



Planning and Zoning Commission Regular Meeting Agenda

Wednesday, August 04, 2021 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - [a.](#) Approval of July 21, 2021 Meeting Minutes
4. **Sign Review Commission**
 - [a.](#) 658 Main Street - Midwest Motels of Deadwood/KHJ Hospitality - Install New Wall Sign - Continued from July 21, 2021 Meeting
Action Required:
 - a. Approval/Denial by Sign Review Commission
 - [b.](#) 621 Main Street (Lucky Horse) - Todd Weber - Alter the Existing Wall Sign
Action Required:
 - a. Approval/Denial by Sign Review Commission
 - [c.](#) 644 Main Street (Century Link) - Alexandra Ellis - Install New Projecting Sign
Action Required:
 - a. Approval/Denial by Sign Review Commission
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**
8. **Adjournment**

Planning and Zoning Commission meetings are not available by Zoom unless requested.



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, July 21, 2021 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, July 23, 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 (Vice Chair) Bill Rich

Commissioner (Secretary) Josh Keehn

Commissioner Dave Bruce

Commissioner Kevin Wagner

Mayor, David R. Ruth Jr.

City Commissioner Charlie Struble Mook

City Commissioner Mike Johnson

City Commissioner Gary Todd

Staff:

Jeramy Russell, Planning and Zoning Administrator

Trent Mohr, Building Inspector

Bonny Anfinson, Program Coordinator

3. Approval of Minutes

- a. Approval of June 16, 2021, Minutes

It was moved by Commissioner Wagner and seconded by Commissioner Keehn to approve the June 16, 2021, minutes. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich

4. Sign Review Commission

- a. 658 Main - Midwest Motels of Deadwood/KHJ Hospitality - Install New Wall Sign

Mr. Mohr stated Midwest Motels of Deadwood/KHJ Hospitality is requesting permission to install a new wall sign at 658 Main Street. There was a previously approved wall sign of a different design and size in the same location. That sign was approved September 8, 2011, and was removed by the applicant after being damaged by hail. The proposed sign requires four variances: Exceed the maximum square footage of a wall sign of 50 square feet; Exceed the maximum vertical dimension of a wall sign of two feet; The top of the sign will be higher than bottom sills of the second story windows; The addition of this sign will exceed the overall maximum square footage allowed for signage at this address by 42.5 square feet.

The word "casino" is not allowed on signage. ***It was moved by Commissioner Bruce and seconded by Commissioner Rich to continue the sign request to the next meeting. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

5. Planning and Zoning Commission

- a. Temporary Vending Application - 21 Deadwood Street - Camy Wenberg - Rally Tattoo Business

Mr. Russell stated Camy Wenberg has applied for a temporary vendor's license for the purpose of operating her tattoo business in Deadwood during the Sturgis Motorcycle Rally. Camy will be working out of the Iron Horse located at 21 Deadwood Street. Camy has obtained her South Dakota State Sales Tax ID and is licensed with the Minnesota Department of Health. A call was made to the Minnesota Department of Health to confirm and assure the applicant has no issues with them. ***It was moved by Commissioner Keehn and seconded by Commissioner Wagner to approve the Temporary Vending License to Camy Wenberg to operate a temporary tattoo business during the Sturgis Motorcycle Rally at the Iron Horse located at 21 Deadwood Street. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

- b. Findings of Fact and Conclusions - Request for Variance - Robb & Wendy Nelson – 19 Centennial Avenue
Lot 8A, Block K, Original Townsite, City of Deadwood, Lawrence County, South Dakota, Formerly Portions of Lots 8 and 9, Block K
It was moved by Commissioner Keehn and seconded by Commissioner Wagner to approve the Findings of Fact and Conclusions for request of variance from section 17.24.040.B - front yard setback requirements, R1-Residential District. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich

- c. Final Plat - Transfer of Land and Creating Property Lines - 731 and 733 Stage Run - WJP Holdings, LLC (William Pearson)
PLAT OF LOTS 1C AND 1D, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD 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 FORMERLY A PORTION OF LOT 1, BLOCK 4A

Mr. Russell stated WJP Holdings, LLC is submitting a plat for the purpose of facilitating the transfer of property and establish property lines. This plat describes the area located at 731 and 733 Stage Run Road. Legally described as Plat of Lots 1C and 1D, Block 4A of Palisades Tract of Deadwood Stage Run Addition of the City of Deadwood located in the SW 1/4 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 formerly a portion of Lot 1, Block 4A. ***It was moved by Commissioner Wagner and seconded by Commissioner Rich to approve the transfer of land and creating property lines for Plat of Lots 1C and 1D, Block 4A of Palisades Tract of Deadwood Stage Run Addition of the City of Deadwood located in the SW 1/4 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 formerly a portion of Lot 1, Block 4A. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich

