  
rob@deckard.com

FEBRUARY 12, 2024

# PRICE PROPOSAL

for the  
City of **Deadwood**, SD

SHORT-TERM RENTAL ("STR") INVENTORY, COMPLIANCE & ANALYTIC SERVICES

presented by



engineered by



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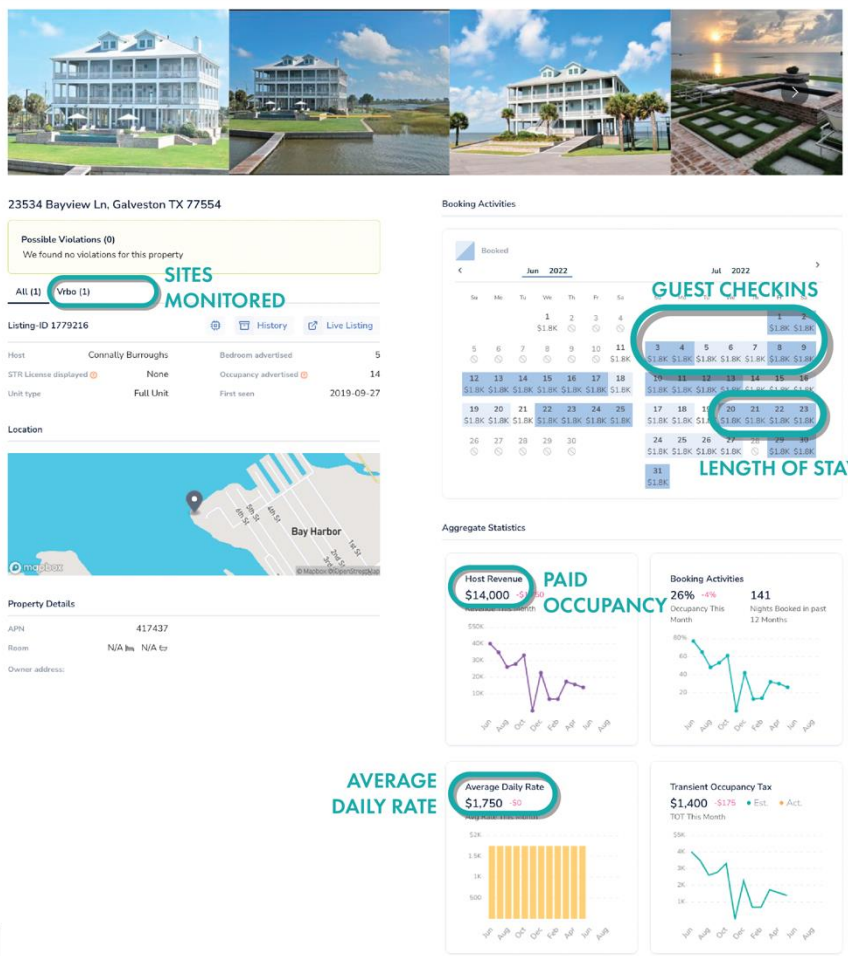
Optional products ..... 12

# EXECUTIVE SUMMARY

## Rentalscape Short Term Rental ID & Monitoring Platform

Deckard Technologies utilizes data science expertise to assist local governments with managing their compliance activity and enforcement, such as short-term rental (STR) properties. Our technology ensures that everyone is held accountable to play by the same set of rules, follow all guidelines and ordinances, and pay their fair share of fees and taxes. To accurately track activity within the City of Deadwood, the Rentalscape platform identifies the exact address of the STR listings within the City limits, enabling accurate display of STR activity within the City and within community districts. Rentalscape groups listings and calculates statistics on a per-property basis. By mapping the exact location of properties, Rentalscape avoids double-counting activity. Knowing the exact location of STR properties enables compliance, enforcement, tax collection and complaint management activities.

