



Planning and Zoning Commission Meeting Minutes

Wednesday, July 15, 2026 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call to Order

The Planning and Zoning Commission Meeting was called to order by Chairman Martinisko on Wednesday, July 15, 2026, 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 Jim Williams

City Commissioner Charles Eagleson

STAFF PRESENT

Kevin Kuchenbecker – Planning, Zoning and Historic Preservation Officer
Leah Blue-Jones – Zoning Coordinator

3. Approval of Minutes

- a. Approve the minutes of the July 1, 2026, Planning and Zoning Commission Meeting.

It was moved by Commissioner Keehn and seconded by Commissioner Williams to approve the minutes of the July 1, 2026, Planning and Zoning Commission Meeting. Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

4. Sign Review Commission

- a. Application for Portable Sign for 688 Main Street (Maverick's Steak & Cocktails).

Action Required:

Approve/Deny Portable Sign

Mr. Kuchenbecker discussed Application for Portable Sign for 688 Main Street.

It was moved by Commissioner Owens and seconded by Commissioner Bruce to approve Application for Portable Sign for 688 Main Street. Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- b. Application for Sign Permit - 78 Cliff Street (Northern Hills Federal Credit Union). Applicant has been contracted to provide all new signage at this location. Four (4)

signs requested including wall and freestanding signs. All signs and their proposed locations are compliant with ordinance.

Actions:

1. Approve/deny request for Sign Permit

Mr. Kuchenbecker introduced Application for Sign Permit - 78 Cliff Street (Northern Hills Federal Credit Union) and reviewed the Staff Report.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to approve Application for Sign Permit - 78 Cliff Street (Northern Hills Federal Credit Union). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

5. Planning and Zoning Commission

- a. Approve issuance of a Temporary Vendors License to Opera House Tattoo Parlour. A request has been made to operate out of 658 Main Street during the Sturgis Rally.

Mr. Kuchenbecker discussed the Temporary Vendors License for Opera House Tattoo Parlour.

It was moved by Commissioner Keehn and seconded by Commissioner Williams to approve the Temporary Vendors License to Opera House Tattoo Parlour. Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- b. Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 7 Burlington Street – Burlington B&B, legally described as Lots 3 and 4 of Peck's Garden subdivision of part of Probate Lots 138 and 327, Deadwood City, Lawrence County, SD, according to the recorded plat thereof.

Action Required:

1. Public Hearing
2. Approval/Denial of continued use by Planning and Zoning Commission

Mr. Kuchenbecker introduced Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 7 Burlington Street – Burlington B&B and reviewed the Staff Report.

It was moved by Commissioner Keehn and seconded by Commissioner Owens to approve Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 7 Burlington Street – Burlington B&B with nine (9) conditions. Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- c. Annual Review - Conditional Use Permit for Vacation Home Establishment – 596 Main Street – JVK-SD, LLC, legally described as Lot 34 in Block 15, being a part of Mineral Lot 38, and also known as Lot 4, in Block 7 of the City of Deadwood, also known as 596 Main Street, Deadwood, South Dakota.

Action Required:

1. Public Hearing
2. Approval/Denial of continued use by Planning and Zoning Commission

Mr. Kuchenbecker discussed Annual Review - Conditional Use Permit for Vacation Home Establishment – 596 Main Street – JVK-SD, LLC and reviewed the Staff Report.

It was moved by Commissioner Bruce and seconded by Commissioner Williams to approve Annual Review - Conditional Use Permit for Vacation Home Establishment – 596 Main Street – JVK-SD, LLC with nine (9) conditions. Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- d. Application for Plat - 27 Lincoln Avenue (D. Castanie) legally described as Lot 4A of Block 42, formerly Lots 4, 5, 6, 7, 8, 9, 10 & 11, Block 42 part of Lots H, I, J & K, Block 35, vacated Cemetery Street and vacated alley located in the NW 1/4 of Section 26 and the SW 1/4 Section 23, T5N, R3E, B.H.M., Original Townsite, City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Public Hearing
2. Approval/Denial by Deadwood Planning and Zoning Commission

Mr. Kuchenbecker discussed Application for Plat - 27 Lincoln Avenue (D. Castanie) and reviewed the Staff Report.