- d. Plat - Development, Construction and Creating Property Lines - Mystery Wagon Road - WJP Holdings, LLC (William Pearson)
 PLAT OF LOTS 6, 7, 8, 9, 10, 11, 12, 13 and 14, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD 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. Russell stated Deadwood Stage Run, LLC is submitting a plat for development, construction and creating property lines for Stage Run Phase 2 legally described as Plat of Lots 6, 7, 8, 9, 10, 11, 12, 13, and 14, Block 4A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood 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, SD. ***It was moved by Commissioner Rich and seconded by Commissioner Keehn to approve a plat for development, construction and creating a property line for Stage Run Phase 2 legally described as Plat of Lots 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 4A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood 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, SD. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich***

Commissioner Martinisko turned the meeting over to the Board of Adjustments.

Mayor David R. Ruth Jr. called the meeting of the Board of Adjustments to order.

- a. Temporary Vending Application - 21 Deadwood Street - Camy Wenberg - Rally Tattoo Business

It was moved by Commissioner Struble and seconded by Commissioner Johnson to approve the Temporary Vending License to Camy Wenberg to operate a temporary tattoo business during the Sturgis Motorcycle Rally at the Iron Horse located at 21 Deadwood Street. Voting Yea: Ruth, Struble, Johnson, Todd

- b. Findings of Fact and Conclusions - Request for Variance - Robb & Wendy Nelson – 19 Centennial Avenue
 Lot 8A, Block K, Original Townsite, City of Deadwood, Lawrence County, South Dakota, Formerly Portions of Lots 8 and 9, Block K

It was moved by Commissioner Struble and seconded by Commissioner Johnson to approve the Findings of Fact and Conclusions for request of variance from section 17.24.040.B - front yard setback requirements, R1-Residential District. Voting Yea: Ruth, Struble, Johnson, Todd

- c. Final Plat - Transfer of Land and Creating Property Lines - 731 and 733 Stage Run - WJP Holdings, LLC (William Pearson)
 PLAT OF LOTS 1C AND 1D, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD 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 FORMERLY A PORTION OF LOT 1, BLOCK 4A

It was moved by Commissioner Todd and seconded by Commissioner Struble to approve the transfer of land and creating property lines for Plat of Lots 1C and 1D, Block 4A of Palisades Tract of Deadwood Stage Run Addition of the City of Deadwood located in the SW 1/4 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 formerly a portion of Lot 1, Block 4A. Voting Yea: Ruth, Struble, Johnson, Todd

- d. Plat - Development, Construction and Creating Property Lines - Mystery Wagon Road - WJP Holdings, LLC (William Pearson)
 PLAT OF LOTS 6, 7, 8, 9, 10, 11, 12, 13 and 14, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD 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

It was moved by Commissioner Rich and seconded by Commissioner Keehn to approve a plat for development, construction and creating a property line for Stage Run Phase 2 legally described as Plat of Lots 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 4A of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood 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, SD. Voting Yea: Ruth, Struble, Johnson, Todd

It was moved by Commissioner Struble and seconded by Commissioner Johnson to adjourn the Board of Adjustments meeting. Voting Yea: Ruth, Struble, Johnson, Todd

Mayor David R. Ruth, Jr. turned the meeting back to Commissioner Martinisko.

6. Items from Citizens not on Agenda

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

7. Items from Staff

Mr. Russell stated staff has been working with Hamari on the short term rental issues. There was a great article in the ***Black Hills Pioneer***. We are down to 65 and 15 are out of compliance.

This is Bill Rich's last meeting as he is resigning from the Planning and Zoning Commission. He has been a great asset to the City of Deadwood and the Planning and Zoning Commission.

8. Adjournment

It was moved by Commissioner Wagner and seconded by Commissioner Keehn to adjourn the regular meeting of the Planning and Zoning Commission.

Voting Yea: Martinisko, Keehn, Bruce, Wagner, Rich

There being no further business, the Planning and Zoning Commission adjourned at 5:28 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Bonny Anfinson, Planning & Zoning Office/Recording Secretary

OFFICE OF
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 108 Sherman Street
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"The Historic City of the Black Hills"
 Deadwood, South Dakota 57732

TRENT MOHR
 Building Inspector
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SIGN PERMIT STAFF REPORT

Sign Review Commission

July 21, 2021

Applicant: Midwest Motels of Deadwood/ KHJ Hospitality

Address: 29 South Harman Dr., Mitchell, SD 57301

Site Address of Proposed Signage: 658 Main St (Buffalo Saloon)

Computation of Sign Area

Building Frontage: 75 Feet

Total Available Signage: 150 Square Feet

Existing Signage: One projecting (35 Square Feet counted as 17.5 due to landmark status)

Remaining Available Signage Area: 132.5 Square Feet

Proposed Sign Project: Install new wall sign (175 Square Feet)

Proposed Building Materials: Vinyl wrapped metal (see attached rendering)

Proposed Lighting of the Signs: None

Location of Proposed Sign: See attached rendering

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant wishes to install a wall sign. There was a previously approved wall sign of a different design and size (60 Square Feet) in the same location. That sign was approved September 8, 2011 and was removed by the applicant after being damaged by hail.