## About Rentalscape



Deckard’s Dashboard management platform for STR will discover, identify, and efficiently present all STR activity in the City of Deadwood, using unique technical capabilities such as its proprietary future booking detection software, automatic non-compliance recognition, industry-best address identification.

**Rentalscape is the only platform that shows upcoming rentals and bookings as they occur within 24 hours of the reservation being made.**

This allows Rentalscape users to reach out to owners and hosts who are unlawfully renting and address any issues relating to these future rentals long before guests arrive, thereby eliminating disturbances, neighbor complaints and other common issues that often arise from illegal rentals.

FIGURE 1: Rentalscape Property card



Rentalscape maintains a database of every booking and stay made on all major platforms. Our system contains information dating back to late 2019 for every STR in the City of Deadwood. All data can be viewed interactively on the Rentalscape portal with unlimited user access and downloaded on demand in Microsoft Excel format.

Rentalscape dashboard map view shows the exact location of all STR activity, includes districts as defined by the City and displays individual property information and aggregate statistics on a per district basis.

Rentalscape presents detailed STR activities including the precise address, owner information, booking history, availability and more. For each individual booking, the platform provides the actual date the reservation was made as well as the start and end date of each booking, ensuring that the City is able to distinguish back-to-back bookings. These insights are not possible to achieve by simply viewing the listings itself.

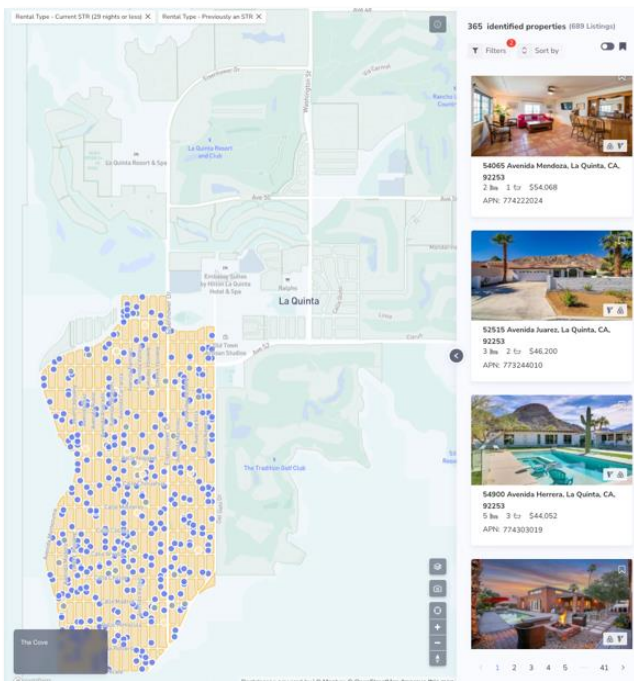


FIGURE 2: **Rentalscape** Map

## In Summary

In every jurisdiction in which we are providing service we have increased compliance and improved tax collection. Our process starts with producing the cleanest data possible – ensuring reporting is accurate and compliance levels are carefully monitored. We have in-house property appraisers and STR property managers. We also regularly consult with City staff to ensure we are always up to date with the latest STR best practices. Our systems come with unlimited user access and unlimited end-user training. Our customers give testimonials regarding the ease of use of our systems and vastly superior level of customer service when compared to other providers in the market.



# REFERENCES

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We believe that **continuous innovation** is required to face the challenges of today and of tomorrow. We are proud of our achievements and solutions that enable cities and counties to manage short-term rental activities and to ensure local rules and ordinances are enforced for the betterment of local residents.

The following References are examples of successful partnerships between Deckard Technologies and its clients.

