

# Planning and Zoning Commission Regular Meeting Agenda

Wednesday, December 04, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

- 1. Call to Order
- 2. Roll Call
- 3. Approval of Minutes
  - a. Approve the minutes from the November 20, 2024 Planning and Zoning Commission Meeting.

# 4. Sign Review Commission

a. Application for Sign Permit - 78 Cliff Street - Northern Hills Federal Credit Union (M. Willey). Applicant is requesting permission to re-face existing freestanding sign with new logo. Sign and location are compliant with sign ordinance.

Actions:

1. Approve/deny Application for Sign Permit.

# 5. Planning and Zoning Commission

 Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 54 Taylor Avenue – Miss Kahler's BNB (D. Kahler), legally described as Lot A, Lot D and Lot E of the subdivision of Lots 66-67 and 68, the southerly part of Lot 66 Block 35, and parts of Lots 28 through 36, Block 35, of the City of Deadwood, South Dakota, according to Plat Book 3 page 79-80, Lawrence County, South Dakota.

Action Required:

- 1. Public Discussion
- 2. Approval/Denial of continued use by Planning and Zoning Commission
- b. Annual Review Conditional Use Permit for Vacation Home Establishment 606 1/2 Main Street – The Nugget (W. Morris), legally described as Lot 24, in Block 15 of the Original Townsite of the City of Deadwood, Lawrence County, South Dakota, according to the P.L. Rogers Map except a portion of land along the southerly side of Lot 24, Block 15 being 8 inches in width fronting on Main and back of even width of 100' as set forth in deed and recorded in Book 162 Page 243.

Action Required:

- 1. Public Discussion
- 2. Approval/Denial of continued use by Planning and Zoning Commission
- C. Annual Review Conditional Use Permit for Bed and Breakfast Establishment 388 Main Street – First Deadwood Cottages (W. Morris), legally described as Lot 12 and the south half of Lot 13, both lots in Block 3 in the Fountain City addition to the City

of Deadwood, together with all improvements thereon and appurtenances thereunto belonging, subject to covenants, restrictions and reservations of record.

Action Required:

- 1. Public Discussion
- 2. Approval/Denial of continued use by 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 Regular Meeting Minutes

Wednesday, November 20, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

## 1. Call to Order

The meeting of the Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, November 20, 2024 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 Charles Eagleson Commissioner Ken Owens City Commissioner Blake Joseph

STAFF PRESENT Kevin Kuchenbecker – Planning, Zoning and Historic Preservation Officer Leah Blue-Jones – Zoning Coordinator

ABSENT Commissioner (Secretary) Dave Bruce Trent Mohr – Building Official

# 3. Approval of Minutes

a. Approve the minutes from the November 6, 2024 Planning and Zoning Commission meeting.

It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve the minutes from the November 6, 2024 Planning and Zoning Commission meeting. Voting yea: Martinisko, Keehn, Owens, Eagleson.

4. Sign Review Commission

# 5. Planning and Zoning Commission

 Application for Plat - Part of Palisades Tract of Deadwood Stage Run Addition (Summit at Deadwood Stage Run, LLC) legally described as Plat of Lots 13R, 14R, 15R, Block 3A, Lot 3R, Block 5 of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood formerly Lots 13, 14, 15, Block 3A and Lot 3, Block 5 of Palisades Tract of Deadwood Stage Run Addition. Plat of Lots 1, 2, 4, 5, 6 and 7, Block 5 and dedicated Public Right of Way of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood all located in the SW 1/4 of Section 14, the SE 1/4 of Section 15, the NE 1/4 N/E 1/4 of Section 22 and the N 1/2 NW 1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Actions:

- 1. Public discussion
- 2. Approve/Deny Application for Plat

Mr. Kuchenbecker introduced Application for Plat - Part of Palisades Tract of Deadwood Stage Run Addition (Summit at Deadwood Stage Run, LLC) and reviewed the Staff Report. Mr. Kuchenbecker explained all questions staff had regarding the plat have been answered. Questions included drainage, lot lines and a turnaround added to Lot 1. A hard copy of the final plat has been provided to the Commission for review.

Further discussion about roads and bonds occurred.

## It was moved by Commissioner Keehn and seconded by Commissioner Owens to approve Application for Plat - Part of Palisades Tract of Deadwood Stage Run Addition (Summit at Deadwood Stage Run, LLC). Voting yea: Martinisko, Keehn, Owens, Eagleson.

#### 6. Items from Citizens not on Agenda

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

#### 7. Items from Staff

Mr. Kuchenbecker discussed the FEMA project along Water Street. Bridges are going in and lights are going up. The project should be completed within the next thirty (30) days.

Retaining wall projects on Harrison Street and Taylor Avenue are in progress. The veneer on the Harrison Street retaining wall should be started soon. Crews working the Taylor Avenue retaining wall discovered unmarked storm sewer infrastructure requiring a change order, which was approved by the City Commission earlier this week.

The library wall and garden will have fencing installed within the next couple of weeks.

A Change of Zoning to CE - Commercial Enterprise was approved by the City Commission for 735 Main Street.

The Historic Preservation Budget will be presented to the South Dakota State Historical Society Board of Trustees in December.

Further discussion about Changes of Zoning occurred.

#### 8. Adjournment

It was moved by Commissioner Owens and seconded by Commissioner Eagleson to adjourn the Planning and Zoning Commission meeting. Voting yea: Martinisko, Keehn, Owens, Eagleson. There being no further business, the Planning and Zoning Commission adjourned at 4:11 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Minutes by Leah Blue-Jones, Zoning Coordinator

OFFICE OF **Planning & Zoning** 108 Sherman Street Telephone (605) 578-2082 Fax (605) 578-2084



"The Historic City of the Black Hills" Deadwood, South Dakota 57732 TRENT MOHR Building Inspector Dept. of Planning & Zoning Telephone: (605) 578-2082 Fax: (605) 578-2084

# SIGN PERMIT STAFF REPORT

Sign Review Commission December 4, 2024

Applicant: Mike Willey – Rosenbaum Signs Address: 51650 Samco Rd, Rapid City, SD 57702 Site Address of Proposed Signage: 78 Cliff Street (Northern Hills Federal Credit Union)

# **Computation of Sign Area**

Building Frontage: 100 Feet
Total Available Signage: 200 Square Feet
Existing Signage: One Freestanding – 44 Square Feet (to be re-faced)
Remaining Available Signage Area: 156 Square Feet
Proposed Sign Project: Install new sign faces on existing sign that are the same size as existing
Proposed Building Materials: Faces are aluminum composite panels (see attached rendering)
Proposed Lighting of the Signs: None
Location of Proposed Sign: Location of sign is not changing

# Discussion

The sign permit application in review is proposed at a location outside the locally-designated historic district and outside the national historic landmark district which is regulated by chapter 15.32.315 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 re-face the existing freestanding sign. The business has a redesigned logo which will be represented on the new sign faces. This sign was originally permitted in 2007 as the Dakota Territory Federal Credit Union. The sign was re-faced in 2014 when the business name changed to Northern Hills Federal Credit Union.

The proposed alteration of this sign is compliant with the sign ordinance.

OFFICE OF **Planning & Zoning** 108 Sherman Street Telephone (605) 578-2082 Fax (605) 578-2084



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## Variances

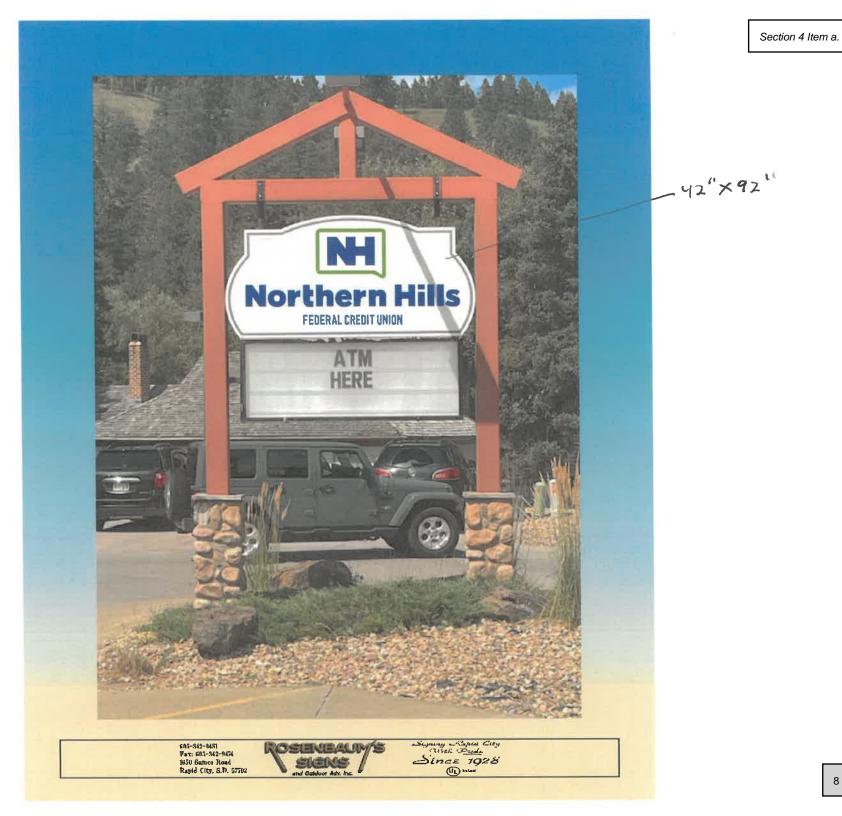
The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance 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.* 