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The proposed sign requires four variances. They are as follows:

- Exceed the maximum square footage of a wall sign of 50 square feet (proposed sign is 175 square feet)
- Exceed the maximum vertical dimension of a wall sign of 2 feet (proposed sign is 10 feet tall)
- The top of the sign will be higher than bottom sills of the second story windows
- The addition of this sign will exceed the overall maximum square footage allowed for signage at this address by 42.5 square feet

Variances

The sign permit application in review as proposed requires variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

Sign Review Commission Action

Motion to approve permit for new wall sign at 658 Main Street granting requested variances

OR

Motion to deny proposed sign permit application as submitted

SIGN COMMISSION

TO WHO IT CONCERNS

Buffalo/Bodega Complex would like to update the sign at the 658 Main Street location. To reflect the company logo. We request a variance on the size the location. The old sign which was a Buffalo did have the City of Deadwood approval. The sign was damaged by the hail storm became a hazard to the public was removed. Enclosed is a picture from street view, approx. size and color. Material will be a vinyl wrap on a aluminum backer. We are open to any suggestions the commission has.

Thank you for your consideration

Tim VanBriesen

Facilities Manager Buffalo Bodega complex

605-920-8121





17.5 Feet wide 10 ft tall

175 Sp Fr

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SIGN PERMIT STAFF REPORT

Sign Review Commission

August 4, 2021

Applicant: Todd Weber

Address: 562 Williams Street, Deadwood, SD 57732

Site Address of Proposed Signage: 621 Main Street (Lucky Horse)

Computation of Sign Area

Building Frontage: 19 Feet

Total Available Signage: 38 Square Feet

Existing Signage: One wall sign (32 Square Feet)

Remaining Available Signage Area: 6 Square Feet

Proposed Sign Project: Alter the existing wall sign

Proposed Building Materials: Wood (see attached rendering)

Proposed Lighting of the Signs: None

Location of Proposed Sign: The sign will remain in the same location

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant is partnering with Muley Hill Lodge and will be selling wagon ride tickets and branded products at this location. Only the lower line of text on the sign will be altered.

The proposed sign and its location are compliant with the sign ordinance.

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Variances

The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

Sign Review Commission Action

Motion to approve permit for to alter the existing wall sign at 621 Main Street

OR

Motion to deny proposed sign permit application as submitted



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SIGN PERMIT STAFF REPORT

Sign Review Commission

August 4, 2021

Applicant: Alexandra Ellis

Address: 644 Main Street, Deadwood, SD 57732

Site Address of Proposed Signage: 644 Main Street (Century Link)

Computation of Sign Area

Building Frontage: 75 Feet

Total Available Signage: 150 Square Feet

Existing Signage: One wall sign (16 Square Feet)

Remaining Available Signage Area: 134 Square Feet

Proposed Sign Project: Install new projecting sign (8 Square Feet)

Proposed Building Materials: Wood and metal (see attached rendering)

Proposed Lighting of the Signs: None

Location of Proposed Sign: Attached is a photograph showing the proposed location

Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant has recently opened a new retail business at this location. The proposed sign reflects the new business name.

The proposed sign and its location are compliant with the sign ordinance.

