



## Planning and Zoning Commission Regular Meeting Agenda

Wednesday, August 03, 2022 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
  - [a.](#) Approval of July 20, 2022 Minutes
4. **Sign Review Commission**
  - [a.](#) 460 Main Street, Suite A - Kim Borsch for Brett Johnson - Install New Wall Sign and New Window Sign  
Action Required:
    - a. Approval/Denial by Sign Review Commission
  - [b.](#) 460 Main Street, Suite B - Kim Borsch for Todd Smith - Install New Wall Sign and New Projecting Sign  
Action Required:
    - a. Approval/Denial by Sign Review Commission
5. **Planning and Zoning Commission**
  - [a.](#) Final Plat – 125 Mystery Wagon Road – WJP Holdings, LLC  
Action Required:
    - a. Approval/Denial 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 meetings are not available by Zoom unless requested.*



## Planning and Zoning Commission Regular Meeting Minutes

Wednesday, July 20, 2022 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

### 1. Call to Order

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, July 20, 2022 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) Josh Keehn

Commissioner (Secretary) Dave Bruce

Commissioner Kevin Wagner

Commissioner Charles Eagleson

City Commissioner Charlie Struble

STAFF PRESENT

Jeramy Russell, Planning and Zoning Administrator

Trent Mohr, Building Inspector

Cindy Schneringer, Administrative Assistant

### 3. Approval of Minutes

- a. Approval of June 1, 2022 Minutes

***It was moved by Commissioner Wagner and seconded by Commissioner Bruce to approve the June 1, 2022 minutes. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Eagleson***

### 4. Sign Review Commission

- a. 633 Main Street - Virginia Wolf - Install New Projecting Sign

Mr. Mohr stated have one application for consideration tonight. It is for a projecting sign at 633 Main Street, the Bullock Hotel. The applicant is Virginia Wolf, Virginia Wolf Gallery and Studio. She is setting up a little space in the lobby of the Bullock. The previous sign said fudge. They will use the existing mount and it is a large sign. This sign will have a brand on it so it requires a sign permit. The fudge sign was pretty generic so a permit was not required. The proposed sign and its location are compliant and requires no variances.

***It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to approve the sign permit for 633 Main Street to install a new projecting sign. Voting Yea: Martinisko, Keehn, Bruce, Wagner, Eagleson***

## 5. Planning and Zoning Commission

- a. Temporary Vending Application - 175 Sherman Street - Sid Ziegler - That's Me 2 A T

Mr. Russell stated he was able to conduct the investigation we need to do to make sure he is following everything by the state requirements. He will be setting up at the old Bone Daddy's area. He will not have a tent. He will set up underneath their canopy. Sid Ziegler is his name and he prints peoples hot rods on t-shirts. If someone has a hot rod during Kool Deadwood Nites he wants the ability to put it on a t-shirt for them. He tried to do this a couple of years ago and couldn't find a spot. He was able to find a spot this year and we are trying to work with him.

***It was moved by Commissioner Wagner and seconded by Commissioner Keehn to approve the Temporary Vending Application for That's Me 2 A T waiving the sixty day application notice. (After investigation was performed by staff it was determined the applicant put the wrong month on the form and therefore did meet the sixty day application time frame.) Voting Yea: Martinisko, Keehn, Bruce, Wagner, Eagleson***

## 6. Items from Citizens not on Agenda

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

## 7. Items from Staff

Mr. Russell reported this is by far the busiest time in Deadwood's history for any employee. We are all so short handed. I told you guys I am now the Director of the Trolley System as well. We've had some leadership changes and of course all of you have heard we are loosing Bob Nelson, Jr. which is a huge loss to the City. Not only is he a great friend but just an amazing asset to the City. The institutional knowledge he has is a big loss to us. Kevin Kuchenbecker is going to be assuming his role temporarily until we get someone hired. Realistically, we are looking at a couple months minimum until we find the right candidate. We also abruptly lost a few more employees over the last two weeks. We lost our IT Coordinator Lance Sandidge. His last day was last Thursday. That came really fast. On top of that, my Trolley Superintendent Ken Rehberg abruptly retired. Our para transit driver, who has driven for the City for years assisting our residents who are disabled, veterans, and elderly going to appointments, etc., informed us this week that his last day is Friday. So a lot is going on. A lot of stress on everybody. Tomorrow we have our budget session from 8:00am until 5:00pm where we present our budget. Be good to get passed doing that because of all the planning that goes into it. The City approved a MOU (Memorandum of Understanding) for the second TIF for Phase 2 of Stage Run so we will likely see the boundary come in to Planning and Zoning in the next couple of weeks. Again, we just look at the boundary and recommend approval or denial to the City Commission. There will be a ground breaking for the Ridge Apartments on July 28th at 3:00pm for workforce apartments. Staff had a really great kickoff meeting with the design team, JLG and secondary Walker Consultants, about the RFP for the proposed parking garage we just completed. We have proposed for them to look for more sites and what their thoughts of where it should be.