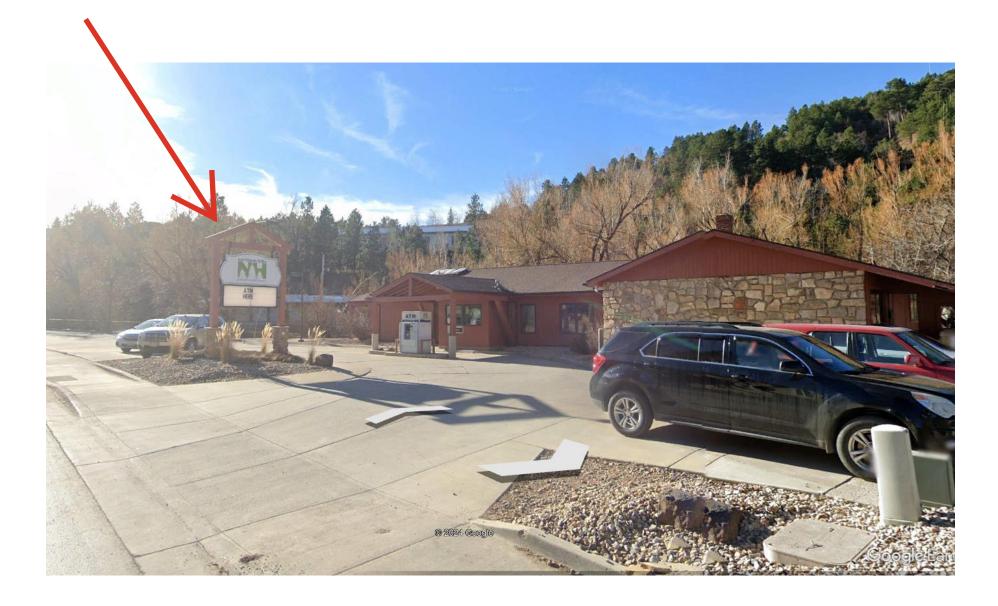
# **Sign Review Commission Action**

Motion to approve permit to alter the freestanding sign at 78 Cliff Street

OR

Motion to deny proposed sign permit application as submitted.





OFFICE OF PLANNING, ZONING AND HISTORIC PRESERVATION 108 Sherman Street Telephone (605) 578-2082 Fax (605) 722-0786



Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer Telephone (605) 578-2082 kevin@cityofdeadwood.com

# PLANNING AND ZONING COMMISSION CONDITIONAL USE PERMIT – ANNUAL REVIEW

# **Staff Report**

Date:	December 4, 2024				
From:	Kevin Kuchenbecker Planning, Zoning & Historic Preservation Officer				
То:	Planning ar	nd Zoning Commission			
RE:	Annual Rev	iew - Conditional Use Permit – Bed and Breakfast			
APPLICAN'	T(S):	Miss Kahler's BNB			
PURPOSE:		Annual Review – Conditional Use Permit – Bed and Breakfast Establishment			
ADDRESS:		54 Taylor Avenue Deadwood, Lawrence County, South Dakota			
LEGAL DE	SCRIPTION:	Lots A-D-E S/D of Lots 66-67 & 68 Blk 35, Original Town, City of Deadwood, Lawrence County, South Dakota			
FILE STAT	'US:	Legal obligations need to be met.			
ZONE:		R1 - Residential			
STAFF FIN	DINGS:				

	Surrou	nding Zoning:	Surrounding Land Uses:
	North:	R1 – Residential District	Residential
	South:	R1 – Residential District	Residential
	East:	R1 – Residential District	Residential
	West:	PU – Public Use	Recreation and Aquatic Center
~			

#### SUMMARY OF REQUEST

The Deadwood City Commission has directed the Planning and Zoning Commission to conduct annual reviews of all Conditional Use Permits in accordance with City of Deadwood Municipal Code 17.76.060. The applicant was issued a Conditional Use Permit on December 18, 2017, to operate a Bed and Breakfast Establishment at 54 Taylor Avenue.

The subject property is in a residential neighborhood and sits on a hill above the

City of Deadwood Recreation and Aquatic Center overlooking Sherman Street.

## FACTUAL INFORMATION

- 1. The property is currently zoned R1 –Residential.
- 2. The subject property has access from Taylor Avenue.
- 3. The subject property is located within a medium density land use classification on the adopted Zoning Map.
- 4. The property is not in a Flood Zone.
- 5. Adequate public facilities are available to serve the property.
- 6. The area is characterized by single-family dwellings.

## STAFF DISCUSSION

The applicant was granted a Conditional Use Permit for a Bed and Breakfast Establishment and City regulations permit Bed and Breakfast Establishments in R1- Residential Districts with an approved Conditional Use Permit. The subject property is a two (2) bedroom, one (1) bath unit within a triplex. Guests can park off-street in the driveway.

#### "Bed and Breakfast" is defined as:

Any building run by an operator that is used to provide accommodations for a charge to the public, with at most five (5) rental units for up to an average of ten (10) guests per night an in which family style meals are provided as defined and permitted by the State of South Dakota and this Title.

#### **COMPLIANCE:**

This Bed & Breakfast has been in continual use over the last 12 months.

No complaints are on record for this establishment.

A copy of the South Dakota Department of Health Lodging License is needed.

A South Dakota Department of Revenue sales tax number is needed.

According to Deckard – Rentalscape the property was booked 136 nights in the past 12 months and has received very good reviews.

# GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:

In reviewing any application under the authority of this chapter and as a further guide to its decision upon the facts of the case, the Commission(s) shall consider, among other things, the following facts:

A. The proposed use shall be in harmony with the general purposes, goals, objectives, and standards to the city policy plan, the ordinance, the district in which it is located, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the City of Deadwood.

The City Comprehensive Plan encourages a variety of uses and a mixture of housing types. Traffic and parking should not significantly affect the neighborhood if the applicant abides by the off-street parking requirements associated with Short-Term Rentals. This area is of residential use.

B. Whether or not a community need exists for the proposed use at the proposed location in light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the city and also within the immediate area of the proposed use: (a) the proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the proposed use.

The subject area is zoned R1– Multi-Family Residential District and is intended to provide locations for medium density, single family units. The current use has not resulted in an over-concentration of Bed and Breakfast Establishments within the immediate area.

C. The proposed use at this location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvement, public sites, or rights-of-way.

The applicant only uses off-street parking and prevents any public nuisance issues that are often associated with Short-Term Rentals. The current use has not resulted in a substantial or undue adverse effect on adjacent property, or the character of the neighborhood and the use has not altered the character of the neighborhood.

D. Whether or not a previously approved Conditional Use Permit that is still in use increases the proliferation of nonconforming uses. For any conditional use, lot and performance standards shall be the same as similar type uses located in specific districts. The character and use of buildings and structures adjoining or near the property mentioned in the application shall be considered in their entirety.

The current use has not increased the proliferation of non-conforming uses. The subject residence is in an area that does not have additional Short-Term Rentals in the immediate vicinity. The appearance of the structure has not changed; therefore, the character and use of the buildings and structures adjoining the subject property have not been adversely affected.

E. Whether or not the current use in the proposed area will be adequately served by, and will not impose an undue burden on, any improvements, facilities, utilities, and services.

The proposed use has not caused significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services. Existing services are available onsite. All utilities have been assigned commercial rates.

#### **CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:**

- A. Conditional Use Permits shall be temporary in nature. They are not transferable from person to person or from address to address.
- B. Following the issuance of a Conditional Use Permit, such permit may be amended, varied, or altered only pursuant to the standards and procedures established for its original approval.
- C. The Board of Adjustments can revoke Conditional Use Permits, once granted, for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filled with the Planning and Zoning Administrator and may be initiated by the Planning and Zoning Commission OR any three (3) residents within three hundred (300) feet of the property lines of which the application has been filed. All such revocation hearings shall be conducted in the same manner as for the Conditional Use Permit application hearings.
- D. The Planning and Zoning Commission shall have the authority to review Conditional Use Permits at any time and/or on an annual basis and place additional stipulations to mitigate a problem.
- E. Any use permitted under the terms of any Conditional Use Permit shall be established and conducted in conformity with the terms of such permit and of any conditions designated in connection therewith.
- F. If the use permitted under the terms of a Conditional Use Permit has not been started within six (6) months of the date of issuance thereof, said permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.
- G. If the use permitted under the terms of a Conditional Use Permit ceases, for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.

