



Planning and Zoning Commission Meeting Agenda

Wednesday, April 07, 2021 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

Masks are required to be worn while in City Hall. No exceptions!

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - a. Approval of March 17, 2021 Minutes
4. **Planning and Zoning Commission**
 - a. Final plat approval for Transferring Land and Creating Property Lines - Darlene A. Hicks - Calamity Jane Area

PLAT OF LOTS K1 AND K2 BEING A PORTION OF TRACT H OF THE SUBDIVISION OF PROBATE LOT 327 AND LOT 5 OF PECK'S GARDEN SUBDIVISION LOCATED IN THE NW1/4 OF SECTION 27, T5N, R3E, B.H.M. LAWRENCE COUNTY, SOUTH DAKOTA

Action Required
 - a. Approval/Denial by Planning and Zoning Commission
 - b. Vendor Application - 555 Main Street - Michael Snyder - Leather Headquarters

Action Required:
Approval/Denial by Planning and Zoning Commission
5. **Items from Staff**
6. **Adjournment**

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

Please practice CDC's social distancing recommendations.

Please be considerate of others and if you no longer have business activities during the meeting do not feel obligated to remain.



Planning and Zoning Commission Meeting Minutes

Wednesday, March 17, 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, March 17, 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

City Commissioner Sharon Martinisko

STAFF PRESENT:

Jeremy Russell, Planning and Zoning

Trent Mohr, Building Inspector

Bonny Anfinson, Program Coordinator

3. Approval of Minutes

- a. Approval of March 3, 2021 Minutes

It was moved by Commissioner Keehn and seconded by Commissioner Rich to approve the March 3, 2021 minutes. Voting Yea: Martinisko, Rich, Keehn, Bruce, Wagner

4. Sign Review Committee

- a. 93 Sherman Street - Blake and Noelle Waufle - Install New Wall Sign

Mr. Mohr stated the applicant is requesting permission to install a new wall sign above the door on the rear of the building to draw attention to the business and entrance for anyone in the Miller Street parking lot. The proposed sign and its location are compliant with the sign ordinance. ***It was moved by Commissioner Wagner and seconded by Commissioner Keehn to approve the new wall sign for above the door on the rear of the building located at 93 Charles Street. Voting Yea: Martinisko, Rich, Keehn, Bruce, Wagner***

- b. 624 Main Street (Wild Bill Bar) - Andy Mosher, Executive Director, Deadwood Alive - Relocate Projecting Sign from 715 Main Street and Install New Window Sign

Mr. Mohr stated the applicant is requesting permission to relocate projecting sign from 715 Main Street to 624 Main Street and install new window sign. The proposed signs and their locations are compliant with the sign ordinance. ***It was***

moved by Commissioner Rich and seconded by Commissioner Bruce to approve relocating the projecting sign from 715 Main to 624 Main Street. Voting Yea: Martinisko, Rich, Keehn, Bruce, Wagner

c. Review and Discussion of Amendment to Sign Ordinance 15.32.200 Illumination

Mr. Mohr stated the P&Z Commission has been questioning the issue of the sign illumination ordinance since the 4 Points sign request. Currently the city is basically allowing a neon type sign when neon is prohibited. Mr. Mohr, Mr. Kuchenbecker and Mr. Russell have worked together to determine which way is best to go forward for the landmark district. Staff is recommending adding only historic landmark signs may utilize direct illumination. A draft of the ordinance amendment was reviewed. This will go before the City Commission for first reading.

5. Planning and Zoning Commission

a. Transfer of Land and Creating Property Lines - Stage Run Phase 2 - WJP Holdings, LLC (William Pearson)

Mr. Russell stated WJP Holdings, LLC is submitting a plat for the transfer of land and creating a property line. The purpose of this plat is to facilitate the transfer of property and establish property lines in the Stage Run Phase 2. Legally described at Plat of Lots 1A and 1B, 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 Wagner and seconded by Commissioner Keehn to approve the proposed plat and to include Administrative Adjustments for the property legally described as Plat of Lots 1A and 1B, 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. Voting Yea: Martinisko, Rich, Keehn, Bruce, Wagner***

6. Items from Staff

Mr. Mohr reported the 4-points has 4th floor rocked and poured, 3rd floor production rock, fire lids on 2nd and started pouring the hard surface in the parking area.

Mr. Russell thanked Mr. Mohr for work on the sign ordinance. The first batch of letters are going out tomorrow for the short term rentals. First notice letter will come from P&Z and the second notice letter will come from City Attorney. On the box culvert they had their SAT meeting and have narrowed the choice down to 1A and 1C.