## REFERENCES

- **Happy Valley Adventure Bureau (Centre County, PA)**

Fritz Smith, EXECUTIVE DIRECTOR  
 fritz@happyvalley.com  
 800-358-5466  
 Rentalscape

- **City of Westminster, CO**

Aric Otzelberger, OPERATIONS MANAGER  
 aotzelbe@cityofwestminster.us  
 303-658-2122  
 Rentalscape

- **Town of Mount Pleasant, SC**

Jane Yager-Baumrind, PLANNING & DEVELOPMENT  
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 843-884-1229  
 Rentalscape, STR Registration Portal

- **City of Galveston, TX**

Bryson Frazier, CHIEF FINANCIAL OFFICER  
 bfrazier@galvestonparkboard.org  
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 Rentalscape, Registration/Permit Portal, Tax Portal, 24/7 Complaint & Online Form

# PROPOSED PRODUCTS

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## THE RENTALSCAPE PORTAL

The Rentalscape portal is a cloud-based system for City staff to track STR properties, monitor STR activity, manage STR permits and record information about properties. The data in the system is constantly being updated as new properties are discovered and address identified, as new permit applications are made and as permits are expired or revoked.

The Rentalscape portal displays information on all STR listings found within the City going back at least 12 months. We use US Census data to identify City limits and any parcels or listings within the limits are monitored. Rentalscape also tracks properties outside the City until they are accurately identified. On occasion, the STR listing estimated location for a property falls outside the City, but the actual location of the property once address identified is inside the City. Rentalscape displays:

1. Any permitted STR property
2. Any property with a currently live STR listing
3. Any property with historic STR listings
4. Any property with a future or past STR booking (even if the property currently does not have a live listing)

Rentalscape includes the ability to filter the properties displayed (e.g., only permitted properties, or only properties in a specific HOA), and to download all results. All data displayed is available for direct download from Rentalscape.

Information shown in Rentalscape for each property includes:

### Property Characteristics

1. Property address
2. Owner name and mailing address
3. Ownership type (primary residence, secondary/investment property)
4. Property type
5. Number of bedrooms and bathroom at the property, per public records data
6. A map showing the property's location
7. Maximum occupancy per the City of Deadwood ordinance

## Listing Characteristics

8. Listing URL for each listing associated with each specific property
9. Listing ad ID for each listing associated with each specific property
10. Rental calendar showing current month's activity as well as past twelve months and upcoming three months booking activity (calendars update daily)
11. Rentalscape clearly and easily differentiates between regular bookings and host-blocked dates that are not revenue-generating
12. Host name (when available)
13. Stay limitations (minimum/maximum)
14. Permit/license number if included in the listing
15. Daily Rental rate at time of booking
16. Rental frequency
17. Individual links to all active listing for the property
18. **PDF copy of each listing, as well as a history of all previous versions of the listing**, to identify any possible changes, as well as keep a record in case the listing is taken down by the host. Each image has a date-stamp showing when it was created and is kept indefinitely.
19. Rental type (Whole home, shared home)
20. Bedrooms and bathrooms advertised
21. Maximum occupancy, per listing

## Estimated Sales Tax Based on Rental Activity

22. Occupancy rate
23. Estimated rental income
24. Estimated tax

Rentalscape is configured to match the City's ordinance and is capable of flagging violations following the City's exact rules, including but not limited to permit registration and occupancy advertised versus permitted occupancy. Rentalscape looks for bookings less than 30 days when flagging STRs. When bookings longer than 30 days are created, these are correctly categorized as long-term rentals and do not cause a property to be treated as an STR.

Rentalscape actively monitors permit status and STR listings daily, flagging violations as they occur. We have encountered situations where other providers have flagged properties as "no longer listed" or "only performing long-term rentals", that later re-list or take a short-term booking, and are subsequently missed by these other vendors as violating the City ordinance. **Rentalscape continuously monitors every listing every day** including bookings up to a year in advance. As soon as an unpermitted booking is taken, Rentalscape sets a violation.



Rentalscape includes a **Dashboard** that provides an overview of all STR activity in the City. This Dashboard includes aggregated revenue, bookings, and property data, and highlights top-earning hosts and owners as seen below. Please note that some charts will not be activated until we go live in the City of Deadwood.