It was moved by Commissioner Bruce and seconded by Commissioner Keehn to approve Application for Plat - 27 Lincoln Avenue (D. Castanie). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- e. Application for Plat - 225 Cliff Street (Deadwood Land Company BHCI LLC) legally described as Deadwood's Gulch's of Fun Lot 1B and Lot 1C, being a portion of Deadwood Gulch Addition II. Formerly Deadwood Gulch's of Fun Tract 1, Lot AB10 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Deadwood Gulch's of Fun Tract 1, being a portion of Deadwood Gulch Addition II, and "lying adjacent to Deadwood Gulch's of Fun Tract 1" (Plat Doc #2017-4517 Surveyor's Affidavit of Correction Doc #2019-840), Lot AB1 in the US Highway 85 right-of-way. All located in the E 1/2 and SE 1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Public Hearing
2. Approval/Denial by Deadwood Planning and Zoning Commission

Mr. Kuchenbecker reviewed Application for Plat - 225 Cliff Street (Deadwood Land Company BHCI LLC) and reviewed the Staff Report.

Discussion occurred about the future development of a car wash on Lot 1C.

It was moved by Commissioner Keehn and seconded by Commissioner Williams to approve Application for Plat - 225 Cliff Street (Deadwood Land Company BHCI LLC). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- f. Request for Variance - 199 Cliff Street (M. Reynolds) legally described as Lots 27, 28 and 30 and vacated McDonald Street of Pecks Gardens Subdivision, located in the NE

1/4 and the SE 1/4 Section 27, T5N, R3E, B.H.M. City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Public Hearing
2. Approval/Denial by Deadwood Planning and Zoning Commission

Mr. Kuchenbecker introduced Request for Variance - 199 Cliff Street (M. Reynolds) and reviewed the Staff Report. The applicant intends to create five (5) new lots at the location with the intention of developing the property with five (5) affordable single-family homes. A variance is needed to create lots smaller than the 5,000 square feet required by ordinance.

Ms. Ronda Feterl, Deadwood citizen and President of the Peck Gardens Neighborhood Block Club, introduced herself to the Commission. Ms. Feterl expressed concern about Ordinance 15.36, Flood Hazard Protection Regulations. She also expressed concern about Ordinance 17.52, Environmental Overlay Zone. Ms. Feterl would like to know if a Floodplain Development Permit Application has been submitted by the property owner.

Ms. Feterl is also concerned about the aesthetics of a future development in the area, and does not believe the hardship requirement for a variance has been met by the property owner.

Ms. Feterl continued by expressing concern that setback requirements will not be met when homes are built on the new lots, and additional variances will be requested. In addition, Ms. Feterl believes that site plans for the proposed homes should be required prior to new lots being created in addition to a traffic and parking analysis and that an affordability requirement should be met via deed restriction.

Commissioner Martinisko stated he has concerns that future variances could be requested in addition to the variances requested to the lot sizes. He is also curious about the construction that has already begun.

Ms. Amanda Reynolds, property owner, introduced herself to the Commission and explained that the homes currently under construction meet the square footage requirements of their lots and do not need a variance as they currently sit. Building permits have been issued for the current construction. The homes do meet the required setbacks, and there is no anticipated future variances to be requested.

Commissioner Eagleson requested clarification on the future homes intended to be constructed on the site, and where they would sit. Mr. Kuchenbecker responded that a home would sit in between the two currently under construction, while two more would sit on the side of the property facing Cliff Street. Mr. Kuchenbecker confirmed the homes would all meet setback requirements if placed in their intended locations and it is not anticipated that any further variances would be required.

Mr. Leo Diede, Deadwood citizen, introduced himself to the Commission and asked about the size of the homes. Ms. Reynolds responded the homes would be approximately 1,200 square feet. Mr. Diede inquired as to the affordable nature of

the homes. Ms. Reynolds stated they are seeking to build affordable housing for people that live and work in Deadwood.

Further discussion occurred about the floodplain.

Commissioner Keehn stated that it was his opinion the request for the variance fails to meet the definition of a hardship.

Commissioner Martinisko stated that three (3) homes could be built on the land while still meeting the ordinance requirements of 5,000 square feet per lot. A Floodplain Development Permit would not need to be completed for a plat, but it would need to be completed before a building permit could be issued on the lot that sits within the floodway.

Mr. Kuchenbecker recommended the Commission continue discussion of the variance request at the next meeting to allow for further review.

It was moved by Commissioner Keehn and seconded by Commissioner Williams to deny Request for Variance - 199 Cliff Street (M. Reynolds). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- g. Application for Plat - 199 Cliff Street (M. Reynolds) legally described as Lots 27, 28 and 30 and vacated McDonald Street of Pecks Gardens Subdivision, located in the NE 1/4 and the SE 1/4 Section 27, T5N, R3E, B.H.M. City of Deadwood, Lawrence County, South Dakota.