**8. Adjournment**

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

There being no further business, the Planning and Zoning Commission adjourned at 5:26 p.m.

ATTEST:

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Chairman, Planning & Zoning Commission

*Cindy Schneringer, Planning & Zoning Office/Recording Secretary*

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Secretary, Planning & Zoning Commission

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

**TRENT MOHR**  
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## SIGN PERMIT STAFF REPORT

Sign Review Commission

August 3, 2022

**Applicant:** Kim Borsch for Brett Johnson

**Address:** 460 Main Street Suite A, Deadwood, SD 57732

**Site Address of Proposed Signage:** 460 Main Street (formerly HUB Insurance)

### Computation of Sign Area

**Building Frontage:** 20 Feet

**Total Available Signage** 40 Square Feet

**Existing Signage:** None

**Remaining Available Signage Area:** 40 Square Feet

**Proposed Sign Project:** Install new wall sign (12 Square Feet) and new window sign (4.5 Square Feet)

**Proposed Building Materials:** Wood and Metal (see attached rendering)

**Proposed Lighting of the Signs:** None

**Location of Proposed Sign:** See attached rendering

### Discussion

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

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

The applicant is opening a business office in this location and wishes to install signs to advertise this business.

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 permits for new wall sign and window sign at 460 Main Street, Suite A

OR

Motion to deny proposed sign permit application as submitted.



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## SIGN PERMIT STAFF REPORT

Sign Review Commission

August 3, 2022

**Applicant:** Kim Borsch for Todd Smith

**Address:** 460 Main Street Suite B, Deadwood, SD 57732

**Site Address of Proposed Signage:** 460 Main Street (formerly HUB Insurance)

### Computation of Sign Area

**Building Frontage:** 100 Feet

**Total Available Signage:** 200 Square Feet

**Existing Signage:** None

**Remaining Available Signage Area:** 100 Square Feet

**Proposed Sign Project:** Install new wall sign (37 Square Feet) and new projecting sign (24 Square Feet)

**Proposed Building Materials:** Wood and Metal (see attached rendering)

**Proposed Lighting of the Signs:** None

**Location of Proposed Sign:** See attached rendering

### Discussion

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

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

The applicant is opening a retail business at this location and wishes to install signs to advertise this business.

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



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## Variances

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## Sign Review Commission Action

Motion to approve permits for new wall sign and projecting sign at 460 Main Street Suite B

OR

Motion to deny proposed sign permit application as submitted.







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Planning and Zoning Administrator  
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**STAFF REPORT**  
**PLANNING AND ZONING**  
August 3, 2022 MEETING

**APPLICANT:** WJP Holdings, LLC (William Pearson)

**PURPOSE:** Transfer of land & Creating Property Lines.

**GENERAL LOCATION:** 125 Mystery Wagon Road (Stage Run Phase 2)

**LEGAL DESCRIPTION:** LOTS 14A AND 14B, BLOCK 4A OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOT 14, BLOCK 4A 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

**FILE STATUS:** All legal obligations have been completed.

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

**STAFF FINDINGS:**

Surrounding Zoning:

North: P.U.D – Planned Unit Development  
South: P.U.D – Planned Unit Development  
East: P.U.D – Planned Unit Development  
West: P.U.D – Planned Unit Development

Surrounding Land Uses:

Residential Homes  
Residential Homes  
Vacant Land  
Vacant Land

**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 125 (Lot 14) Mystery Wagon Road. A duplex has been constructed on this lot which needs to be separated by a property line down the center of the structure before the property is sold. This will plat will create lots 14 A & 14 B.

### 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 14A* 0.165 Acres $\pm$ , *Lot 14B* 0.185 Acres $\pm$ .
3. The subject property is located within a low density residential designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.

### STAFF DISCUSSION

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.

