



Planning and Zoning Commission Meeting Agenda

Wednesday, March 17, 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 3, 2021 Minutes
4. **Sign Review Committee**
 - a. 93 Sherman Street - Blake and Noelle Waufle - Install New Wall Sign
Action Required:
 - a. Recommend Approval/Denial by Sign Review Commission
 - 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
Action Required:
 - a. Recommend Approval/Denial by Sign Review Committee
 - c. Review and Discussion of Amendment to Sign Ordinance 15.32.200 Illumination
5. **Planning and Zoning Commission**
 - a. Transfer of Land and Creating Property Lines - Stage Run Phase 2 - WJP Holdings, LLC (William Pearson)
Action Required:
 - a. Recommend Approval/Denial by Planning and Zoning Commission
6. **Items from Staff**
7. **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 03, 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 3, 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 Charlie Struble-Mook

STAFF PRESENT

Jeremy Russell, Planning and Zoning Administrator

Trent Mohr, Building Inspector

Cindy Schneringer, Administrative Assistant

3. Approval of Minutes

- a. Approval of February 17, 2021 Minutes

It was moved by Commissioner Bruce and seconded by Commissioner Rich to approve the February 17, 2021 minutes. Voting Yea: Martinisko, Rich, Keehn, Bruce, Wagner

4. Sign Review Committee

- a. 311 Cliff Street - Court French - Install New Wall Sign in Place of Existing Sign

Mr. Mohr stated the applicant is requesting permission to install a new wall sign in place of an existing sign. This is a continuation of the rebranding of this establishment as it changes from a motel to apartments. As you recall, he was approved to replace his freestanding sign previously. The proposed sign and its location are compliant with the sign ordinance and requires no variances. ***It was moved by Commissioner Keehn and seconded by Commissioner Wagner to approve the installation of a new sign in place of existing sign. Voting Yea: Martinisko, Rich, Keehn, Bruce, Wagner***

5. Items from Staff

Mr. Russell reported he is working with Trent on an amendment to the illumination section of the sign ordinance they were tasked with during the last meeting. We are anticipating about three to four weeks for the amendment to be ready for the first reading.

The past two weeks been working more with the short term rental module through Harmari. Can't thank Cindy, Bonny and Trent enough. We have formed a team allowing us to each take on a different role. Getting close to sending out the first round of letters.

Working with our new parking software. Parking is changing here in Deadwood. Most of the kiosks are now active. Waiting on IPS to finalize the cameras in the parking garage to activate the kiosks there.

The Parking and Transportation Committee is working on an ordinance for residential parking.

6. Adjournment

It was moved by Commissioner Wagner and seconded by Commissioner Keehn to adjourn the meeting at 5:09 p.m. Voting Yea: Martinisko, Rich, Keehn, Bruce, Wagner

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Cindy Schneringer, Planning & Zoning Office/Recording Secretary

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

March 17, 2021

Applicant: Blake and Noelle Waufle

Address: 93 Sherman St, Deadwood, SD 57732

Site Address of Proposed Signage: 93 Sherman St (Deadwood Day Spa)

Computation of Sign Area

Building Frontage: 50 Feet

Total Available Signage: 100 Square Feet

Existing Signage: one projecting sign (16 Square Feet) – permit issued 01-06-21

Remaining Available Signage Area: 84 Square Feet

Proposed Sign Project: Install new wall sign (4.5 Square Feet)

Proposed Building Materials: Painted metal (see attached rendering)

Proposed Lighting of the Signs: None

Location of Proposed Sign: Above the door on the rear of the building

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 add this sign at 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.

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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

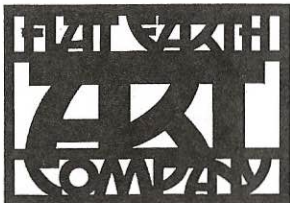
Motion to approve permit for new wall sign at 93 Sherman St

OR

Motion to deny proposed sign permit application as submitted

EXTERIOR SIGN OVER REAR ENTRY DOOR

Section 4 Item a.



Tim Peterson
ARTIST

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

(605) 642-5794

Designed exclusively for:

DEADWOOD DAY SPA

Address:

93 SHERMAN ST

Date:

2/26/21

Phone:

307-315-4265

The prices, specifications, and conditions as described are satisfactory and are hereby accepted. You are authorized to do the work as specified.

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

Signature

Date

This design is the property of the designer, and may be reproduced in any manner without written permis



New sign here.

