



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, September 21, 2022 at 5:00 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 21, 2022 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 (Vice-Chair) Josh Keehn
Commissioner Charles Eagleson

Charlie Struble, City Commissioner

ABSENT

Commissioner (Secretary) Dave Bruce
Commissioner Kevin Wagner

STAFF PRESENT

Jeremy Russell, Planning and Zoning Administrator
Trent Mohr, Building Inspector
Cindy Schneringer, Administrative Assistant

3. Approval of Minutes

- a. Approval of September 7, 2022 Minutes

It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to approve the September 7, 2022 minutes. Voting Yea: Martinisko, Keehn, Eagleson

4. Sign Review Commission

- a. 130 Sherman Street - Eric Farrar (Rosenbaum Signs) - Reface Freestanding Sign and Install New Wall Sign in Place of Existing Sign

Mr. Mohr stated there is one permit application for your consideration tonight to replace the existing wall sign and to reface the existing freestanding sign at 130 Sherman Street. This location was recently remodeled into a Dollar Tree Family Dollar store. Previously was just a Family Dollar. Kind of a corporate realignment. Dollar Tree bought Family Dollar not so long ago. This store has been updated to the current configuration. The proposed signs are to reflect the changes at this site. One thing to note on the wall sign as noted in my staff report is back in 2013 the sign being replaced was granted a variance for the height of the overall size of the sign. We did work with the applicants to get the new sign very close to the existing

sign. This would carry on that variance if you approve this tonight. Other than that notation, the sizes and their locations are compliant with the ordinance.

It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to approve the sign permit for 130 Sherman Street to reface the existing freestanding sign and to install a new wall sign in place of existing sign. Voting Yea: Martinisko, Keehn, Eagleson

5. Planning and Zoning Commission

- a. Conditional Use Permit - Condominiums - 51, 53, 55 Sherman Street - Keating Resources

THE NORTHERN ONE FOOT SIX INCHES (1'6") OF LOT 17, ALL OF LOTS 19, 21, 23, 25 AND VACATED ALLEY BETWEEN LOT 23 AND LOT 25, AND ALL OF LOT 26, AND LOT 27, ALL IN BLOCK 30 OF THE CITY OF DEADWOOD ACCORDING TO THE P.L. ROGERS MAP OF THE CITY OF DEADWOOD. LESS AND EXCEPT TRACT 1 OF MILLER STREET SUBDIVISION ACCORDING TO PLAT DOCUMENT #2012-05646, AND LESS AND EXCEPT WILD BILL LOT ACCORDING TO PLAT DOCUMENT #2012-03484, ALL LOCATED IN THE SW1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST OF THE BLACK HILLS MERIDIAN, CITY OF DEADWOOD, SOUTH DAKOTA.

Mr. Russell stated before you this evening is a Conditional Use Permit. The purpose is condominiums at 51, 53, 55 Sherman Street. This is, as you know, the old Deadwood Dicks building. Legally described as THE NORTHERN ONE FOOT SIX INCHES (1'6") OF LOT 17, ALL OF LOTS 19, 21, 23, 25 AND VACATED ALLEY BETWEEN LOT 23 AND LOT 25, AND ALL OF LOT 26, AND LOT 27, ALL IN BLOCK 30 OF THE CITY OF DEADWOOD ACCORDING TO THE P.L. ROGERS MAP OF THE CITY OF DEADWOOD. LESS AND EXCEPT TRACT 1 OF MILLER STREET SUBDIVISION ACCORDING TO PLAT DOCUMENT #2012-05646, AND LESS AND EXCEPT WILD BILL LOT ACCORDING TO PLAT DOCUMENT #2012-03484, ALL LOCATED IN THE SW1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST OF THE BLACK HILLS MERIDIAN, CITY OF DEADWOOD, SOUTH DAKOTA. It was my understanding a representative from Keating Resources would be here tonight to answer any questions. What I know is Keating Resources has put a request into the City to start the operation of condominiums on floors 2, 3, and 4 of this building. During my research, I did not necessarily find anything that I felt I should notify you that maybe we should prevent this from happening other than the parking requirements. Having further looked into that you will notice on my staff report that I do discuss that. The Deadwood City Ordinance 17.64.060 Off Street Parking does state existing and new uses in buildings built pre-1941 in planning unit 4, which this building does reside, in the historic overlay zone, uses existing as of the date of the ordinance codified in this title and any new uses in building built prior to January 1, 1941, shall not be required to provide off-street parking facilities. That does cover this. One thing to note about that is there has been a history of a few apartments in that building so there has been parking for the residents of these buildings using the public spaces in the Miller Street parking lot. I don't know exactly how many units this is going to turn out to be. This is preliminary conversations so the only thing you would or wouldn't be recommending approval tonight would be the

approval for the conditional use permit. The applicant will still need to go through the formal process through the City with building permits, platting which is going to be really interesting for us as we have never had condos in Deadwood and have never done anything like that. I believe last week we got an email from Gerard, who is the principal owner, stating they just received their gaming license so they are going to have some type of casino or gaming operation in this building. I don't know if this affects this conditional use permit or not. I don't have any other information than what I provided.

It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to approve the Conditional Use Permit for condominiums legally described as THE NORTHERN ONE FOOT SIX INCHES (1'6") OF LOT 17, ALL OF LOTS 19, 21, 23, 25 AND VACATED ALLEY BETWEEN LOT 23 AND LOT 25, AND ALL OF LOT 26, AND LOT 27, ALL IN BLOCK 30 OF THE CITY OF DEADWOOD ACCORDING TO THE P.L. ROGERS MAP OF THE CITY OF DEADWOOD. LESS AND EXCEPT TRACT 1 OF MILLER STREET SUBDIVISION ACCORDING TO PLAT DOCUMENT #2012-05646, AND LESS AND EXCEPT WILD BILL LOT ACCORDING TO PLAT DOCUMENT #2012-03484, ALL LOCATED IN THE SW1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 3 EAST OF THE BLACK HILLS MERIDIAN, CITY OF DEADWOOD, SOUTH DAKOTA. After some discussion voting was: Voting Yea: Martinisko, Keehn Voting Nay: Eagleson

6. Items from Citizens not on Agenda

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

7. Items from Staff

Mr. Mohr stated just an information update. At the last meeting you approved the sign at 32 Charles Street for Trailhead Cannabis condition upon research being done that there was no prohibition at the state level for using the word cannabis. The City attorney, Jeramy and I found no prohibition so that sign was approved.

Mr. Russell provided an update on the representatives from The Ridge development attending the City Commission to update them on their upcoming PUD.

8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 5:38 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Cindy Schneringer, Planning & Zoning Office/Recording Secretary

Secretary, Planning & Zoning Commission