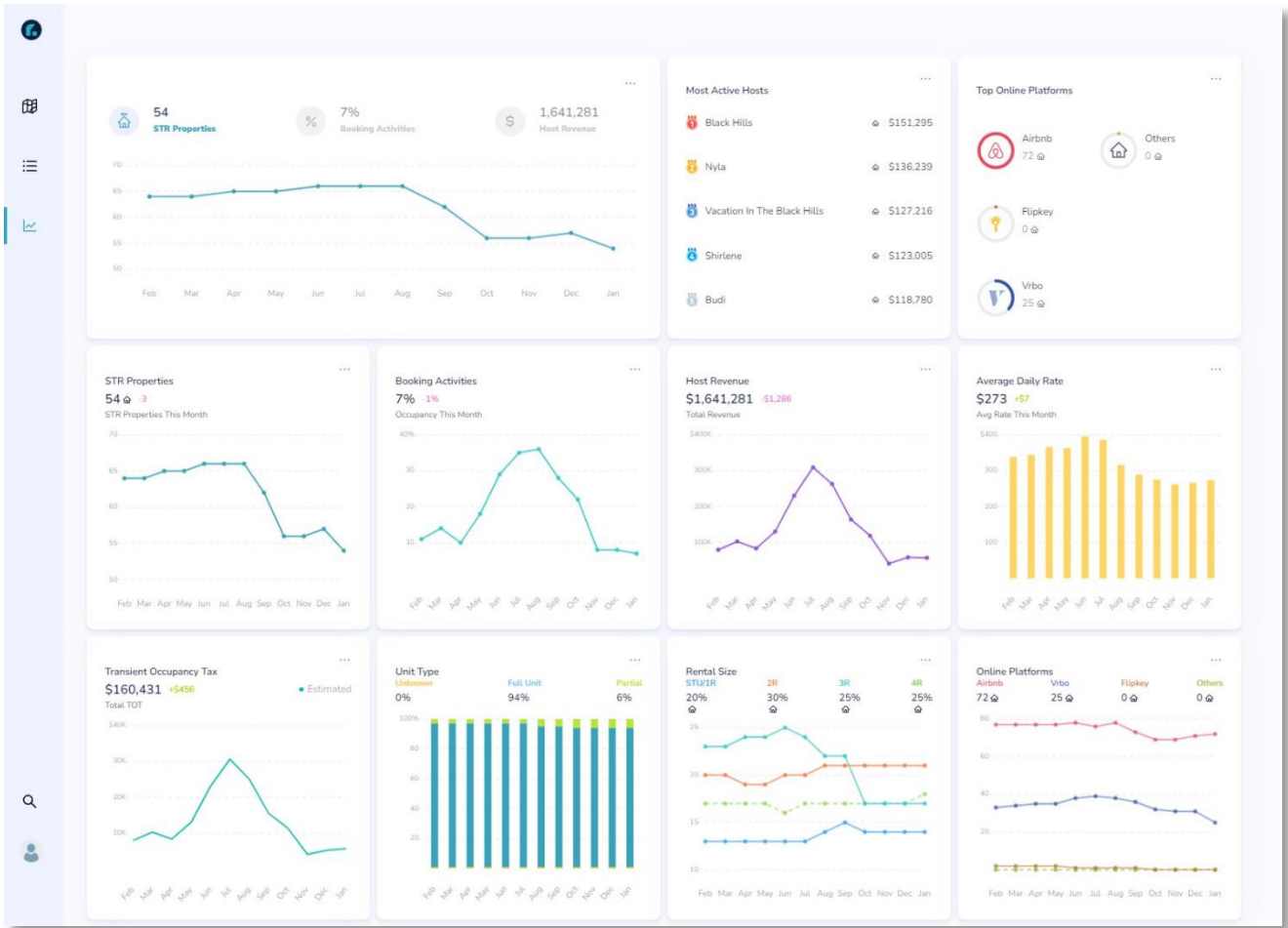


FIGURE 3: **Rentalscape** the City of Deadwood Dashboard Example

# IMPLEMENTATION & TRAINING

Implementation is on your timeline!! Upon Contract signing, Deckard will assign the City of Deadwood a Dedicated Account Manager, who will work with the City to develop “best practices” based on Deckard’s experiences with other clients. The account manager will ensure that the implementation process proceeds smoothly and will be the main point of contact for any questions, suggestions, training, or concerns. The account manager will also participate in periodic calls with City staff as requested.

And since Rentalscape is Cloud Based, no hardware or software is installed!

Most jurisdictions have been up and running with Rentalscape within a couple weeks with Address Identification complete within 4 weeks of receipt of the permit and listing data.

## Sample Timeline



FIGURE 4: Sample Timeline for Rentalscape

# PRICING PROPOSAL

Currently, Rentalscape is showing close to **157 live STR listings in the City of Deadwood**. Based on the number of live STR listings, we estimate there are **85+ short-term rental properties in the City**, advertised on one or more platforms.

While other providers charge a recurring identification fee annually, Deckard Technologies only charges an identification fee once when the property is initially identified. In addition, we only charge fees on a per property, not per listing, basis. Since a single property can have multiple listings, we feel it is unfair to charge fees based on listing count. Finally, we do not charge one fee for compliance monitoring and another for rental activity monitoring as, in our view, these are the same service.



ADDRESS IDENTIFICATION, COMPLIANCE MONITORING & RENTAL ACTIVITY REPORTING	PRICE
<ul style="list-style-type: none"> <li>Estimated 85 properties</li> <li>Identify property address</li> <li>Identify property owner address</li> <li>Real-time reporting of all new listings &amp; daily calendar monitoring</li> <li>10,000+ Websites monitored Daily, worldwide</li> <li>FutureCast™ - Identify future bookings as they are made on the rental platform</li> <li>Automatic identification of violations</li> </ul>	\$3,000 Annually