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SIGN PERMIT STAFF REPORT

Sign Review Commission

March 17, 2021

Applicant: Andy Mosher, Executive Director, Deadwood Alive

Address: PO Box 190, Deadwood, SD 57732

Site Address of Proposed Signage: 624 Main Street (Wild Bill Bar)

Computation of Sign Area

Building Frontage: 25 Feet

Total Available Signage: 50 Square Feet

Existing Signage: Wall sign (50 Square Feet counted as 25 Square Feet)
 Projecting sign (5 Square Feet counted as 2.5 Square Feet)
 Projecting sign (12.5 Square feet counted as 6.25 Square Feet)

Remaining Available Signage Area: 16.25 Square Feet

Proposed Sign Project: Relocate projecting sign (15 Square Feet) from 715 Main Street and install new window sign (5 Square Feet counted at 25% = 1.25 Square Feet)

Proposed Building Materials: painted metal and vinyl (see attached renderings and photos)

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.*

Beginning this season the Trial of Jack McCall will be held upstairs at this location. The projecting sign is being relocated from previous location at the Masonic Center, 715 Main Street. The window sign will be new. This signage is to advertise the new location of the Trail of Jack McCall.

The proposed signs and their locations are compliant with the sign ordinance.

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Variances

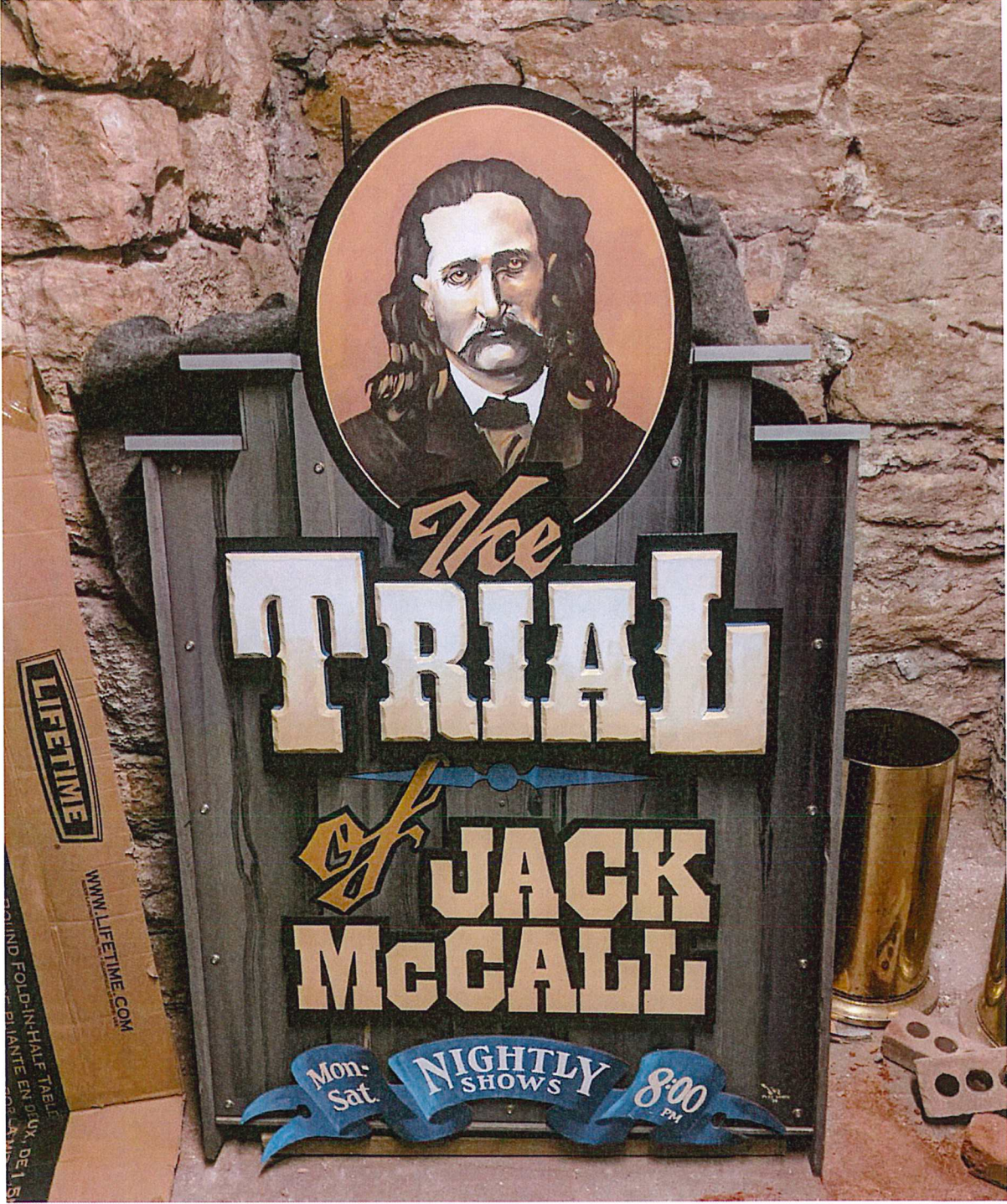
The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance 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 to relocate one projecting sign and install new window sign at 624 Main Street

OR

Motion to deny proposed sign permit application as submitted.