If approved for continued use, staff recommends for stipulation(s):

- 1. Proof of a South Dakota Department of Revenue sales tax number must be provided to the Planning and Zoning Office for their files.
- 2. Provide a copy of the South Dakota Department of Health Lodging License to the Planning and Zoning Office for their files.
- 3. Maintain a City of Deadwood Business License.

- 4. Proper paperwork is filed with the City of Deadwood Finance Office for Business Improvement District (BID) taxes.
- 5. The Building Inspector has inspected the building, and it meets all relevant building codes.
- 6. City water and sewer to remain at commercial rates.
- 7. All parking shall be off street.

# ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

1. Approval/Denial of continued use by Deadwood Planning and Zoning Commission

OFFICE OF PLANNING, ZONING AND HISTORIC PRESERVATION 108 Sherman Street Telephone (605) 578-2082 Fax (605) 722-0786



Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer Telephone (605) 578-2082 kevin@cityofdeadwood.com

November 4, 2024

Miss Kahler's BNB Attn: Debra Kahler 56 Taylor Avenue Deadwood, SD 57732

Re: Conditional Use Permit - Annual Review

Dear Debra,

The Deadwood City Commission has directed the Planning and Zoning Commission to conduct annual reviews of all Conditional Use Permits in accordance with City of Deadwood Municipal Code 17.76.060.

Below is information about your Conditional Use Permit(s) that is/are scheduled for review:

PROPERTY ADDRESS:54 Taylor AvenueCONDITIONAL USE TYPE:Short-Term Rental – Bed and BreakfastORIGINAL C.U.P. ISSUE DATE:December 18, 2017

Review of your Conditional Use Permit has been scheduled to take place, at the time and place shown below.

<b>REVIEW DATE:</b>	Wednesday, December 4, 2024
TIME:	4:00 PM
LOCATION:	Deadwood City Hall
	102 Sherman St.
	Deadwood, SD 57732

Please note, this is a public hearing, and you are welcome and encouraged to attend. Please do not hesitate to reach out with any questions related to your upcoming review.

Thank you,

Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer

cc: Leah Blue-Jones, Zoning Coordinator File



Map showing locations of nearby Short-Term Rentals to 54 Taylor Avenue.



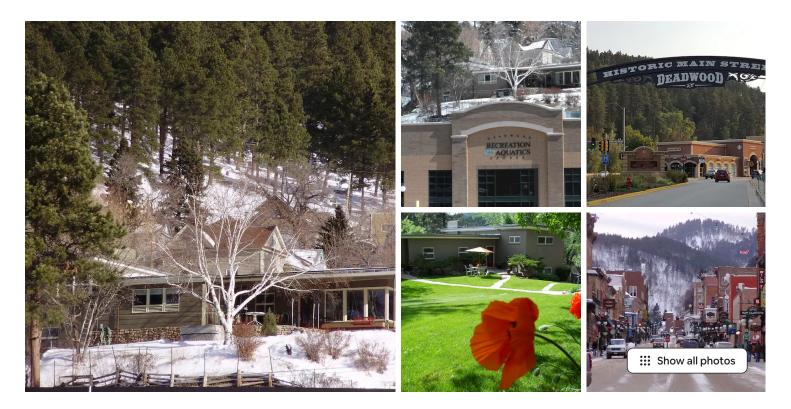


Aerial photo of 56 Taylor Avenue, Deadwood, SD 57732.



# **Deadwood Vacation Rental Apartment**

① <u>Share</u> ♡ <u>Save</u>



#### Entire rental unit in Deadwood, South Dakota 3 guests $\cdot$ 2 bedrooms $\cdot$ 2 beds $\cdot$ 1 bath

	Guest favorite	4.96 *****	441 <u>Reviews</u>
Ş	Hosted by Debra Superhost · 10 years hos	ting	
P	<b>Top 1% of homes</b> This home is one of the l	nighest ranked based on rat	ings, reviews, and reliability

Recent guests gave the check-in process a 5-star rating.

#### Mountain and city views

R

Soak up the views during your stay.

# Add dates for prices

снеск-ім Add date	снескоит Add date
<b>виеятя</b> 1 guest	~
Chec	k availability

Per l Report this listing The home is located in the Historic Deadwood Presidential neighborhood, that sets on the side of the cliff overlooking Deadwood, with magnificent mountain views.

Walking distance to all attractions - , restaurants, casinos, concerts, nightlife, museums and fitness center. Just steps away from everything Deadwood has to offer - literally - 116 steps down into the gulch. ...

Show more >

#### Where you'll sleep



Bedroom 2 queen beds

## What this place offers

- 「『」 City skyline view
- Mountain view
- ₩ Kitchen
- 🛜 Wifi
- 뇬쪽 Dedicated workspace
- Free driveway parking on premises 1 space
- HDTV with standard cable
- S Free washer In building
- 🕲 Dryer In building
- Window AC unit

Show all 64 amenities

# **Accessibility features**

This info was provided by the Host and reviewed by Airbnb.



Guest entrance and parking Accessible parking spot



Guest entrance and parking Lit path to the guest entrance

Show all 2 features

# Select check-in date

Add your travel dates for exact pricing

		Nove	mber	2024					Dece	mber	2024	
Su	Мо	Τυ	We	Th	Fr	Sa	Su	Мо	Τυ	We	Th	Fr
					1	2	1	5	Э	4	5	6
3	4	5	6	7	8	9	8	9	<del>10</del>	뀨	<del>12</del>	<del>13</del>
<del>10</del>	11	<del>12</del>	<del>13</del>	14	15	<del>16</del>	<del>15</del>	<del>16</del>	17	<del>18</del>	<del>19</del>	<del>20</del>
17	<del>18</del>	<del>19</del>	<del>20</del>	21	22	23	22	<del>23</del>	24	25	<del>26</del>	<del>27</del>
<del>24</del>	<del>25</del>	<del>26</del>	<del>27</del>	<del>28</del>	<del>29</del>	<del>30</del>	<del>29</del>	<del>30</del>	<del>31</del>			
: <u>::</u> ::												<u>(</u>



#### **Guest favorite**

This home is in the top 1% of eligible listings based on ratings, reviews, and reliability

11/4/24, 11:57 AM	Deadwoo	tates Section 5 Item a.				
Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Va Va
5	5.0	5.0	5.0	5.0	5.0	4.9
4 3	a:					
2	۲. The second	$\oslash$	ପ୍	$\Box$	$\square$	
			-			



Scotti Bismarck, North Dakota

★★★★★ · 1 week ago · Stayed a few nights

It was a great stay.



Lindsay Rae 7 years on Airbnb

#### ★★★★★ · 2 weeks ago · Stayed a few nights

You will NEVER run out of pillows or blankets there! It's also really fun to sit and chat with her and get history of the house. Everything is very comfortable and clean.



Lorraine Bridgeville, Delaware

\*\*\*\*\* · 2 weeks ago · Stayed a few nights Spacious, quiet and comfortable, well equipped apartment.



Matthew & Sina San Diego, California

#### ★★★★★ · 3 weeks ago · Stayed a few nights

Debra's place in Deadwood was the perfect spot for our trip to the Wild West Hackin' Fest! The location was unbeatable—close to everything, yet quiet enough to enjoy the beautiful views. The space was cozy and welcoming, making it a great retreat after the day's events. Can't wait to come back next year

#### Show more



Karen 3 years on Airbnb

#### ★★★★★ · October 2024 · Stayed a few nights

Debra's place was nice, somewhat spacious. well laid out. equipped kitchen and in a good location. Deadwood is a noisy town and this location was away from most of the noise. although loud vehicle noise ricochets off the canyon walls....

#### Show more



Joanne 11 years on Airbnb

\*\*\*\* · September 2024 · Stayed a few nights

Beautiful and loved home - very clean with plenty towels and linens. Friendly host!

Show all 441 reviews

Learn how reviews work

## Where you'll be

Deadwood, South Dakota, United States

	Days of '76 Museum 💿	
	His Deadwood	Muley Hill Lodge ( Q +
Google	Deadwood Map data ©2024 G	oogle 500 m Report a map error

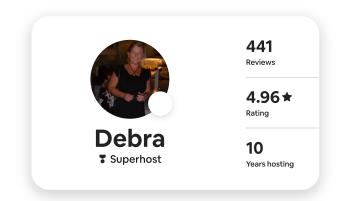
We verified that this listing's location is accurate. Learn more

## Neighborhood highlights

"The Presidential Neighborhood" Small town quiet historical neighborhood with narrow residential streets. Located on Boot Hill's "Mount Moriah Cemetery", the resting place of the infamous "Wild Bill Hickok"

#### Show more >

## Meet your Host



👰 Lives in Deadwood, South Dakota

Home owner, host and property manager.

#### Show more >

#### Debra is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

#### Host details

Response rate: 100% Responds within an hour

Message Host

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

#### Things to know

House rules

8

Check-in after 2:00 PM

Checkout before 11:00 AM

3 guests maximum

<u>Show more</u> > Safety & property

Carbon monoxide alarm

Smoke alarm

Not suitable for infants (under 2 years)

Show more > Cancellation policy

Add your trip dates to get the cancellation details for this stay.

