



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, May 03, 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, May 3, 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

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 April 19, 2023 Minutes

It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve the April 19, 2023 minutes. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

4. Sign Review Commission

a. 300 Cliff Street - Grace Ellenbecker - Install Three New Signs

Mr. Mohr stated the first sign permit is for 300 Cliff Street. This is formerly Creekside Restaurant and currently is Boston's Pizza. They remodeled it last year and opened up in this state. If you recall, they came in to add Boston's to the freestanding sign out by the highway. This is a continuation of their signage of the business. It is for two wall signs and a valance sign at the edge of the building there. The signs and their location are compliant and requires no variances.

It was moved by Commissioner Keehn, and seconded by Commissioner Owens to approve the sign permit for 300 Cliff Street to install three new signs. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

- b. 51, 53, & 55 Sherman Street - Allison Roach of Love Sign Co. - Install Four New Signs

Mr. Mohr stated the next one is for 51, 53, 55 Sherman Street. We do have representatives of the business here if you have any questions. This is for four signs, three wall and one projecting. They are currently remodeling this business and will be, last I heard, a casino on the first floor, sports book on the second, and looking at restaurants on the upper stories. I think the official name is Landmark Casino but you can not use casino on signs so their signs will just say Landmark on them. The signs and their location are compliant and do not require any variances.

It was moved by Commissioner Bruce and seconded by Commissioner Eagleson to approve the sign permit for 51, 53, 55 Main Street to install four new signs. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

- c. 24 Cliff Street - Amy Petersen - Install New Wall Sign

Mr. Mohr stated for your consideration is 24 Cliff Street. This is next door to the State Farm Insurance building. Eric Fowler owns this building. This is a tenant space in the building. This is a new business that is going in. I hope I was clear in my staff report. They initially brought this in as two wall signs. I explained they were only allowed to do one wall sign. They could combine the two and advertise both businesses on that sign as allowed by ordinance. Their intention is to combine these signs together into one sign. The embroidery shop that she is running is the Twisted Pines Design Company and this will be the business office for Mad Mountain Adventures. The proposed sign and its location are compliant with the ordinance and requires no variances.

It was moved by Commissioner Keehn and seconded by Commissioner Bruce to approve the sign permit for 24 Cliff Street to install new wall sign. Voting Yea: Martinisko, Keehn, Bruce, Eagleson, Owens

- d. 460 Main Street - Blake Haverberg - Install Projecting Sign

Mr. Mohr stated this one is 460 Main Street. This is From the Hills, the medical cannabis dispensary. As you recall, they were in last year and got approval for this projecting sign and a wall sign. At the time, the permit was issued for the projecting sign located on the facade with the business entrance located on the parking lot side. The sign was actually installed, as you can see in my report, on the highway side. Reached out to them and explained that is not where the permit was issued. They asked what the process is to keep the sign there. There are a couple issues there. The first one was the highway right of way is very near the building so the sign projects into the highway right of way. They had to apply to the DOT and got a right to occupy permit for the sign. The other issue, more concerning to us, our ordinance requires projecting signs be on the same side as the public entrance. There is not a public entrance on the highway side. The permit before you tonight is to allow the sign to remain there and they have requested a variance from that section of the ordinance. Jim is here as a representative of the business if you have any questions. I hope you all got the variance request letter.

After much discussion, it was moved by Commissioner Owens and seconded by Commissioner Keehn to approve the sign permit for 460 Main Street for the sign in its installed location granting a variance from the sign ordinance. Voting Yea: Keehn, Bruce, Eagleson, Owens. Voting Nay: Martinisko

5. Planning and Zoning Commission

6. Items from Citizens not on Agenda

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

7. Items from Staff

Mr. Kuchenbecker said I would like to thank Ken and Charles for attending the history conference a couple of weeks ago. It was nice we had a good showing there and I appreciate the support. We just came out of a trails committee meeting. Very exciting in the direction that we are going with some of our urban trails and recreational opportunities. More to come on that. As for information, we will talk a little about the bidding projects the city is working on. We had some bid openings on Monday afternoon. Two are retaining walls and one was the Days of '76 concessions and restroom facilities on the VIP side. I was pleased to have multiple bidders on some of those projects, but I can tell the building climate has not changed enough that we can afford it. We had budgeted \$750,000.00 on the historic preservation of the new facility at the Days of '76 with that concessions and restrooms and the low bid was about \$1.3 million dollars. We also had a retaining wall that the engineer's estimate was at \$97,000.00 and we had two bids. The low bid was \$197,000.00. That is going to be rejected as well. We have another wall where we had a single bid and that is on Broadway. It is holding up Broadway at the rear of Gold Street behind Dale Berg's Berg Jewelry. That historic wall allows access to the basement and holds up Broadway is just under \$500,000.00 to do that project. We have to do that one. We did award that on Monday night. It makes it difficult when our budget is frozen due to the gaming cap and what is going on with the bidding climate. With that said, we did get permission to go out to bid for FEMA. That bid opening is June 17th. This is the project from the 2019 flood damage. Estimate is about a \$6 million dollar project. Thank goodness the the federal government will pick up a majority of that. At the last meeting we did have Bill Pearson talk a little bit about his request for a variance. As I got into the ordinances, that goes to the Board of Adjustments and not to the Planning and Zoning Commission which was somewhat of a surprise to me. That will be in front of the City Commission at their next meeting. I will say it was discussed here and the consensus was probably doable. Staff is busy. We did have the second reading of the STR ordinances so those will go into effect in twenty days.

8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 4:28 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Cindy Schneringer, Planning & Zoning Office/Recording Secretary