Existing Sign which hung at Masonic Temple



Proposed window sign for second story theatre & The Trial of Jack McCall



Proposed relocation of projecting sign

15.32.200 Illumination.

A. Within the local historic district as established by Ordinance No. 777 and any amendment thereto, no internally illuminated signs shall be allowed. Outside the local historic district, opaque letters or designs set out from a building or sign face and lit by soft white illumination from behind the letters may be allowed on new construction within the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)). However, no other type of internally illuminated signs shall be allowed within the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)), outside of the local historic district as established by Ordinance No. 777 and any amendment thereto. All types of internally illuminated signs may be allowed outside of the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)).

B. Exterior signs shall not be illuminated by neon, the sole exception to this being historic landmark signs. Window signs may be illuminated by neon, but will be counted at one hundred (100) percent of their actual size for the purposes of Article V of this chapter.

C. Illumination of signs by direct lighting shall be accomplished in such a manner that light does not spill over onto adjacent properties.

D. Signs shall not have lights or illumination that flashes, moves, rotates, scintillates, blinks, flickers or varies in intensity or color. Signs shall not use intermittent electrical or electronic pulsations. Strings of light bulbs shall not be used in connection with commercial premises other than for traditional holiday decorations (See Section 15.32.130(7)).

(Ord. 1170 (part), 2012; prior code § 26-500)

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OFFICE OF
PLANNING, ZONING AND
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108 Sherman Street
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Jeremy Russell
Planning and Zoning Administrator
Telephone (605) 578-2082
jeramyr@cityofdeadwood.com

STAFF REPORT
PLANNING AND ZONING
March 17, 2021 MEETING

APPLICANT: WJP Holdings, LLC (William Pearson)

PURPOSE: Transfer of land & Creating Property Lines.

GENERAL LOCATION: Stage Run Phase 2

LEGAL DESCRIPTION: 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

FILE STATUS: All legal obligations have been completed.

ZONE: P.U.D. – Planned Unit Development

STAFF FINDINGS:

Surrounding Zoning:

North: PF – Park Forest
South: P.U.D – Planned Unit Development
East: P.U.D – Planned Unit Development
West: Lawrence County Land

Surrounding Land Uses:

Lawrence County/Vacant
Residential Homes
Residential Homes
Vacant

SUMMARY OF REQUEST

The purpose of this plat is to facilitate the transfer of property and establish property lines. This plat describes the area located at 727 (Lot 1A) and 729 (Lot 1B) Stage Run Road. A duplex is currently being constructed on these two lots. Lot 1B does encroach into the 20-foot front yard

setback requirement and the 20-foot utility easement. This was approved administratively by Public Works Director Bob Nelson Jr. and Planning and Zoning Administrator Jeramy Russell.

FACTUAL INFORMATION

1. The property is currently zoned P.U.D. – Planned Unit Development.
2. The proposed lots are comprised of the following acreage: *Lot 1A* 0.164 Acres±, *Lot 1B* 0.115 Acres±.
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