#### Add dates >

Support		
Help Center		
Get help with a safety issue		
AirCover		
Anti-discrimination		
Disability support		
Cancellation options		
Report neighborhood concern		
Hosting		

#### Hosting

Airbnb your home

OFFICE OF PLANNING, ZONING AND HISTORIC PRESERVATION 108 Sherman Street Telephone (605) 578-2082 Fax (605) 722-0786



Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer Telephone (605) 578-2082 kevin@cityofdeadwood.com

# PLANNING AND ZONING COMMISSION CONDITIONAL USE PERMIT – ANNUAL REVIEW

# **Staff Report**

Date:	December 4, 2024				
From:	Kevin Kuchenbecker Planning, Zoning & Historic Preservation Officer				
То:	Planning ar	nd Zoning Commission			
RE:	Annual Review - Conditional Use Permit – Vacation Home Establishment				
APPLICAN'	Г(S):	The Nugget			
PURPOSE:		Annual Review – Conditional Use Permit – Vacation Home Establishment			
ADDRESS:		606 ½ Main Street Deadwood, Lawrence County, South Dakota			
LEGAL DE	SCRIPTION:	Lot 24, in Block 15 of the Original Townsite of the City of Deadwood, Lawrence County, South Dakota, according to the P.L. Rogers Map except a portion of land along the southerly side of Lot 24, Block 15 being 8 inches in width fronting on Main and back of even width of 100' as set forth in deed and recorded in Book 162 Page 243.			
FILE STAT	US:	Legal obligations have been met.			
ZONE:		C1 - Commercial			

# **STAFF FINDINGS:**

Surrour	nding Zoning:	Surrounding Land Uses:
North:	C1 – Commercial District	Commercial
South:	C1 – Commercial District	Commercial
East:	C1 – Commercial District	Commercial
West:	C1 – Commercial District	Commercial

#### SUMMARY OF REQUEST

The Deadwood City Commission has directed the Planning and Zoning Commission to conduct annual reviews of all Conditional Use Permits in accordance with City of Deadwood Municipal Code 17.76.060. The applicant was issued a Conditional Use Permit on December 19, 2023, to operate a Vacation Home Establishment at 606 <sup>1</sup>/<sub>2</sub> Main Street.

The subject property is located in the historic downtown commercial district and sits on Main Street among other commercial buildings. The Short-Term Rental is located on the upper floor of the structure.

#### FACTUAL INFORMATION

- 1. The property is currently zoned C1 Commercial.
- 2. The subject property has access from Main Street.
- 3. The subject property has access to parking via the Broadway Parking Ramp.
- 4. The property is not in a Flood Zone.
- 5. Adequate public facilities are available to serve the property.
- 6. The area is characterized as the core historic business district.

#### **STAFF DISCUSSION**

The applicant was granted a Conditional Use Permit for a Vacation Home Establishment and City regulations permit Vacation Home Establishments in C1- Commercial Districts with an approved Conditional Use Permit. The subject property is a one (1) bedroom, one (1) bath unit. Guests can park off-street in the Broadway Parking Ramp.

#### "Vacation Home Establishment" is defined as:

Any home, cabin, or similar building that is rented, leased, or furnished in its entirety to the public on a daily or weekly basis for more than fourteen (14) days in a calendar year and is not occupied by an owner or manager during the time of rental as defined and permitted by the State of South Dakota.

#### **COMPLIANCE:**

This Vacation Home Establishment has been in continual use over the last 12 months.

No complaints are on record for this establishment.

According to Deckard – Rentalscape the property was booked 41 nights in the past 12 months and has received very good reviews.

#### **GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:**

In reviewing any application under the authority of this chapter and as a further guide to its decision upon the facts of the case, the Commission(s) shall consider, among other things, the following facts:

A. The proposed use shall be in harmony with the general purposes, goals, objectives, and standards to the city policy plan, the ordinance, the district in which it is located, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the City of Deadwood.

The City Comprehensive Plan encourages a variety of uses and a mixture of housing types. Traffic and parking should not significantly affect the neighborhood if the applicant continues to abide by the off-street parking requirements associated with Short-Term Rentals. This area is of commercial use.

B. Whether or not a community need exists for the proposed use at the proposed location in light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the city and also within the immediate area of the proposed use: (a) the proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the proposed use.

The subject area is zoned C1– Commercial District and is intended to provide locations coinciding with the downtown core commercial zone where certain commercial uses and gaming are permitted. The current use has not resulted in an over-concentration of Vacation Home Establishments within the immediate area.

C. The proposed use at this location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvement, public sites, or rights-of-way.

The applicant only uses off-street parking and prevents any public nuisance issues that are often associated with Short-Term Rentals. The current use has not resulted in a substantial or undue adverse effect on adjacent property, or the character of the neighborhood and the use has not altered the character of the neighborhood.

D. Whether or not a previously approved Conditional Use Permit that is still in use increases the proliferation of nonconforming uses. For any conditional use, lot and performance standards shall be the same as similar type uses located in specific districts. The character and use of buildings and structures adjoining or near the property mentioned in the application shall be considered in their entirety.

The current use has not increased the proliferation of non-conforming uses. The subject residence is in an area that has a large number of hotels and Short-Term Rentals. The appearance of the structure has not changed; therefore, the character and use of the buildings and structures adjoining the subject property have not been adversely affected.

E. Whether or not the current use in the proposed area will be adequately served by, and will not impose an undue burden on, any improvements, facilities, utilities, and services.

The proposed use has not caused significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services. Existing services are available onsite. All utilities have been assigned commercial rates.

#### **CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:**

- A. Conditional Use Permits shall be temporary in nature. They are not transferable from person to person or from address to address.
- B. Following the issuance of a Conditional Use Permit, such permit may be amended, varied, or altered only pursuant to the standards and procedures established for its original approval.
- C. The Board of Adjustments can revoke Conditional Use Permits, once granted, for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filled with the Planning and Zoning Administrator and may be initiated by the Planning and Zoning Commission OR any three (3) residents within three hundred (300) feet of the property lines of which the application has been filed. All such revocation hearings shall be conducted in the same manner as for the Conditional Use Permit application hearings.
- D. The Planning and Zoning Commission shall have the authority to review Conditional Use Permits at any time and/or on an annual basis and place additional stipulations to mitigate a problem.
- E. Any use permitted under the terms of any Conditional Use Permit shall be established and conducted in conformity with the terms of such permit and of any conditions designated in connection therewith.
- F. If the use permitted under the terms of a Conditional Use Permit has not been started within six (6) months of the date of issuance thereof, said permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.
- G. If the use permitted under the terms of a Conditional Use Permit ceases,

for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.

If approved for continued use, staff recommends for stipulation(s):

- 1. Proof of a South Dakota Department of Revenue sales tax number has been provided to the Planning and Zoning Office for their files.
- 2. Provide a copy of the South Dakota Department of Health Lodging License to the Planning and Zoning Office for their files on an annual basis.
- 3. Maintain a City of Deadwood Business License.
- 4. Proper paperwork is filed with the City of Deadwood Finance Office for Business Improvement District (BID) taxes.
- 5. The Building Inspector has inspected the building, and it meets all relevant building codes.
- 6. City water and sewer to remain at commercial rates.
- 7. All parking shall be off street.

# ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

1. Approval/Denial of continued use by Deadwood Planning and Zoning Commission

OFFICE OF PLANNING, ZONING AND HISTORIC PRESERVATION 108 Sherman Street Telephone (605) 578-2082 Fax (605) 722-0786



Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer Telephone (605) 578-2082 kevin@cityofdeadwood.com

November 4, 2024

The Nugget Attn: Wayne Morris 388 Main Street Deadwood, SD 57732

Re: Conditional Use Permit - Annual Review

Dear Wayne,

The Deadwood City Commission has directed the Planning and Zoning Commission to conduct annual reviews of all Conditional Use Permits in accordance with City of Deadwood Municipal Code 17.76.060.

Below is information about your Conditional Use Permit(s) that is/are scheduled for review:

PROPERTY ADDRESS:606.5 Main StreetCONDITIONAL USE TYPE:Short-Term Rental – Bed and BreakfastORIGINAL C.U.P. ISSUE DATE:December 19, 2023

Review of your Conditional Use Permit has been scheduled to take place, at the time and place shown below.

