



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, September 20, 2023 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, September 20, 2023, 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 Charles Eagleson
Commissioner Ken Owens

Michael Johnson, City Commissioner

STAFF PRESENT

Kevin Kuchenbecker, Planning, Zoning and Historic Preservation Officer
Trent Mohr, Building Inspector
Cindy Schneringer, Zoning Coordinator
Justin Lux, Parking and Transportation Director

3. Approval of Minutes

a. Approval of September 6, 2023 Minutes

It was moved by Commissioner Keehn and seconded by Commissioner Owens to approve the September 6, 2023 minutes. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

4. Sign Review Commission

5. Planning and Zoning Commission

a. Open discussion and direction regarding the affects of a variety of buildings being converted to workforce housing within the various zoning districts and changes and/or enforcement needs within Chapter 17 - Zoning Code.

Mr. Kuchenbecker stated he just wanted to have some open discussion and come up with a direction regarding the effects of a variety of buildings being converted to workforce housing within the different zoning districts and changes and or enforcements needed within Chapter 17. This came to light at a City Commission meeting about three weeks ago. A local resident came in and is concerned that one of our local businesses bought a residential property and has converted it to employee housing which we all know is a huge issue here. Our ordinance says no

more than three non-related eighteen years of age or older. We have several buildings in town that have been bought by different businesses. Some of them being the gaming industry, tourist industry where they have several whether its J1s or employees living in one house. We have them in R2. For instance, out at Calamity Lane across from the Super 8 that was bought by LIV Hospitality a couple of years ago as employee housing. Denver Avenue is the one that just came up. That is in R1. I have not been able to confirm who owns it but the residents says there are six cars there now because there is six different people living there. We have at least one on upper Main Street that has been converted to employee housing. We have had three hotels, older properties that have been converted. The Lodge bought the The Bunkhouse. The Thunder Cove has been transformed into apartments. Then you have Black Hills Inn and Suites. All of those are in commercial or commercial highway and they need a conditional use permit. It was not caught during the transition. How do we want to go and meet the balance. There has got to be a balance there because I understand the residential. I would not want six extra cars in Deadwood next to me when I only have one parking spot to begin with. There is a need for housing in Deadwood and employee housing. I just want to have this open discussion to let you guys know it is an issue. Is this a working committee? It starts with our definitions and goes through all the ordinances. It is kind of like STRs, a large subject to tackle. I don't know if we need a full taskforce or just a working committee to look at this. I just wanted to throw it out there for open discussion and how you as the Planning and Zoning Commission want to deal with this. Staff is here to help.

After a lengthy discussion, the consensus from the Planning and Zoning Commission was to form a working committee. Commissioners Charles Eagleson and Ken Owens volunteered to be on the committee.

6. Items from Citizens not on Agenda

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

a. Discussion - Potential Carwash - 18 Dunlop - Chris Bergman

Mr. Kuchenbecker stated that Chris Bergman is here. Chris has met with staff. He has identified a parcel that he is looking at. It would probably take a change of zoning. Staff has expressed concerns with Chris. We are highly in need of a carwash in Deadwood now. The concept of a new car wash is here. The proposed location has some challenges. Chris is here. Before he goes any further with his plans, he wants to...

Mr. Bergman provided schematics of the proposed car wash to the commissioners and discussed his business plan as well as addressed their concerns.

After much discussion, it was determined that he should submit a conditional use permit and see what the outcome of the public hearing is including the concerns of the citizens.

b. Discussion on Cell Tower - Bonnie Fosso

Ms. Fasso provided verbal information regarding the cell tower she would like to place in her backyard which would be ninety feet tall. The tower would be twenty feet taller than brown rocks.

After much discussion, the commissioners informed Ms. Fasso that she would need to visit with the casinos to see if that is an option. If so, it would require gaming commission approval as well as FCC approval. It was agreed that she would need to put together a business plan including schematics and then present it to the commission before they would be able to make any decisions.

7. Items from Staff

Mr. Kuchenbecker stated just an FYI, Broadway alley – they are starting construction this week. Broadway alley will be closed for sixty days. Justin and I worked with the businesses and the trash pick up along there is a challenge. Sixty days of impact to protect the historic buildings and Broadway alley. The FEMA project fully kicks off October 2nd. We have put the fence up. They have started doing some work there. We are working with the environmental part of it with the archaeology and historic preservation. Today we came to a resolution and Friday I will have the FEMA archaeologist out here. We are making a few minor adjustments. This is a \$7.5 million dollar project. It is a complex project. As always, I commend staff. We had a good meeting with our consultant that does our GIS. Cindy is working on getting our STRs and our lodging establishments on our public interfacing maps. So you can see where those are. We did send out eight letters last week to some that haven't come into compliance yet. There are six that are illegally operating. So we sent out letters from me and from Quentin that they have had enough warnings from staff and it is two weeks or we will get a court injunction.

8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 5:17 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Cindy Schneringer, Planning & Zoning Office/Recording Secretary

Secretary, Planning & Zoning Commission