<b>OUTREACH CAMPAIGN</b> <ul style="list-style-type: none"> <li>Letter campaign to inform STR owners/hosts about compliance requirements and procedures</li> <li>All letter templates will receive City approval pre-campaign</li> <li>Campaign includes one Introductory letter and two additional escalation letters</li> </ul>	\$2,500 (OPTIONAL, but HIGHLY recommended for Maximum Compliance)
<b>STR REGISTRATION PORTAL</b> <ul style="list-style-type: none"> <li>Online, intuitive portal for registration and renewal</li> <li>Fields customizable to meet City needs</li> <li>Pursue delinquent payments from hosts</li> <li>Provide daily reports on new and modified permits</li> </ul>	\$5,000 (OPTIONAL)
<b>TAX PAYMENT PORTAL</b> <ul style="list-style-type: none"> <li>Easy to use online tax payment portal</li> <li>Configurable tax, late fee and interest rates on a per-property basis</li> <li>Provide daily reports on tax payments and remittances to the City</li> </ul>	\$5,000 (OPTIONAL)
<b>COMPLAINT 24/7 HOTLINE &amp; ONLINE FORM</b> <ul style="list-style-type: none"> <li>24/7 US based bi-lingual Call Center with live agents – Classic (see Pg 12 for Detail Information)</li> <li>Online complaint form (Complaint Form only \$2,000)</li> </ul>	\$3,500 (OPTIONAL)
<b>CONSTITUENT PORTAL</b> <ul style="list-style-type: none"> <li>Public facing portal (Link placed on Jurisdiction's website)</li> <li>Permit Data and Responsible Party contact info for STR Property (Standard)</li> </ul>	\$5,000 (OPTIONAL)
<b>REPORTING &amp; ANALYSIS</b> <ul style="list-style-type: none"> <li>On Demand, Dynamic reporting, offering multiple ad hoc reports</li> <li>Filters allowing users to focus on specific segments of the STR population</li> </ul>	INCLUDED
<b>DEDICATED ACCOUNT MANAGER</b> <ul style="list-style-type: none"> <li>Single Point of Contact for City staff for all matters</li> <li>Ensures the City is following Industry best practices</li> <li>Shepherds the implementation process from start to finish</li> <li>Periodic meetings/calls throughout the life of the account</li> </ul>	INCLUDED
<b>UNLIMITED ACCOUNTS &amp; TRAINING SESSIONS</b> <ul style="list-style-type: none"> <li>No limit on the number of Rentalscope user accounts</li> <li>No per-session training costs</li> </ul>	INCLUDED
<b>TOTAL YEAR ONE</b>	<b>\$ 3,000</b>