7. Adjournment

It was moved by Commissioner Bruce and seconded by Commissioner Wagner to adjourn the Planning and Zoning Commission meeting at 5:34 p.m. Voting Yea: Martinisko, Rich, Keehn, Bruce, Wagner

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Bonny Anfinson, Planning & Zoning Office/Recording Secretary

OFFICE OF
PLANNING, ZONING AND
HISTORIC
PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
Fax (605) 578-2084



Jeremy Russell
Planning and Zoning Administrator
Telephone (605) 578-2082
jeramyr@cityofdeadwood.com

STAFF REPORT
PLANNING AND ZONING
April 7, 2021 MEETING

APPLICANT: Darlene A. Hicks

PURPOSE: Creating Property Lines for the Purpose of Land Transfer

GENERAL LOCATION: Calamity Lane Area

LEGAL DESCRIPTION: PLAT OF LOTS K1 AND K2 BEING A PORTION OF TRACT H OF THE SUBDIVISION OF PROBATE LOT 327 AND LOT 5 OF PECK'S GARDEN SUBDIVISION LOCATED IN THE NW1/4 OF SECTION 27, T5N, R3E, B.H.M. LAWRENCE COUNTY, SOUTH DAKOTA

FILE STATUS: All legal obligations have been completed.

ZONE: R2: Residential Multi-family

STAFF FINDINGS:

Surrounding Zoning:

North: C – Commercial
South: CH – Commercial Highway
East: C – Commercial
West: CH – Commercial Highway

Surrounding Land Uses:

Vacant Land
Condominiums
Vacant Land
Condominiums

SUMMARY OF REQUEST

The purpose of this plat is to establish a new property line for the purpose of transferring land. This plat describes the area located off Calamity Lane. Ownership of this parcel is selling approximately half of the lot to Keith Ewy and will keep the remaining. To accomplish this, a property line has been created on the plat separating the two parcels.

FACTUAL INFORMATION

1. The property is currently zoned R2 – Multi-Family.
2. The proposed lots are comprised of the following acreage: Lot K1 0.757 Acres \pm , Lot K2 0.780 Acres \pm .
3. The subject property is located within a low density residential designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.

STAFF DISCUSSION

The proposed plat does not require a variance and is compliant with all City of Deadwood zoning ordinances.

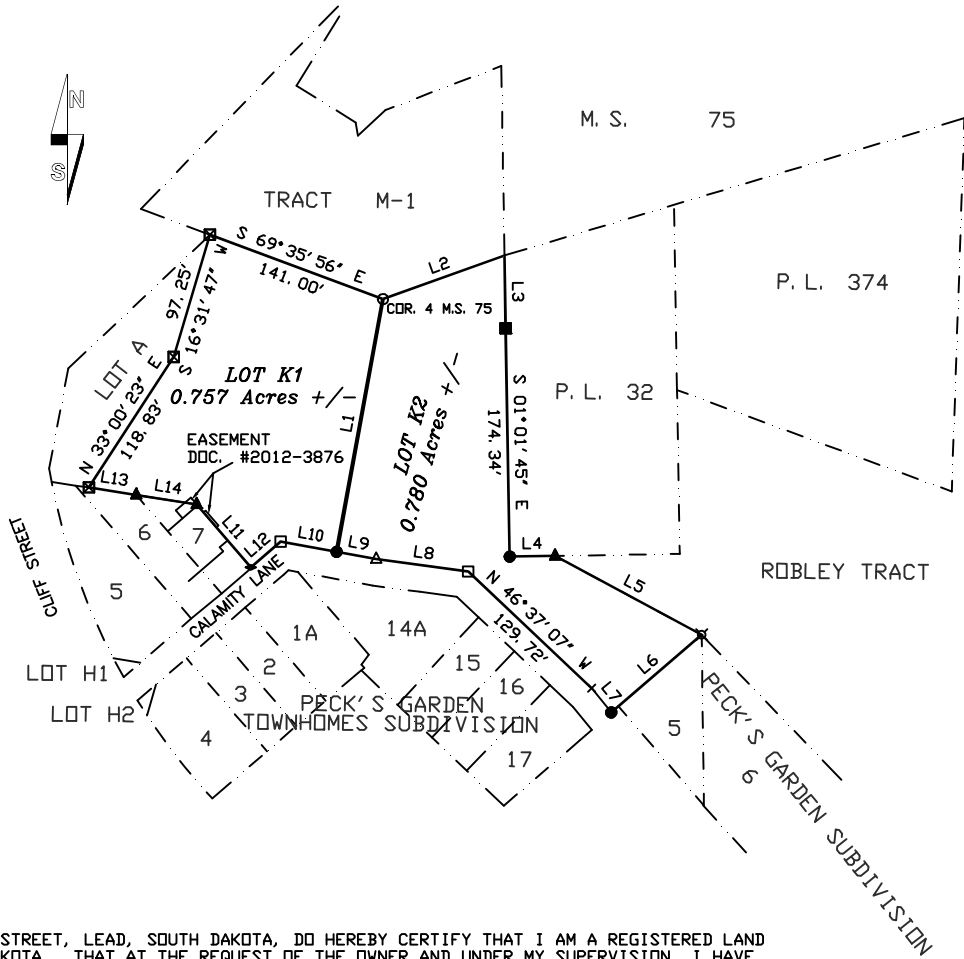
1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown on the plat and serves to "fix in time" the data represented on the plat.
5. The street bounding the lot is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.