Action Required:

- 1. Public Hearing
- 2. Approval/Denial by Deadwood Planning and Zoning Commission

Mr. Kuchenbecker informed the Commission that since the Request for Variance for 199 Cliff Street was denied by the Commission, the Application for Plat - 199 Cliff Street (M. Reynolds) is null and void. The plat cannot be approved without the requested variance.

- h. Application for Plat - Charles Street (Optima LLC) legally described as Lots 9R, 13R and 17R in Block 71, Original Town of Deadwood, formerly Lots 9, 11, 13, 15, 17 & 107B in Block 71, Original Town of Deadwood according to the P.L. Rogers Map of the City of Deadwood (Lots 15 and 17 are also described historically as Lots 17 and 19 in Block 1 of Cleveland Addition to the City of Deadwood), Original Townsite, City of Deadwood, Lawrence County, South Dakota located in Section 26, T5N, R3E, BHM.

Action Required:

- 1. Public Hearing
- 2. Approval/Denial by Deadwood Planning and Zoning Commission

Mr. Kuchenbecker discussed Application for Plat - Charles Street (Optima LLC) and reviewed the Staff Report. The intention of the property owners is to create three (3) lots from a single lot to accommodate the placement of five (5) historic resources that will be moved from Main Street.

Commissioner Martinisko inquired as to any agreements the city may have with the property owners. Mr. Kuchenbecker explained that a Developers Agreement, along with conservation easements, will prohibit the properties from being utilized as Short-Term Rentals and seek to provide financial guarantees.

Commissioner Keehn asked about the structures to be relocated. Mr. Kuchenbecker explained three (3) homes and two (2) garages will be moved onto the site, as approved by Historic Preservation and subject to the Developers Agreement.

Commissioner Williams requested clarification that the new lots will meet ordinance requirements. Commissioner Martinisko responded in the affirmative.

It was moved by Commissioner Owens and seconded by Commissioner Bruce to approve Application for Plat - Charles Street (Optima LLC). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

- i. Request for Zoning Amendment - Charles Street (Optima LLC) legally described as Lots 9R, 13R and 17R in Block 71, Original Town of Deadwood, formerly Lots 9, 11, 13, 15, 17 & 107B in Block 71, Original Town of Deadwood according to the P.L. Rogers Map of the City of Deadwood (Lots 15 and 17 are also described historically as Lots 17 and 19 in Block 1 of Cleveland Addition to the City of Deadwood), Original Townsite, City of Deadwood, Lawrence County, South Dakota located in Section 26, T5N, R3E, BHM.

Action Required:

1. Public Hearing
2. Approval/Denial by Deadwood Planning and Zoning Commission

Mr. Kuchenbecker introduced Request for Zoning Amendment - Charles Street (Optima LLC) and reviewed the Staff Report. The property owner is interested in changing the zoning from C1 - Commercial to R1 - Residential.

Mr. Bobby Rock, Deadwood citizen, introduced himself to the Commission and expressed interest in having the entire stretch of Charles Street changed to an R1 - Residential zoning district. Mr. Kuchenbecker responded that a zoning amendment to the area can be considered upon petition of the property owners in the area.

Mr. Diede expressed his approval of the moving of the homes because it provides the opportunity to save them. Mr. Kuchenbecker agreed and stated the area of Main Street in question has lost its character and has only a few historic resources remaining. This project provides an opportunity to rebuild some of that character by relocating, and rezoning, what remains of these historic buildings, while also protecting them from future harm.

It was moved by Commissioner Williams and seconded by Commissioner Owens to approve Request for Zoning Amendment - Charles Street (Optima LLC). Voting yea: Martinisko, Keehn, Bruce, Owens, Williams.

6. Items from Citizens not on Agenda

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

7. Items from Staff

Mr. Kuchenbecker informed the Commission that the City of Deadwood is hosting the National Secretaries of State this evening.

Five (5) retaining walls have been ordered in the last month.

The Crescent Street construction project continues.

Infrastructure for stage 3 of the Stage Run development should be completed and accepted by the city in September.

The water project on Railroad Avenue is nearly complete.

Progress is being made with the Mt. Moriah cemetery project.

The Chuckwagon Gathering and Cowboy Show will occur September 12. The Community Picnic will occur on September 11. Both will honor Deadwood's 150th anniversary.

Commissioner Eagleson reminded the Commission that the Farmers Market will occur on Friday.

8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 4:59 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Vice-Chair, Planning & Zoning Commission

Minutes by Leah Blue-Jones, Zoning Coordinator