



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, June 07, 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, June 7, 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, Administrative Assistant

3. Approval of Minutes

a. Approval of May 17, 2023 Minutes

It was moved by Commissioner Keehn and seconded by Commissioner Bruce to approve the May 17, 2023 minutes. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

4. Sign Review Commission

a. 685 Main Street - Rich Turbiville - Install new projecting sign on Deadwood Street facade

Mr. Mohr stated there is one permit application for your review tonight for one sign. It is for a projecting sign on 685 Main Street. The existing signage was a little interesting. This was the four wall signs and six awning signs. They were permitted in 2022 but they have not been installed yet. This project is installing a new projecting sign of ten square feet, painted metal. As everyone should know by now, Hickok's is being remodeled to become Rocksino, a brand of Hard Rock. They have a retail space accessed by the door shown in the rendering. The name of their retail store is the Rock Shop. That is the intent of the permit application and sign. The sign is in compliance and requires no variances.

Mr. Kuchenbecker stated, I will note that Trent worked with them to bring that in to compliance. The original application and renderings did not. It would've required several variances.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to approve the sign permit for 685 Main Street to install new projecting sign on Deadwood Street facade. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

5. Planning and Zoning Commission

- a. Temporary Vendor Application - 629 Main Street - Ray Drea - Ray Drea Studios LLC

Mr. Kuchenbecker stated this is for Ray Drea Studios. This will be a 629 Main Street, set up in the Celebrity Hotel. They will be operating August 4th through the 21st during the Rally. They have paid their \$250.00.

It was moved by Commissioner Keehn and seconded by Commissioner Owens to approve the Temporary Vendor Application for 629 Main Street for Ray Drea Studios LLC. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

- b. Consider preliminary boundaries and zoning for Phase 3 in the Palisades Tract of Deadwood Stage Run Addition.

Mr. Kuchenbecker stated the first item, Item B, is to consider preliminary boundaries and zoning for Phase 3 in the Palisades Tract of Deadwood Stage Run Addition. Should this get reviewed it will be in the form of an ordinance that would go in front of the City Commission. You have the exhibit in front of you that has R1 (green), R2 (peach), Multi-Family, which is also R2, (peach), C1 - Commercial, which is up by the apartments for storage units. I think we may want to look at that as CH - Commercial Highway. The rest of yours is Commercial Highway and consider that Commercial Highway. Commercial, as we look at it, is reserved for the core district so this would possibly make more sense as Commercial Highway.

Mr. Pearson confirmed the majority of R2 will be townhomes with about an eighty-three unit apartment building. Fifty-nine regular single-family lots and fifteen single-family lots in the pink that fall within the SD guidelines so we can keep the cost down on the build outs. There is ninety total lots.

Mr. Kuchenbecker state that I will say we have been working with Bill and we have preliminary engineering that would connect the road to Burnham Avenue. We have met with both of the property owners that this new road would traverse through. It has been challenging working with the one owner. The communication has been challenging. His sons are supposed to be looking at it. We are sending a legal letter to him asking for his response. That would be George Auer. This is my first setting of the boundaries and reading through this it does take an ordinance to establish the PUD and that would go to the City Commission. It does come through her for consideration review and comments. I am looking for a recommendation in the form of a motion to take to the City Commission for approval of the preliminary boundaries and establish zoning in this PUD.

It was moved by Commissioner Keehn and seconded by Commissioner Owens by to recommend the Board of Adjustment approve the preliminary boundaries and establish zoning for Phase 3 in the Palisades Tract of Deadwood Stage Run Addition with condition C1 - Commercial Zoning District be changed to CH - Commercial Highway Zoning District. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

- c. Consider Preliminary Plat for Phase 3 in the Palisades Tract of Deadwood Stage Run Addition.

Mr. Kuchenbecker stated we just recommended the boundaries with the zoning as proposed. This would be a preliminary plat which shows you the layout of these. They can be adjusted as he builds it out. You can see his proposed right-of-ways for the roads and each of the lots. Very similar but it is a preliminary plat map.

It was moved by Commissioner Owens and seconded by Commissioner Keehn to recommend the Board of Adjustment to approve the preliminary plat for Phase 3 in the Palisades Tract of Deadwood Stage Run Addition as presented. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

d. Final Plat of Creating Property Lines - Stage Run - Deadwood Stage Run, LLC (William Pearson)

PLAT OF LOTS 11 REVISED, 12 REVISED, 13 REVISED, 14 REVISED, 18A REVISED, 20 REVISED, 30 REVISED AND 31A REVISED, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOT 11, 12, 13, 14, 18A, 20, 30, AND 31A, BLOCK 2 ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M. CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

Mr. Kuchenbecker stated we have see several similar other ones. This is the PLAT OF LOTS 11 REVISED, 12 REVISED, 13 REVISED, 14 REVISED, 18A REVISED, 20 REVISED, 30 REVISED AND 31A REVISED, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOT 11, 12, 13, 14, 18A, 20, 30, AND 31A, BLOCK 2 ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M. CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. They are all zoned R1. This is just taking what was originally considered possible green space and incorporating it into the lots. Similar to what we have done before.