ACTION REQUIRED:

1. Approval /Denial by Deadwood Planning and Zoning Commission

PLAT OF LOTS K1 AND K2
BEING A PORTION OF TRACT H OF THE SUBDIVISION OF PROBATE LOT
327, LOT 1 OF THE MURRAY SUBDIVISION OF PROBATE LOT 327 AND
LOT 5 OF PECK'S GARDEN SUBDIVISION
LOCATED IN THE NW¼ OF SECTION 27, T5N, R3E, B.H.M.
LAWRENCE COUNTY, SOUTH DAKOTA

- REBAR & CAP (VREM LS6577)
- ▲ REBAR & CAP (ARLETH LS3977)
- ☒ SDDOT (LS13309)
- DRILL STEEL
- PIPE
- △ CHISELED "X" ON CURB
- REBAR & CAP (LIPPENCOTT LS9048)
- ⌘ RAILROAD RAIL
- ◆ REBAR
- × CORNER NOT SET



LINE	BEARING	DISTANCE
L1	S 10°23'40" W	196.19'
L2	N 70°13'21" E	98.51'
L3	S 00°57'55" E	55.62'
L4	N 89°12'11" E	34.58'
L5	S 61°45'31" E	127.17'
L6	S 49°20'05" W	91.04'
L7	N 38°52'09" W	23.76'
L8	N 82°18'32" W	70.89'
L9	N 79°36'20" W	30.76'
L10	N 79°36'20" W	43.48'
L11	N 40°46'05" W	63.37'
L12	N 49°10'10" E	30.05'
L13	S 80°53'19" E	36.61'
L14	S 81°04'23" E	46.69'

OWNER/DEVELOPER
DARLENE A. HICKS
15 CALAMITY LANE
DEADWOOD, SD 57732

SURVEYOR'S CERTIFICATE

I, LOREN D. VREM, 332A WEST MAIN STREET, LEAD, SOUTH DAKOTA, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA. THAT AT THE REQUEST OF THE OWNER AND UNDER MY SUPERVISION, I HAVE CAUSED TO BE SURVEYED AND PLATTED THE PROPERTY SHOWN AND DESCRIBED HEREON. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE PROPERTY WAS SURVEYED IN GENERAL CONFORMANCE WITH THE LAWS OF THE STATE OF SOUTH DAKOTA AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING. DATED THIS ____ DAY OF _____, 20____.

LOREN D. VREM, R.L.S. 6577

OWNER'S CERTIFICATE

DARLENE A. HICKS, DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

OWNER: _____ ADDRESS: _____

OWNER: _____ ADDRESS: _____

ACKNOWLEDGMENT OF OWNER

ON THIS ____ DAY OF _____, 20____, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY

APPEARED _____
KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.
MY COMMISSION EXPIRES: _____ NOTARY PUBLIC: _____

CERTIFICATE OF COUNTY TREASURER
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

I, _____, LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY THAT _____ TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID. DATED THIS ____ DAY OF _____, 20____.

LAWRENCE COUNTY TREASURER: _____

APPROVAL OF HIGHWAY AUTHORITY
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

THE LOCATION OF THE PROPOSED ACCESS ROADS ABUTTING THE COUNTY OR STATE HIGHWAY AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY: _____

APPROVAL OF THE CITY OF DEADWOOD PLANNING COMMISSION
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

THIS PLAT APPROVED BY THE CITY OF DEADWOOD PLANNING COMMISSION THIS ____ DAY OF _____, 20____.