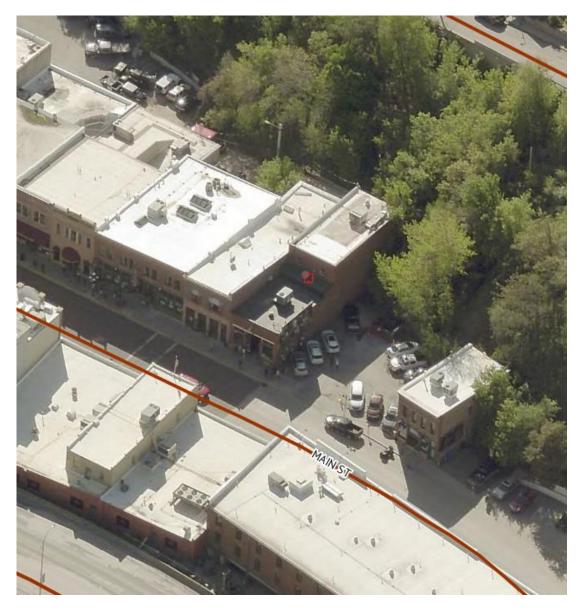
REVIEW DATE:	Wednesday, December 4, 2024
TIME:	4:00 PM
LOCATION:	Deadwood City Hall
	102 Sherman St.
	Deadwood, SD 57732

Please note, this is a public hearing, and you are welcome and encouraged to attend. Please do not hesitate to reach out with any questions related to your upcoming review.

Thank you,

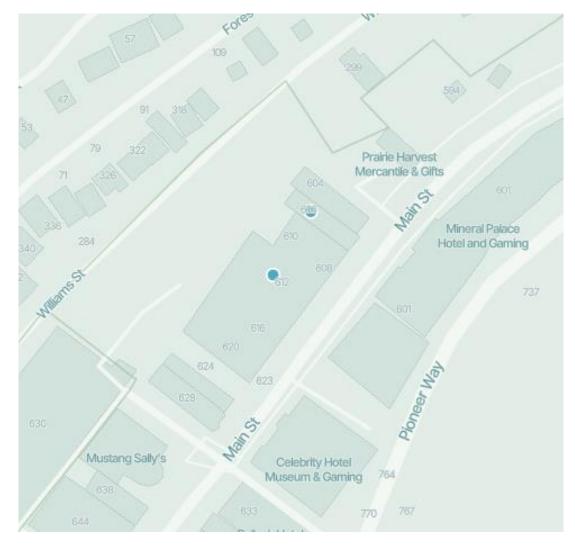
Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer

cc: Leah Blue-Jones, Zoning Coordinator File



Aerial photo of 606 ½ Main Street, Deadwood, SD 57732.





Map showing locations of nearby Short-Term Rentals to 606 ½ Main Street.



Section 5 Item b.

# Nugget Suite - Main Street



#### Entire rental unit in Deadwood, South Dakota

 $4\,guests\cdot 1\,bedroom\cdot 1\,bed\cdot 1\,bath$ 

	g Guest g favorite &	5.0 ****	8 <u>Reviews</u>
	Hosted by Wayne Superhost · 7 years hosting		
୍ତ୍ତ	<b>Exceptional check-in exp</b> Recent guests gave the check		ar rating.
0	Unbeatable location 100% of guests in the past yea	ar gave this locatio	on a 5-star rating.

# At-home coffee

ß

Start your morning right with the drip coffee maker.

# Add dates for prices CHECK-IN CHECKOUT Add date Add date GUESTS ✓ 1 guest ✓ Check availability

#### Report this listing

https://www.airbnb.com/rooms/908056653482887496?source\_impression\_id=p3\_1730757689\_P3qgRlQ52\_BO7nTO

Overlooking all things Deadwood and literally steps away from shopping, saloons, restaurants and gaming!

#### The space

Overlooking all things Deadwood and literally steps away from shopping, saloons, restaurants and gaming!...

Show more >

## What this place offers

- ₽]¶ Kitchen
- 🛜 Wifi
- Free parking on premises
- 🕉 Pets allowed
- 💭 ТV
- 🔞 Washer
- S Free dryer In building
- 🔆 Air conditioning
- 🕂 Bathtub
- Carbon monoxide alarm

Show all 47 amenities

# Select check-in date

Add your travel dates for exact pricing

Su	Мо	Τυ	We	Th	Fr	Sa	Su	Мо	Τυ	We	Th

November 2024

December 2024

	5.0	
--	-----	--

# **Guest favorite**

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5	5.0	5.0	5.0	5.0	5.0	4.9
3 2 1	۲ <sup>۵</sup>	$\odot$	ପ୍ତ୍ର	$\Box$		•>



Kelly Burnet, Texas

#### $\star \star \star \star \star \cdot \mathbf{Today} \cdot \mathbf{Stayed}$ with a pet

Such a fun place, conveniently located right in the heart of Deadwood! So much history in the decorations that we loved looking at. The place was so clean and well stocked with everything you may need. You walk out the door and you immediately can start making memories, or sit and look out the window with a Birds Eye view of Main Street. Communication was top notc...

#### Show more



Vicki Gettysburg, South Dakota

#### ★★★★★ · August 2024 · Stayed with a pet

Do not hesitate to stay at the Nugget Suite. We booked a last minute trip to Deadwood and were thrilled to find this suite available. The location is right on Main Street and so convenient and accessible to everything. Detailed directions are provided including pictures to locate the suite from the alley which was very much appreciated....

#### Show more



**Timothy** 4 years on Airbnb

★★★★★ · July 2024 · Stayed with a pet
Lee was a great host. Always responded as needed.



**Anne** Gillette, Wyoming

★★★★★ · June 2024 · Stayed one night

Highly recommend this sweet spot if you're looking to do deadwood. Great location where everything is walkable, great history attached to the place, and reasonably priced. We were so impressed with the place and Lee who was our point of contact was absolutely awesome!

#### Show more



**Trent** Cody, Wyoming

★★★★★ · March 2024 · Stayed a few nights
Great location. Great suite. Host is very responsive. Recommend for a couple or family of 4.



Carla Gering, Nebraska

★★★★★ · February 2024 · Stayed a few nights
Great place location can't be beat

Show all 8 reviews

# Where you'll be

Deadwood, South Dakota, United States



# Meet your Host

159 Reviews

	<b>4.79 ★</b> Rating		
	<b>7</b> Years hosting		
Wayne • Superhost			

👰 Lives in Deadwood, South Dakota

Proudly hosting guests in Deadwood, SD since the 2000's. We look forward to each one of our guest's stays. For my family and I, it is a pleasure to host you!

#### Show more >

#### Wayne is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

#### Host details

Response rate: 100% Responds within an hour

**Message Host** 

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

# Things to know

House rules

6

Check-in after 3:00 PM

Checkout before 11:00 AM

4 guests maximum

<u>Show more</u> > Safety & property

Carbon monoxide alarm not reported

Smoke alarm

Not suitable for children and infants

<u>Show more</u> > Cancellation policy OFFICE OF PLANNING, ZONING AND HISTORIC PRESERVATION 108 Sherman Street Telephone (605) 578-2082 Fax (605) 722-0786



Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer Telephone (605) 578-2082 kevin@cityofdeadwood.com

#### PLANNING AND ZONING COMMISSION CONDITIONAL USE PERMIT – ANNUAL REVIEW

#### **Staff Report**

Date:	December 4, 2024								
From:	Kevin Kuch Planning, Z	enbecker Joning & Historic Preservation Officer							
To:	Planning ar	nd Zoning Commission							
RE:	Annual Rev Establishm	riew - Conditional Use Permit – Bed and Breakfast ent							
APPLICAN	T(S):	First Deadwood Cottages							
PURPOSE:		Annual Review – Conditional Use Permit – Bed and Breakfast Establishment							
ADDRESS:		388/390 Main Street Deadwood, Lawrence County, South Dakota							
LEGAL DE	SCRIPTION:	Lot 12 and the south half of Lot 13, both lots in Block 3 in the Fountain City addition to the City of Deadwood, together with all improvements thereon and appurtenances thereunto belonging, subject to covenants, restrictions and reservations of record.							
FILE STAT	'US:	Legal obligations have been met.							
ZONE:		CH – Commercial Highway							
STAFF FIN	DINGS:								

Surrour	nding Zoning:	Surrounding Land Uses:					
North:	CH – Commercial Highway	Commercial					
South:	CH – Commercial Highway	Commercial					
East:	PU – Public Use	Highway					
West:	R1 – Residential	Residential					

#### SUMMARY OF REQUEST

The Deadwood City Commission has directed the Planning and Zoning Commission to conduct annual reviews of all Conditional Use Permits in accordance with City of Deadwood Municipal Code 17.76.060. The applicant was issued a Conditional Use Permit on December 31, 2023, to operate a Bed and Breakfast Establishment at 388 Main Street.

The subject property is located on the highway and sits in between two other commercial buildings. Residences are located behind the establishment.

#### FACTUAL INFORMATION

- 1. The property is currently zoned CH Commercial Highway.
- 2. The subject property has access from Main Street.
- 3. The subject property has access to off-street parking via a driveway parking lot located on the premises.
- 4. The property is not in a Flood Zone.
- 5. Adequate public facilities are available to serve the property.
- 6. The area is characterized by businesses that sit along the highway, with access to single family homes located the establishment.