**NOTE** – Pricing valid for 90 days

**NOTE 2** – Co-operative contracts available. Additional Information available upon request.

## OPTIONAL PRODUCTS

**STR Registration and Renewal Portal** is a configurable system that is customized for each client branding, custom fields such as occupancy rules specific to the City (e.g., occupancy limits, bedroom counts), collection of documents as required for the STR registration process, STR registration approval portal, configurable STR permit pricing and expiration, collection of any STR permit fees, regular reporting, allows for renewals and updates.

**24/7 Complaint Line & Online Form** is available for fielding complaints raised by the public related to short-term rentals. The Complaint Line is a 24/7 Live US based Call Taker environment. The Call Taker collects the appropriate information (ie address, property owner, type of incident, date of incident, etc) and contacts the designated City contact. Hotline services are offered at 3 different levels:

**Basic** - Standard call flow. Information is taken and forwarded to the City. Calls are referred to the appropriate staff without follow up required.

**Classic** - Call Center will contact the local contact when information is available (permitted properties), notify them of the complaint then forward the information to the local City contact.

**Premier** - Premium call flow. Dispatcher will attempt to get a complaint resolution. The local contact can be contacted up to 3 times before referring caller out to appropriate staff.

**Rentalscape Online Complaint Form** is also available. Neighbors can report and provide evidence for non-emergency concerns. The Complaint Form is customized with your logo. All complaints are logged and reported to the appropriate staff/department.

**Tax Payment Portal** can be utilized to collect taxes from STR operators on a monthly, quarterly, or yearly basis. The Rentalscape Tax Payment system collects information regarding the number of nights available for booking, and the number of nights booked. The system is customized for each jurisdiction and includes automatic calculation of tax due based on the City's tax rate, automatic calculation of late fees and penalties, and the ability to apply leniency on a per-property basis for late fees should it be required. The Rentalscape Tax Payment system utilizes Stripe payment processing that allows for payment by credit card or by ACH payments. Payments are directly remitted to the City. The system generates nightly reports that are delivered to the City, allowing for easy reconciliation of transactions. This system reduces the manual work required when processing paper forms.

**Letter Campaign for STR Hosts** - Rentalscape will create and send letters to all Identified STR hosts/owners explaining the City's STR ordinances, requirements, and process. The letter templates will be approved by the City staff prior to beginning the mailings. Rentalscape's targeted letter campaign, timed to generate best results, have shown great efficacy in cutting the number of unregistered hosts by over 50% within the first six months of a new client engagement.

**STR Constituent Portal** – The Constituent Portal is an interactive public online map for publication of all registered short-term rentals within the City. The exact information on the map can be configured to meet the City's needs and includes information such as the property owner and emergency contact information. The portal is branded with the City's information and can include links to systems such as the short-term rental registration system.

**Foreclosure/Vacant Property Portal** helps government agencies combat blight created by vacant and foreclosed properties! By identifying at risk vacant properties and contacting the responsible party, Rentalscape helps you carry out enforcement to increase compliance with Vacation Property Ordinances.