CHAIRMAN _____ ATTEST: _____ CITY PLANNER

APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

BE IT RESOLVED THAT THE CITY OF DEADWOOD BOARD OF COMMISSIONERS HAVING VIEWED THE WITHIN PLAT, DO HEREBY APPROVE THE SAME FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS, LAWRENCE COUNTY, SOUTH DAKOTA, DATED THIS ____ DAY OF _____, 20____.

ATTEST: _____ FINANCE OFFICER _____ MAYOR

OFFICE OF THE COUNTY DIRECTOR OF EQUALIZATION
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

I, LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT. DATED THIS ____ DAY OF _____, 20____.
LAWRENCE COUNTY DIRECTOR OF EQUALIZATION: _____

OFFICE OF THE REGISTER OF DEEDS
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

FILED FOR RECORD THIS ____ DAY OF _____, 20____, AT ____ O' CLOCK, ____ M., AND RECORDED IN DOC. _____.

LAWRENCE COUNTY REGISTER OF DEEDS: _____



Prepared By:
PONDEROSA LAND SURVEYS, L.L.C.
332A WEST MAIN STREET
LEAD, SD 57754
(605) 722-3840

Date: 3/14/2021
Drawn By: L. D. Vrem
Project No.: 21-35
Dwg. No.: 21-35.dwg

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
Deadwood, SD 57732



Jeremy Russell
Planning and Zoning Administrator
Telephone (605) 578-2082
jeramyr@cityofdeadwood.com
Fax (605) 578-2084

VENDOR APPLICATION

Date: April 2, 2021
To: Planning and Zoning Commission
From: Jeremy Russell, Planning & Zoning Administrator
Re: Rally Vending – Michael Snyder DBA Leather Headquarters

Leather Headquarters has been conducting business in Deadwood for over 10 years and has done business throughout the state of South Dakota. They do have a current sales tax number with the State Revenue Office. The location is to be at 555 Main Street (Tin Lizzie). The application was received before the review deadline and payment has been made. Staff recommends approval of the vendor permit.

Merchandise: Leather Goods, Accessories, Event T-Shirts, and Patches

Action:

Approval /denial of the vendor license for Leather Headquarters

Return Completed Form To:
Planning and Zoning
108 Sherman Street
Deadwood, SD 57732



Questions Contact
Jeramy Russell
(605) 578-2082 or
jeramyr@cityofdeadwood.com

Section 4 Item b.

Application Date: 3-27-21

APPLICATION FOR TEMPORARY VENDORS LICENSE

The Deadwood Zoning Administrator and Planning & Zoning Commission review all applications.

Applicants: Application must be received **60 days prior** to start of event. Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Applicant: Michael Snyder Telephone: (310) 480 2665

Name of Business: Leather Headquarters Telephone: (702) 431 8808

Applicant's Mailing Address: 4245 Boulder Highway Lvs Vegas NV 89121
Street City State Zip

Please select your type of vending:

- * Outside of a Structure - \$750.00 $\times 2$ 1500.-
- * Inside of an Existing Structure - \$250.00 $\times 2$ 500.- = \$2000.00

For a period of fourteen (14) days: Beginning: July 26, 2021
Ending: Aug 17, 2021

South Dakota Sales Tax Number: Will Drop off

Physical Street Address of Vending Location: 555 MAIN Street
Deadwood SD 57732 Shelby Room & Outside Patio

Contact Name and Phone Number of Property Owners: Blue Sky Gaming / Tim Lizzit
Mgr. Chris Walker 605-578-1893

Complete Description of Goods and/or Services: Retail Sales, Patch Sewing, Leather goods, Accessories, Boots, Helmets, Bags, Sunglasses, G.H.s, Mens Ladies & Childrens clothing, Event merchandise, Deadwood Merchandise, Jewelry

I agree that any falsification, misstatements or omissions, including those related to location and goods to be sold, shall result in immediate revocation of this license and forfeiture of the right to operate within the City Limits of Deadwood. It is further understood that payment of applicable state and city sales tax is made a provision of this license.

Applicant's signature: Michael Snyder Date submitted: 3/27/21

Fee: \$ _____ Paid On _____ Receipt Number _____

PLANNING AND ZONING ADMINISTRATOR:

Approved/P&Z Administrator: Yes ☐ No ☐ Signature: _____ Date: _____

PLANNING AND ZONING COMMISSION:

Approved/P&Z Commission: Yes ☐ No ☐ Date: _____

Reason for Denial (if necessary): _____