



# Planning and Zoning Commission Regular Meeting Minutes

Wednesday, December 01, 2021 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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## 1. Call to Order

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, December 1, 2021 at 5:00 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 (Secretary) Dave Bruce

Commissioner Kevin Wagner

Commissioner Vicki Dar

Mayor David R. Ruth, Jr.

City Commissioner Charlie Struble

City Commissioner Sharon Martinisko

ABSENT

Commissioner (Vice-Chair) Josh Keehn

STAFF PRESENT

Jeremy Russell, Planning and Zoning Administrator

Trent Mohr, Building Inspector

Kevin Kuchenbecker, Historic Preservation Officer

Jessicca McKeown, Finance Officer

Cindy Schneringer, Administrative Assistant

## 3. Approval of Minutes

- a. Approval of November 17, 2021 Minutes

***It was moved by Commissioner Wagner and seconded by Commissioner Dar to approve the November 17, 2021 minutes. Voting Yea: Martinisko, Bruce, Wagner, Dar***

## 4. Planning and Zoning Commission

- a. Public Comment Regarding Change of Zoning Request for 32 Charles Street

Mr. Ron Russo addressed the Planning and Zoning Commission and stated he owns 31 Charles Street which is directly across the street from this property. He came today to say he doesn't have any opposition to what Mr. Conrad is attempting to do with this property. He said he has never heard of this type of zoning before and hopes this doesn't keep himself or Mike Percevic from getting that change in zoning at a later date.

b. Change of Zoning – Tim & Trinity Conrad – Charles Street

LOT I-1 BLK 70 EX H1 (301 SQ FT) & H2 (30 SQ FT) & E X I-1A (1515.69') & I-1B (2699") OF BLK 70 ORIGINAL TOWN DEADWOOD

LOT 107B BLK 71 ORIGINAL TOWN DEADWOOD

LOT RC BLK 70 (SITS BEHIND 32 CHARLES) ORIGINAL TOWN DEADWOOD

Mr. Russell stated today we have a request for change of zoning amendment to our zoning map. Our applicant today is Tim and Trinity Conrad. The rezoning request is to change from Commercial to Commercial Enterprise. The location is 26 and 32 Charles Street. Legally described as LOT I-1 BLK 70 EX H1 (301 SQ FT) & H2 (30 SQ FT) & E X I-1A (1515.69') & I-1B (2699") OF BLK 70 ORIGINAL TOWN DEADWOOD. LOT 107B BLK 71 ORIGINAL TOWN DEADWOOD. LOT RC BLK 70 (SITS BEHIND 32 CHARLES) ORIGINAL TOWN DEADWOOD. All of these properties are currently zoned C-1 Commercial. Our applicants today are requesting a zoning amendment to change form Commercial to Commercial Enterprise. You'll notice in the packet the applicants did submit a letter of intent for the purpose of this to become a cannabis establishment. We've recently adopted a new City Ordinance #1337 amending Ordinance #1328 creating zoning regulations for cannabis establishments and also our City zoning map which was recently adopted. This property doesn't currently possess a zoning district that does allow for the operation of cannabis. The light pink areas on the map are buffer zones that are either implemented by state statue or by city ordinance. The area the applicant is requesting the change for does not fall in the buffer. For the purpose of cannabis there is nothing that says the applicant can not request a change of zoning. In fact, in my opinion, it is important for us to take out the cannabis operation and look at if from strictly what the ordinance states for Commercial Enterprise. In my opinion, it was put in to protect a lot of the buildings and properties in town from being gobbled up by gaming establishments and to promote shopping and retail. The direction the Conrad's are going does fall in this line. ***It was moved by Commissioner Wagner and seconded by Commissioner Bruce to recommend approval for the Change of Zoning Request for Tim & Trinity Conrad, 26 & 32 Charles Street from Commercial to Commercial Enterprise. Voting Yea: Martinisko, Bruce, Wagner, Dar***

**5. Items from Citizens not on Agenda**

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

**6. Items from Staff**

Mr. Russell provided additional information regarding the zoning map.

**7. Adjournment**

***It was moved by Commissioner Dar and seconded by Commissioner Wagner to adjourn the regular meeting of the Planning and Zoning Commission. Voting Yea: Martinisko, Bruce, Wagner, Dar***

There being no further business, the Planning and Zoning Commission adjourned at 5:24 p.m.

ATTEST:

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Chairman, Planning & Zoning Commission

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Secretary, Planning & Zoning Commission

*Cindy Schneringer, Planning & Zoning Office/Recording Secretary*