It was moved by Commissioner Bruce and seconded by Commissioner Keehn to approve the final plat creating lot lines legally described as PLAT OF LOTS 11 REVISED, 12 REVISED, 13 REVISED, 14 REVISED, 18A REVISED, 20 REVISED, 30 REVISED AND 31A REVISED, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOT 11, 12, 13, 14, 18A, 20, 30, AND 31A, BLOCK 2 ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF

SECTION 23, T5N, R3E, B.H.M. CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

e. Final Plat for lots in Phase 3 of Stage Run Addition - William Pearson

PLAT OF LOTS 13, 14, 15, BLOCK 3A AND DEDICATED PUBLIC RIGHT OF WAY OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOT 25B, BLOCK 2 AND A PORTION OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

Mr. Kuchenbecker stated now we are in Stage 3 of Stage Run. This actually takes the preliminary plat and creates three lots plus a plat for dedicated right-of-way. It is legally described as PLAT OF LOTS 13, 14, 15, BLOCK 3A AND DEDICATED PUBLIC RIGHT OF WAY OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOT 25B, BLOCK 2 AND A PORTION OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. This creates for sale those lots that were described in the legal descriptions of 13, 14, and 15 and continues Mystery Wagon Road.

It was moved by Commissioner Keehn and seconded by Commissioner Owens to approve the final plat for lots in Phase 3 of Stage Run Addition legally described as PLAT OF LOTS 13, 14, 15, BLOCK 3A AND DEDICATED PUBLIC RIGHT OF WAY OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOT 25B, BLOCK 2 AND A PORTION OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

6. Items from Citizens not on Agenda

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

7. Items from Staff

Mr. Kuchenbecker stated we have building officials annual conference tomorrow and Friday in Sturgis. I am going to make it to a couple of the sessions. I didn't know Trent is the Vice-Chair of the SD Building Officials Association. He will be there for the entire conference. I have kept you abreast of some of our water studies. Just got the preliminary plan for Phase 3 which will allow us to get on the state water plan. One of the first recommendations was improving Denver Street pump station to increase the capacity. The initial engineer's estimate was to put a new pump station and building there. That was eight hundred thousand. We are able to use the existing building and replace some pumps for sixty thousand. That is a huge difference. That will help us with

the pumping up to the Roosevelt tank. We are still looking at four and a half million dollars to take a twelve in line from Lee Street down to the rodeo grounds and then working with the developer, who is developing Booth Hill, to go from an eight inch, which he has planned, to a twelve inch and put another storage tank at the top of Boot Hill on Winter's property. That would give us the capacity and redundancy to service all these developments. We do not have a price on that. Getting on the state water plan is the process to get funding. That will be on the next agenda. The FEMA project, which goes from DMG to Charles Street bridge and back behind the Comfort Inn, is out to bid. Next Thursday will be the bid opening. Hopefully we get bids. Just came out of a very good trails meeting. John and Bill were in there. With the Fuller Brothers property, these ladies and gentlemen that just left are with their GPS and hiking potential paths. Hopefully, sometime this fall we can start some construction on some pedestrian trails in the Fuller Brothers. We will also have another creek access. I got confirmation in that meeting as well. Across from the hardware store, Thad and Natasha Fuller had that low creek crossing and that flat area this side of the creek. We are going to get an easement for that and create a little loop down to the creek and that water falls you can see from there. That is very exciting. We have funding from BID 8 for creek access in the amount of fifty thousand dollars. I have met with Wharf and sounds like we might be able to get some funding from them as well. The other item of kind of interest is Commissioner Johnson has been the lead on this is the public art on Main Street. We have commissioned Paul Moore out of Oklahoma to sculpture Calamity Jane sitting on a bench. That total project is one hundred thousand dollars. It is getting ready to go to the foundry and we are getting ready to kick off the fundraising. We will be looking for some primary sponsors and secondary sponsors. We are hoping to get that set after Labor Day. It will be the first of five along Historic Main Street. Very similar to the bronze presidents in Rapid City or the governors in Pierre. Most importantly, I have a zoning coordinator now. Cindy is our new zoning coordinator. We will be advertising for a new administrative assistant.

8. Adjournment

It was moved by Commissioner Eagleson and seconded by Commissioner Bruce 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 4:32 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Cindy Schneringer, Planning & Zoning Office/Recording Secretary

Secretary, Planning & Zoning Commission