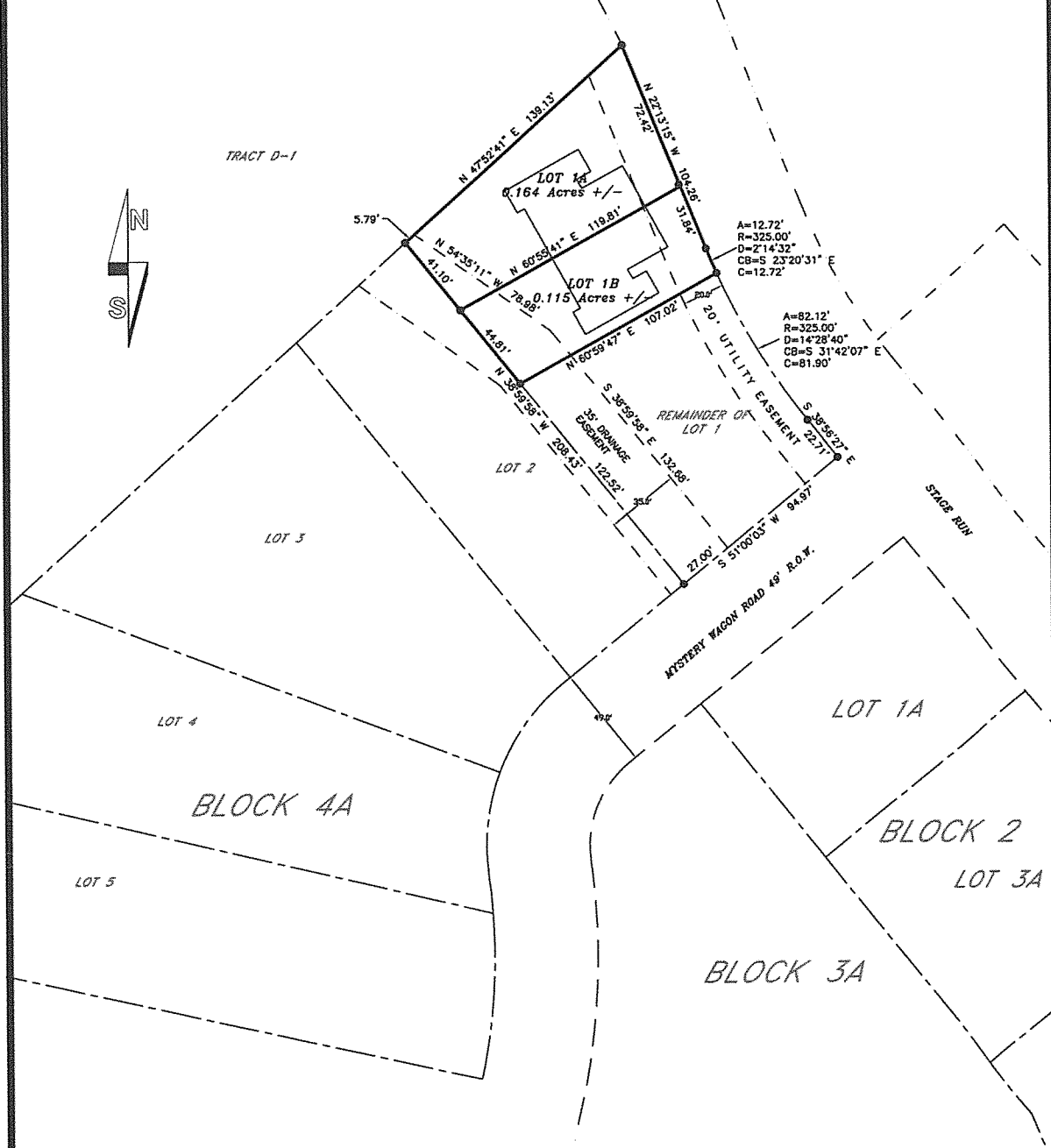
Phase 2 of Stage Run was laid out in the original master plan that Deadwood Stage Run LLC presented to the City of Deadwood in 2007. At that time, it was approved by the Deadwood Planning and Zoning Commission as well as the City Commission.

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 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



● REBAR & CAP (VREM L56577)

- NOTES:
- 1) OWNER/DEVELOPER
W&P HOLDINGS LLC
PO BOX 631
DEADWOOD, SD 57732
 - 2) A 5' DRAINAGE & UTILITY EASEMENT IS HEREBY GRANTED ALONG SIDE AND REAR LOT LINES AND 10' ALONG THE FRONT UNLESS OTHERWISE NOTED

<p>Prepared By: PONDEROSA LAND SURVEYS, L.L.C. 332A WEST MAIN ST. LEAD, SOUTH DAKOTA 57754 (605) 722-3840</p>	Date:	3/3/2021
	Drawn By:	L. D. Vrem
	Project No.:	21-116
	Dwg. No.:	21-116.dwg

PLAT OF LOTS 1A AND 1B, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE
RUN ADDITION TO THE CITY OF DEADWOOD
LOCATED IN THE SW¼ OF SECTION 14, THE SE¼ OF SECTION 15, THE NE¼/NE¼
OF SECTION 22 AND THE N¼NW¼ OF SECTION 23, T5N, R3E, B.H.M.,
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA
FORMERLY A PORTION OF LOT 1, BLOCK 4A

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
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

_____, 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
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

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 ST.
LEAD, SOUTH DAKOTA 57754
(605) 722-3840

Date:	3/3/2021
Drawn By:	L. D. Vrem
Project No.:	21-116
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