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Variances

The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

Sign Review Commission Action

Motion to approve permit for new projecting sign at 644 Main Street

OR

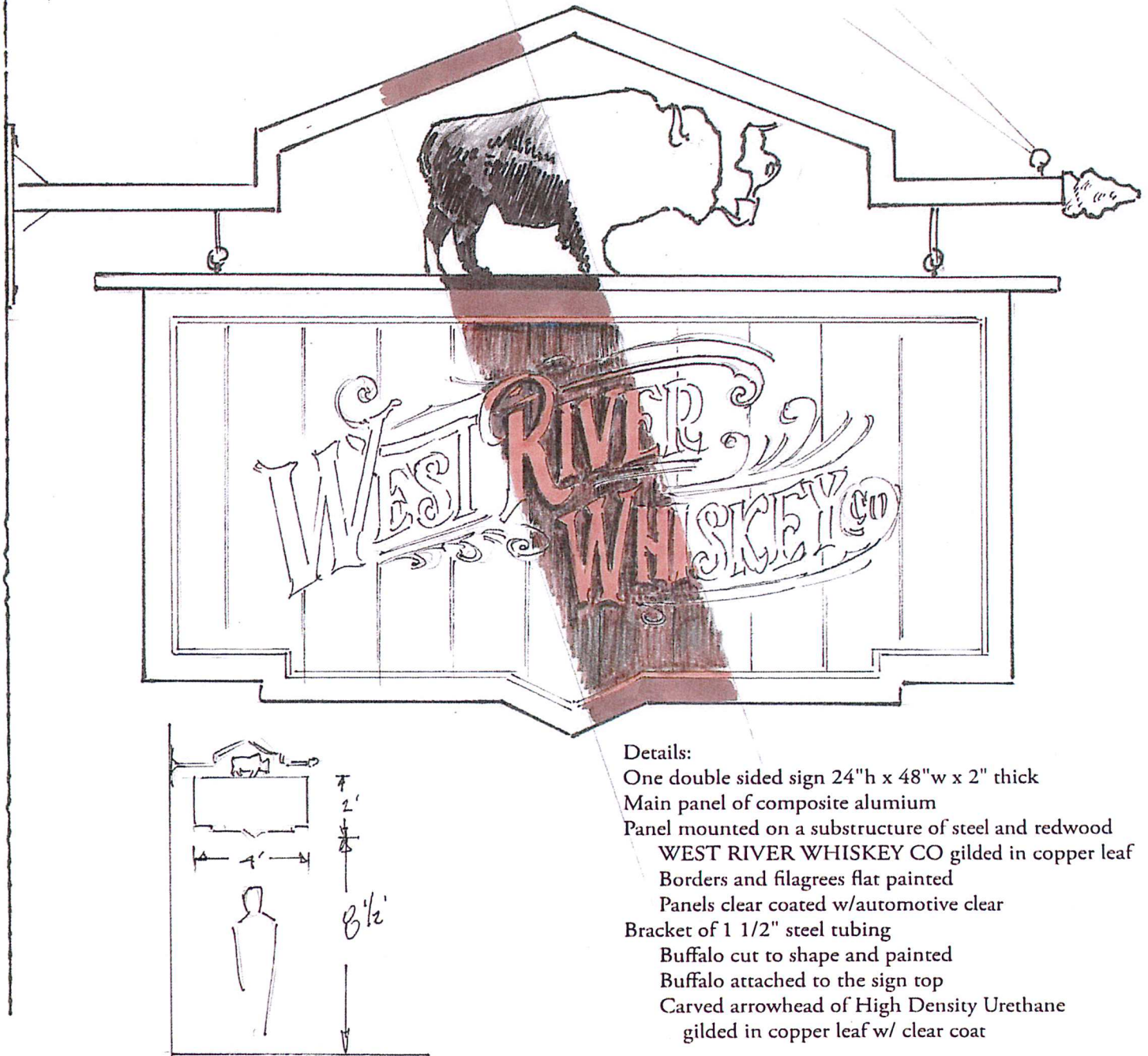
Motion to deny proposed sign permit application as submitted

Installation:

3/8" lags into log lead shields placed into the wall surface

Steel support boom further reinforced w/2 diagonal guy wires (steel cable) lagged into surface above structure

Shallow anchor on the precast and sealing of the fastening bolts & anchors with clear outdoor silicone caulk



Details:

One double sided sign 24"h x 48"w x 2" thick

Main panel of composite aluminum

Panel mounted on a substructure of steel and redwood

WEST RIVER WHISKEY CO gilded in copper leaf

Borders and flagrees flat painted

Panels clear coated w/automotive clear

Bracket of 1 1/2" steel tubing

Buffalo cut to shape and painted

Buffalo attached to the sign top

Carved arrowhead of High Density Urethane

gilded in copper leaf w/ clear coat

Designed exclusively for:

WEST RIVER WHISKEY CO

Date:

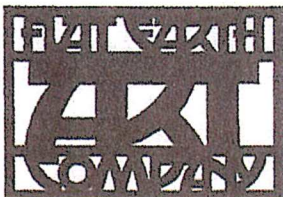
6/20/21

Address:

644 MAIN ST DEADWOOD

Phone:

605-667-8148 (ALEX)



Tim Peterson
ARTIST

3123 E. FAIRGROUNDS LOOP STE. C
SPEARFISH, SD 57783

(605) 642-5794

50% DEPOSIT REQUIRED ON ALL
WORK. BALANCE DUE ON
COMPLETION.

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be reproduced in any manner without written permission.

Note: Awning no longer exists

X

10.5'