#### **STAFF DISCUSSION**

The applicant was granted a Conditional Use Permit for a Bed and Breakfast Establishment and City regulations permit Bed and Breakfast Establishments in CH - Commercial Highway Districts with an approved Conditional Use Permit. The subject property has ten (10) bedrooms, and ten (10) bathrooms spread over four (4) cottages. According to advertisements, the establishment can accommodate up to twenty-four (24) guests per night. Guests can park off-street in the parking lot located on the property.

It does not appear, from viewing advertisements for the property, that familystyle meals are being provided to guests. Due to the large size of the establishment, and the absence of family style meals being served, reconsideration may need to be given as to the current classification as a Bed and Breakfast Establishment. A more appropriate designation may be of a Vacation Home Establishment.

#### "Bed and Breakfast" is defined as:

Any building run by an operator that is used to provide accommodations for a charge to the public, with at most five (5) rental units for up to an average of ten (10) guests per night and in which family style meals are provided as defined and permitted by the State of South Dakota.

#### "Vacation Home Establishment" is defined as:

Any home, cabin, or similar building that is rented, leased, or furnished in its entirety to the public on a daily or weekly basis for more than fourteen (14) days in a calendar year and is not occupied by an owner or manager during the time of rental.

#### **COMPLIANCE:**

This Bed and Breakfast Establishment has been in continual use over the last 12 months.

No complaints are on record for this establishment.

According to Deckard – Rentalscape the property was booked 194 nights in the past 12 months and has received very good reviews.

#### **GENERAL USE STANDARDS FOR CONDITIONAL USE PERMITS:**

In reviewing any application under the authority of this chapter and as a further guide to its decision upon the facts of the case, the Commission(s) shall consider, among other things, the following facts:

A. The proposed use shall be in harmony with the general purposes, goals, objectives, and standards to the city policy plan, the ordinance, the district in which it is located, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the City of Deadwood.

The City Comprehensive Plan encourages a variety of uses and a mixture of housing types. Traffic and parking should not significantly affect the neighborhood if the applicant continues to abide by the off-street parking requirements associated with Short-Term Rentals. This area is of mixed use, with businesses situated along the highway and single-family homes located behind the property.

B. Whether or not a community need exists for the proposed use at the proposed location in light of existing and proposed uses of a similar nature in the area and of the need to provide or maintain a proper mix of uses both within the city and also within the immediate area of the proposed use: (a) the proposed use in the proposed location shall not result in either a detrimental over concentration of a particular use from previously permitted uses within the city or within the immediate area of the proposed use.

The subject area is zoned CH– Commercial Highway District and is intended to provide locations for commercial uses, which require access to roads and highways, and substantial amounts of parking. The current use has not resulted in an over-concentration of Short-Term Rentals within the immediate area.

C. The proposed use at this location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvement, public sites, or rights-of-way.

The applicant only uses off-street parking and the manager's office is located onsite. The current use has not resulted in a substantial or undue adverse effect on adjacent property, or the character of the neighborhood and the use has not altered the character of the neighborhood. D. Whether or not a previously approved Conditional Use Permit that is still in use increases the proliferation of nonconforming uses. For any conditional use, lot and performance standards shall be the same as similar type uses located in specific districts. The character and use of buildings and structures adjoining or near the property mentioned in the application shall be considered in their entirety.

The current use has not increased the proliferation of non-conforming uses. The subject residence is in an area that has many hotels, casinos and Short-Term Rentals. The appearance of the structure has not changed; therefore, the character and use of the buildings and structures adjoining the subject property have not been adversely affected.

E. Whether or not the current use in the proposed area will be adequately served by, and will not impose an undue burden on, any improvements, facilities, utilities, and services.

The proposed use has not caused significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services. Existing services are available onsite. All utilities have been assigned commercial rates.

#### **CONDITIONS GOVERNING APPLICATIONS AND PROVISIONS:**

- A. Conditional Use Permits shall be temporary in nature. They are not transferable from person to person or from address to address.
- B. Following the issuance of a Conditional Use Permit, such permit may be amended, varied, or altered only pursuant to the standards and procedures established for its original approval.
- C. The Board of Adjustments can revoke Conditional Use Permits, once granted, for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filled with the Planning and Zoning Administrator and may be initiated by the Planning and Zoning Commission OR any three (3) residents within three hundred (300) feet of the property lines of which the application has been filed. All such revocation hearings shall be conducted in the same manner as for the Conditional Use Permit application hearings.
- D. The Planning and Zoning Commission shall have the authority to review Conditional Use Permits at any time and/or on an annual basis and place additional stipulations to mitigate a problem.
- E. Any use permitted under the terms of any Conditional Use Permit shall be established and conducted in conformity with the terms of such permit and of any conditions designated in connection therewith.
- F. If the use permitted under the terms of a Conditional Use Permit has not been started within six (6) months of the date of issuance thereof, said

permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.

G. If the use permitted under the terms of a Conditional Use Permit ceases, for whatever reason, for a period of twelve (12) months, said permit shall expire and be canceled by the City Planning Department. Written notice thereof shall be given to the person(s) affected, together with notice that further use or work as described in the canceled permit shall not proceed, unless and until a new Conditional Use Permit has been obtained.

If approved for continued use, staff recommends for stipulation(s):

- 1. Proof of a South Dakota Department of Revenue sales tax number has been provided to the Planning and Zoning Office for their files.
- 2. Update the State of South Dakota Department of Health Lodging License to reflect a Vacation Home Establishment instead of a Bed and Breakfast Establishment.
- 3. Provide a copy of the South Dakota Department of Health Lodging License to the Planning and Zoning Office for their files on an annual basis.
- 4. Maintain a City of Deadwood Business License.
- 5. Proper paperwork is filed with the City of Deadwood Finance Office for Business Improvement District (BID) taxes.
- 6. The Building Inspector has inspected the building, and it meets all relevant building codes.
- 7. City water and sewer to remain at commercial rates.
- 8. All parking shall be off street.

#### ACTION REQUIRED FOR CONDITIONAL USE PERMIT:

1. Approval/Denial of continued use by Deadwood Planning and Zoning Commission.

OFFICE OF PLANNING, ZONING AND HISTORIC PRESERVATION 108 Sherman Street Telephone (605) 578-2082 Fax (605) 722-0786



Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer Telephone (605) 578-2082 kevin@cityofdeadwood.com

November 4, 2024

First Deadwood Cottages Attn: Wayne Morris 388 Main Street Deadwood, SD 57732

Re: Conditional Use Permit - Annual Review

Dear Wayne,

The Deadwood City Commission has directed the Planning and Zoning Commission to conduct annual reviews of all Conditional Use Permits in accordance with City of Deadwood Municipal Code 17.76.060.

Below is information about your Conditional Use Permit(s) that is/are scheduled for review:

PROPERTY ADDRESS:388 Main StreetCONDITIONAL USE TYPE:Short-Term Rental – Bed and BreakfastORIGINAL C.U.P. ISSUE DATE:December 19, 2023

Review of your Conditional Use Permit has been scheduled to take place, at the time and place shown below.

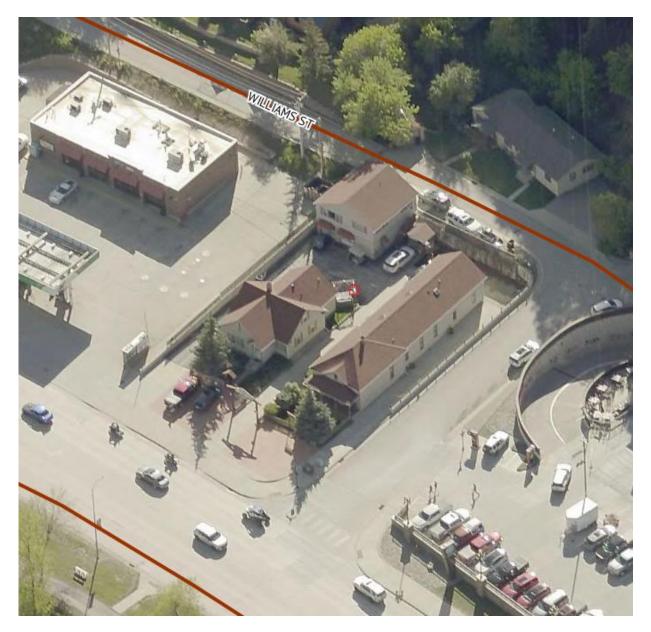
REVIEW DATE: Wednesday, December 4, 2024 TIME: 4:00 PM LOCATION: Deadwood City Hall 102 Sherman St. Deadwood, SD 57732

Please note, this is a public hearing, and you are welcome and encouraged to attend. Please do not hesitate to reach out with any questions related to your upcoming review.

Thank you,

Kevin Kuchenbecker Planning, Zoning and Historic Preservation Officer

cc: Leah Blue-Jones, Zoning Coordinator File



Aerial photo of 388/390 Main Street, Deadwood, SD 57732.





Map showing locations of nearby Short-Term Rentals to 388/390 Main Street.