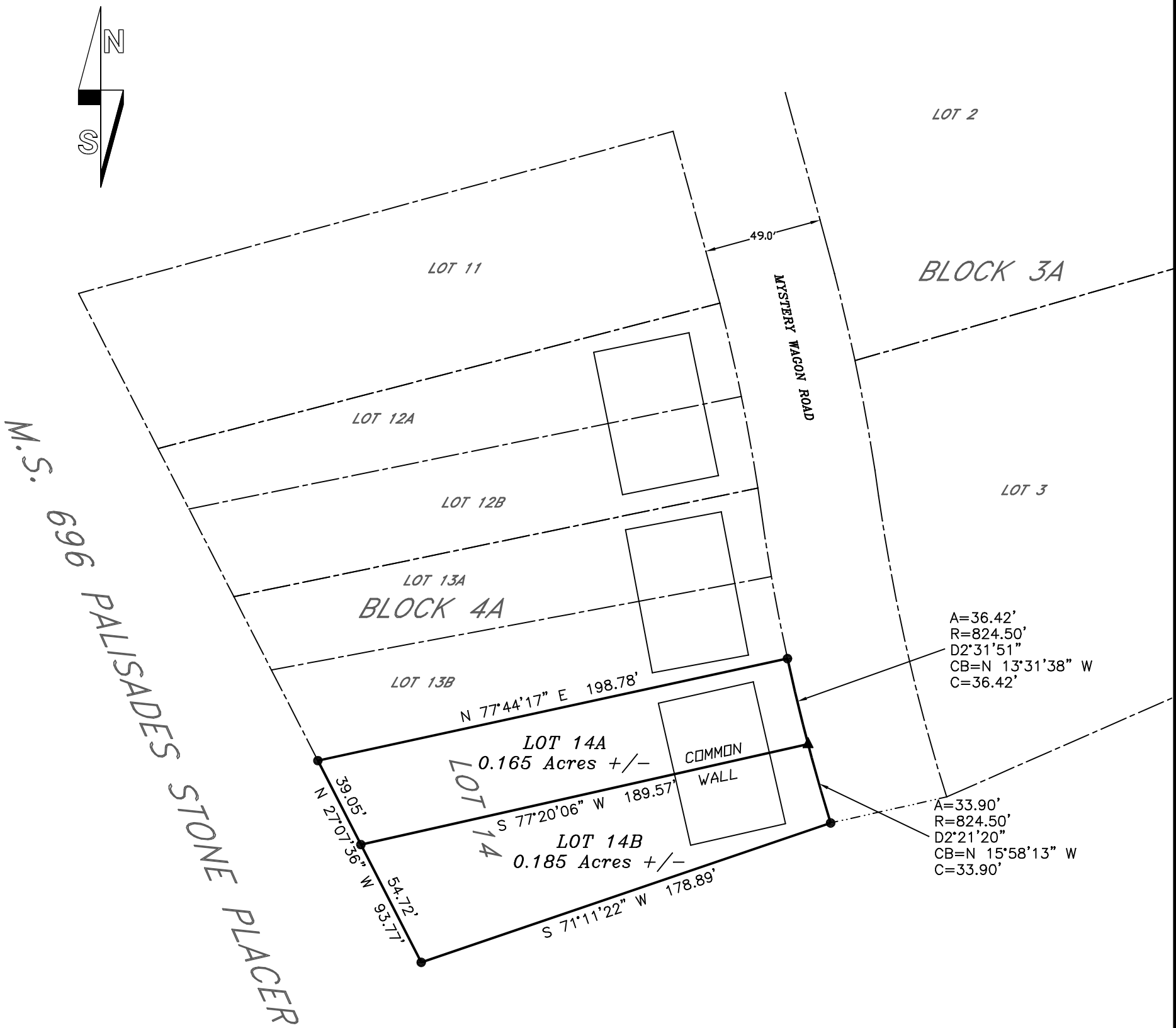
1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown 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 14A AND 14B, BLOCK 4A OF PALISADES TRACT OF DEADWOOD  
STAGE RUN ADDITION TO THE CITY OF DEADWOOD  
FORMERLY LOT 14, BLOCK 4A  
LOCATED IN THE SW¼ OF SECTION 14, THE SE¼ OF SECTION 15, THE NE¼NE¼  
OF SECTION 22 AND THE N½NW¼ OF SECTION 23, T5N, R3E, B.H.M.,  
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA



PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION

- REBAR & CAP (VREM LS6577)
- ▲ MAG NAIL



- NOTES:
- 1) PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION  
RECORDED IN DOC. #2008-2791  
BLOCKS 3A & 4A RECORDED IN DOC. #2020-3090
  - 2) OWNER/DEVELOPER  
WJP HOLDINGS LLC  
PO BOX 631  
DEADWOOD, SD 57732
  - 3) A 5' DRAINAGE & UTILITY EASEMENT IS HEREBY GRANTED  
ALONG SIDE AND REAR LOT LINES AND 10' ALONG THE FRONT+  
LOT LINES



Prepared By:  
**PONDEROSA LAND SURVEYS, L.L.C.**  
332A WEST MAIN ST.  
LEAD, SOUTH DAKOTA 57754  
(605) 722-3840

Date:	7/20/2022
Drawn By:	L. D. Vrem
Project No.:	22-312
Dwg. No.:	22-312.dwg