#### Calamity Jane Cottage at First Deadwood Cottages



#### Entire rental unit in Deadwood, South Dakota

4 guests  $\cdot$  2 bedrooms  $\cdot$  2 beds  $\cdot$  1 bath

	Guest favorite	4.8 *****	30 <u>Reviews</u>
	Hosted by Wayne Superhost · 7 years host	ing	
Ā	<b>Top 10% of homes</b> This home is highly rank	ed based on ratings, review	ws, and reliability.
୍ତ୍ର	Exceptional check-ir Recent guests gave the	<b>experience</b> check-in process a 5-star	rating.

#### Unbeatable location

 $\bigcirc$ 

100% of guests in the past year gave this location a 5-star rating.

CHECK-IN	CHECKOUT
Add date	Add date
guests 1 guest	

#### Report this listing

One of our 4 cottages. While this two-bedroom cottage is located at a Main Street address, the entrance is located facing a quiet "off Main Street" residential area. Convenient parking area next to the front door provides a private entrance and the small patio directly below the cliffs of red rocks offers the perfect location for an evening in the shade.The apartment is equipped with a full kitchen as well as washer and dryer. ...

Show more >

#### Where you'll sleep

<b>e</b>	<b>e</b>
Bedroom 1	Bedroom 2
1 queen bed	1 queen bed

#### What this place offers

₽ĮØ Kitchen Ś Wifi 合 Free parking on premises ሎ Shared hot tub Pets allowed ŵ ΤV 6 Washer Dryer ĺ© ж Air conditioning  $|\chi|$ Carbon monoxide alarm

Show all 31 amenities

#### Select check-in date

·····

Add your travel dates for exact pricing

		Nove	Dece	December 2024								
Su	Мо	Τυ	We	Th	Fr	Sa	Su	Мо	Τυ	We	Th	
					7	2	4	2	3	4	5	
3	4	등	6	7	8	9	<u>0</u>	9	<del>10</del>	11	12	:
<del>10</del>	11	<del>12</del>	<del>13</del>	14	15	16	15	<del>16</del>	<del>17</del>	<del>18</del>	<del>19</del>	× N
17	18	19	20	21	<del>22</del>	<del>23</del>	22	<del>23</del>	24	<del>25</del>	<del>26</del>	× I a
24	25	<del>26</del>	<del>27</del>	<del>28</del>	<del>29</del>	<del>30</del>	<del>29</del>	<del>30</del>	31			

### 4.8

#### **Guest favorite**

This home is in the **top 10%** of eligible listings based on ratings, reviews, and reliability

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5	4.8	4.9	4.8	4.9	4.9	4.8
4						
2	<del>ک</del> <sup>*</sup>	$\bigcirc$	୍ର	$\Box$	$\square$	$\bigcirc$
I		U	G	•	~	v

**Audrey** 7 years on Airbnb

★★★★★ · 1 week ago · Stayed a few nights I would definitely stay here again!!!

> **Amy** 8 years on Airbnb

\*\*\*\*\* • September 2024 • Stayed with a pet Can't wait to be back!

11/5/24, 12:25 PM

Calamity Jane Cottage at First Deadwood Cottages - Apartments for Rent in Deadwood, South Dakota, United

**Coy** 3 years on Airbnb

#### ★★★★★ · September 2024 · Stayed a few nights

Very clean and accommodating place! Close to downtown Deadwood but away from the commotion for quieter evenings if desired.

**Stacey** 3 months on Airbnb

★★★★★ · August 2024 · Stayed a few nights
Great stay, clean home, full kitchen.

**Tyran** Miles City, Montana

★★★★★ · September 2023 · Stayed a few nights Great stay

> Jacob 2 years on Airbnb

★★★★★ · September 2023 · Stayed a few nights

Nice and cozy place to stay. Easy location and walking distance to everything you need. Will stay again!

Show all 30 reviews

Learn how reviews work

#### Where you'll be

Deadwood, South Dakota, United States

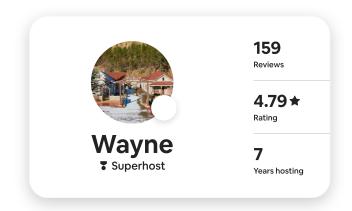
We verified that this listing's location is accurate. Learn more

#### Neighborhood highlights

The Calamity Jane Cottage is perfectly located next to a major resort and amenities. It's close enough to walk down town, but still private enough to enjoy the hot tub and outdoor kitchen area.

#### Show more >

#### Meet your Host



👰 Lives in Deadwood, South Dakota

Proudly hosting guests in Deadwood, SD since the 2000's. We look forward to each one of our guest's stays. For my family and I, it is a pleasure to host you!

#### Show more >

#### Wayne is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

#### Host details

6

Response rate: 100% Responds within an hour

**Message Host** 

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

#### Things to know

#### House rules

Check-in after 3:00 PM

Checkout before 11:00 AM

4 guests maximum

<u>Show more</u> > Safety & property

Carbon monoxide alarm not reported

Smoke alarm

Some spaces are shared

<u>Show more</u> > Cancellation policy

Add your trip dates to get the cancellation details for this stay.

#### Add dates >

Support
Help Center
Get help with a safety issue
AirCover
Anti-discrimination
Disability support
Cancellation options
Report neighborhood concern
Hosting
Airbnb your home

AirCover for Hosts

Hosting resources

Community forum

Hosting responsibly

Airbnb-friendly apartments

Join a free Hosting class

Find a co-host

#### **Bullock Cottage at First Deadwood Cottages**



#### Entire cottage in Deadwood, South Dakota

8 guests  $\cdot$  3 bedrooms  $\cdot$  6 beds  $\cdot$  3 baths

★ 4.78 · <u>32 reviews</u>



 $\bigtriangledown$ 

#### Hosted by Wayne Superhost · 7 years hosting

#### Sectional check-in experience

Recent guests gave the check-in process a 5-star rating.

### Unbeatable location 100% of guests in the past year gave this location a 5-star rating.

#### Wayne is a Superhost

Superhosts are experienced, highly rated Hosts.

Within walking distance of all the downtown action yet far enough to get away from it all. This great location is within one block of a major casino resort, amenities and the Trolley. After a day of seeing the sites you must enjoy the hot-tub in the backyard and cook in the BBQ Kitchen area.

The space...

## Add dates for prices

Report this listing

>

#### Where you'll sleep



Bedroom 1 1 king bed



1/2

Bedroom 2 1 queen bed

#### What this place offers

- ₩ Kitchen
- 🛜 Wifi
- Free parking on premises
- 🕰 Hot tub
- ∞ Pets allowed
- TV with standard cable
- S Free washer In unit
- 🕲 Dryer
- Air conditioning
- Carbon monoxide alarm

Show all 51 amenities

#### Select check-in date

Add your travel dates for exact pricing

Su	Мо	Növe	ember	2024	Fr	Sa	Su	Мо	Dece	ember	2024		L
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17	18	<del>19</del>	<del>20</del>	<del>21</del>	<del>22</del>	<del>23</del>	22	23	24	25	26		

#### ★ 4.78 · 32 reviews

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5 4	4.8	4.9	4.9	4.8	5.0	4.6
3 2 1	۲. ۲	$\oslash$	୍ତ୍ତ	$\Box$		•>



Barbara Castle Rock, Colorado

#### \*\*\*\* · September 2024 · Stayed with kids

The Location was perfect for our event at the fairgrounds. Within walking distance. Also we were able to walk downtown to shops & restaurants. It was stocked with everything we needed for cooking meals. The outdoor area was a bonus. Great stay!

#### Show more



Alyssa 9 years on Airbnb

#### \*\*\*\* · September 2024 · Group trip

Highly recommend Wayne's place!! Great location for walking to/from restaurants and casinos. This was a sxs trip for us; plenty of space to park our trailer onsite and great location for jumping on the trails right from the house. The house was nice and spacious for three couples and enjoyed the hot tub after a long day of riding. We hope to be back!!

#### Show more



Melissa 4 months on Airbnb

#### \*\*\*\*\* · August 2024 · Group trip

This is my second stay with Wayne. He has been great to work with both times. He's responsive and helpful. The place was really clean and enjoyable. Our group can't wait to return again.

#### Show more



2 years on Airbnb

Kevin

#### ★★★★★ · March 2024 · Group trip

Wonderful stay within walking distance of downtown Deadwood. Very nice, clean and comfortable space with everything you need for a weekend getaway.



**Jerrad** 10 months on Airbnb

#### ★★★★★ · February 2024 · Group trip

Eight friends and I recently stayed here and all slept comfortably for 3 nights and couldn't have been happier. The host was great and checked in with us by phone. The place is amazing location with a gas station and Cadillac jacks right next door. Everything was easily walkable in February. Will be staying here again in the future. He even left a little gift for the occasion.

#### Show more



**Melissa** Norfolk, Nebraska

#### \*\*\*\*\* · February 2024 · Group trip

We loved our stay! Easy walk to downtown when we wanted to go. Great place. Can't wait to stay here when we decide to come back to town.

Show all 32 reviews

#### Where you'll be

#### Deadwood, South Dakota, United States

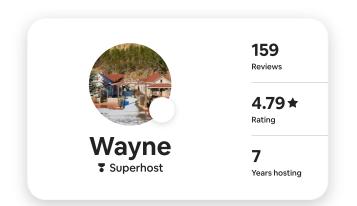


#### Neighborhood highlights

The Bullock Cottage is perfectly located next to a major resort and amenities. It's close enough to walk down town, but still private enough to enjoy the hot tub and outdoor kitchen area.

#### Show more >

#### Meet your Host



👰 Lives in Deadwood, South Dakota

Proudly hosting guests in Deadwood, SD since the 2000's. We look forward to each one of our guest's stays. For my family and I, it is a pleasure to host you!

#### Show more >

#### Wayne is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Host details

Response rate: 100% Responds within an hour

**Message Host** 

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

#### Things to know

House rules

8

Check-in after 3:00 PM

Checkout before 11:00 AM

8 guests maximum

<u>Show more</u> > Safety & property

#### Poker Alice Cottage at First Deadwood Cottages



Entire home in Deadwood, South Dakota 8 guests · 3 bedrooms · 5 beds · 2 baths

\star 4.86 · <u>37 reviews</u>



 $\bigtriangledown$ 

#### Hosted by Wayne Superhost · 7 years hosting

#### လ္ပြ Exceptional check-in experience

Recent guests gave the check-in process a 5-star rating.

Self check-in Check yourself in with the keypad.

#### Wayne is a Superhost

Superhosts are experienced, highly rated Hosts.

We really hate to say it, but this place literally has it all. Just ask our previous guests! This is a home away from home., with a full kitchen to prepare your favorite meals. A living room and dining area. An upstairs sleeping loft with 2 twin beds and a private king bedroom with en suite. A sleeping area down stairs has 2 queen beds. A BBQ Kitchen area and hot tub outside. A terrific place to stay when you are touring the beautiful ...

# CHECK-IN CHECKOUT Add date Add date GUESTS ~ 1 guest ~ Check availability

Report this listing

https://www.airbnb.com/rooms/21325437?source\_impression\_id=p3\_1730834673\_P3P8IDUvjrdNkYEU

>

Section 5 Item c.

#### Where you'll sleep



Bedroom 1 1 king bed, 1 couch



1/2

Bedroom 2 2 queen beds

#### What this place offers

- ₩ Kitchen
- 🛜 Wifi
- Free parking on premises
- 🕰 Hot tub
- ∞ Pets allowed
- TV with standard cable
- 🙆 Washer
- S Dryer
- 🔆 Air conditioning
- Patio or balcony

Show all 45 amenities

#### Select check-in date

Add your travel dates for exact pricing

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::::																	

#### ★ 4.86 · 37 reviews

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5	4.8	5.0	5.0	5.0	5.0	4.8
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**Kelly** 9 years on Airbnb

\*\*\*\* · September 2024 · Stayed a few nights

Very responsive to queries and easy walk into centre. Could have been cleaner and outside area very noisy as near to road. Didn't know hot tub was shared

#### Show more

**Justin** 4 years on Airbnb

\*\*\*\*\* · September 2024 · Group trip great place nice host

> **Terry** New Richmond, Wisconsin

#### ★★★★★ · August 2024 · Group trip

5 Star would stay there again in a heartbeat. Great location easy walk to the downtown. Clean lots of room. Nice with motorcycles to have a garage.

**Brianna** 2 years on Airbnb

★★★★★ · July 2024 · Group trip

11/5/24, 12:24 PM

Poker Alice Cottage at First Deadwood Cottages - Houses for Rent in Deadwood, South Dakota, United Sta

Section 5 Item c.

This place was great! Master bedroom was huge, and other rooms had lots of space. We had 7 people and we did crowded in this space at all. Location is very walkable to Main Street and there are trolly stops nearby if you aren't looking to walk. The owner/manager was super helpful and polite when we showed up, he even left a box of treats for our doggies. We...

Show more

**Coleman** 7 months on Airbnb

★★★★★ · June 2024 · Group trip Awesome place and great location. Host super friendly and responsive!

> Rachael 10 months on Airbnb

★★★★★ · June 2024 · Group trip

We loved our stay! We loved the location. The hosts were great at communicating with us and were super nice! We would definitely stay here again.

Show all 37 reviews

#### Where you'll be

Deadwood, South Dakota, United States

We verified that this listing's location is accurate. Learn more

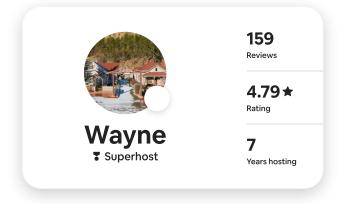
#### Neighborhood highlights

The Poker Alice Cottage is perfectly located next to a major resort and amenities.

Show more >

**Meet your Host** 

 $https://www.airbnb.com/rooms/21325437? source\_impression\_id=p3\_1730834673\_P3P8IDUvjrdNkYEU$ 



#### 🔇 Lives in Deadwood, South Dakota

Proudly hosting guests in Deadwood, SD since the 2000's. We look forward to each one of our guest's stays. For my family and I, it is a pleasure to host you!

Show more >

#### Wayne is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

#### Host details

Response rate: 100% Responds within an hour

Message Host

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

#### Things to know

#### House rules

6

Check-in after 3:00 PM

Checkout before 11:00 AM

8 guests maximum

<u>Show more</u> > Safety & property

Carbon monoxide alarm

Smoke alarm

#### Wild Bill Cottage at First Deadwood Cottages



#### Entire cottage in Deadwood, South Dakota

4 guests  $\cdot$  2 bedrooms  $\cdot$  2 beds  $\cdot$  1 bath

★ 4.71 · <u>52 reviews</u>



Hosted by Wayne Superhost · 7 years hosting



 $\bigtriangledown$ 

Self check-in Check yourself in with the keypad.

#### Wayne is a Superhost

Superhosts are experienced, highly rated Hosts.

This unit is within a short walking distance to downtown Deadwood. It is one of our guests favorites because it was built in the early 1900's. It has been refurbished to a very comfortable place to stay. It's decorated in true Victorian Style.

The space...

Show more >

## CHECK-IN CHECKOUT Add date Add date GUESTS ✓ 1 guest ✓ Check availability

Report this listing

#### Where you'll sleep



Bedroom 1 1 double bed



Bedroom 2 1 queen bed

#### What this place offers

- 🛜 Wifi
- Free parking on premises
- Shared hot tub
- Pets allowed
- 💭 HDTV
- 🔆 Air conditioning
- 👉 Bathtub
- Backyard
- 🖫 Hair dryer
- Carbon monoxide alarm

Show all 34 amenities

#### Select check-in date

Add your travel dates for exact pricing

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	November 2024							December 2024										
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#### ★ 4.71 · 52 reviews



#### Wendy

7 months on Airbnb

#### $\star\star\star\star\star\cdot$ July 2024 $\cdot$ Stayed with a pet

Very much enjoyed staying here! Loved the cottage and the yard for our dog. Our hosts were flexible with our stay as we wanted to add a couple more nights. So glad we did as there is so much to do in the area. Highly recommend!

#### Show more

Rachael Wray, Colorado

\*\*\*\*\* · March 2024 · Stayed a few nights
Great place! Feels like you've gone back in time in Deadwood!

**John** 3 years on Airbnb

#### ★★★★★ · July 2023 · Stayed with a pet

Exactly what i was looking for to enjoy my family! Lee was on top of everything and gave great information on events in this old West community! Great communications and great place for an old West vacation! Highly recommend it!

#### Show more

**Cole** Gillette, Wyoming

\*\*\*\*\* · October 2022 · Stayed a few nights
Perfect place to stay in Deadwood. Location is perfect

Gary

Sioux Falls, South Dakota

★★★★★ · March 2022 · Stayed a few nights

Wayne was great to work with and very easy check in. Plus communication was great and very quick response to questions.

Cailey

Schuyler, Nebraska

★★★★★ · March 2022 · Stayed a few nights

Great location! Decorated very old western, perfect for the Deadwood feel! Would definitely stay here again!

Show all 52 reviews

Where you'll be

Deadwood, South Dakota, United States

We verified that this listing's location is accurate. Learn more

#### Neighborhood highlights

The Wild Bill Cottage is perfectly located next to a major resort and amenities. It is close enough to walk downtown, but still private enough to enjoy the hot tub and outdoor kitchen area.

Show more >

#### Meet your Host

159 Reviews



👰 Lives in Deadwood, South Dakota

Proudly hosting guests in Deadwood, SD since the 2000's. We look forward to each one of our guest's stays. For my family and I, it is a pleasure to host you!

#### Show more >

#### Wayne is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

#### Host details

Response rate: 100% Responds within an hour

**Message Host** 

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

#### Things to know

House rules

6

Check-in after 3:00 PM

Checkout before 11:00 AM

4 guests maximum

<u>Show more</u> > Safety & property

Carbon monoxide alarm not reported

Smoke alarm

Show more > Cancellation policy

Add your trip dates to get the cancellation details for this stay.