



# Planning and Zoning Commission Regular Meeting Agenda

Wednesday, February 18, 2026 at 4:00 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.](#) Approve the minutes of the February 4, 2026 Planning and Zoning Commission Meeting.

4. **Sign Review Commission**

5. **Planning and Zoning Commission**

- [a.](#) Application for Conditional Use Permit - 21 Spring Street - Bed and Breakfast Establishment (Rothenhoefer) legally described as Lots 1 and 2, Block 5, Howard's Addition to the City of Deadwood, Lawrence County, South Dakota.

Actions:

1. Public Hearing
2. Approve/Deny Application for Conditional Use Permit

- [b.](#) Application for Conditional Use Permit - 801 Main Street - Laundromat (Peterson) legally described as Lot E of the Wagner Subdivision of a portion of M.S. 97, located in the City of Deadwood, Lawrence County, South Dakota.

Actions:

1. Public Hearing
2. Approve/Deny Application for Conditional Use Permit

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, February 04, 2026 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

## 1. Call to Order

The Planning and Zoning Commission Meeting was called to order by Chairman Martinisko on Wednesday, February 4, 2026, 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 Ken Owens

Commissioner Jim Williams

City Commissioner Charles Eagleson

STAFF PRESENT

Trent Mohr – Building Official

Leah Blue-Jones – Zoning Coordinator

## 3. Approval of Minutes

- a. Approve the minutes of the January 7, 2026, Planning and Zoning Commission Meeting.

***It was moved by Commissioner Keehn and seconded by Commissioner Williams to approve the minutes of the January 7, 2026, Planning and Zoning Commission Meeting. Voting yea: Martinisko, Keehn, Owens, Williams.***

## 4. Sign Review Commission

## 5. Planning and Zoning Commission

- a. Application for Conditional Use Permit - Oralie's Development - Multi-Family Dwelling Unit legally described as Lots 1, 2, 3, 4, 5, 6, and 7, Block 1 of Highland Park Addition to the City of Deadwood, Lawrence County, South Dakota, according to the Plat recorded in Book 1 Page 135.

Actions:

1. Public Hearing

2. Approve/Deny Application for Conditional Use Permit

Ms. Blue-Jones introduced Application for Conditional Use Permit - Oralie's Development - Multi-Family Dwelling Unit and reviewed the Staff Report.

Nancy Field, resident, introduced herself to the Commission. Ms. Field expressed concern that there is only one way in or out of the neighborhood, and it is very steep. If a multiple family dwelling unit was placed at the top of Burnham Avenue, disruption to the natural springs and water runoff will be affected. There have been times in the past when water has been an issue. This occurred due to a leak in a fire hydrant which resulted in her crawlspace flooding and erosion to her property. The more development there is at the top of the hill, the more likely it is that problems such as that will occur. In addition, in the event of a fire, there is one way out for residents and one way in for the Fire Department in the event of an emergency.

Karen Thilmony, resident, introduced herself to the Commission. Ms. Thilmony stated that parking is limited in the neighborhood and it can be difficult for residents to find parking on the street. Residents are not provided parking permits, resulting in non-residents parking there along with residents. In addition, the road is very steep and gets very icy in winter. Accidents sometimes occur in winter due to cars sliding. Further development at the top of the hill could cause more vehicles to slide and cause more accidents. In addition, vehicles that are not parked in the townhouse garages will need to go somewhere and there is no availability for extra vehicles. She is also concerned that residents along Burnham Avenue are not aware of the potential development.

Ms. Thilmony asked for clarification as to the size of the proposed dwellings. Mr. Conforti said the dwelling units will be moderately sized 2 bedrooms at approximately 1,200 square feet in size.

Fred Conforti, developer of the property, introduced himself to the Commission. Mr. Conforti explained the development will take into consideration the design of stormwater management. He is aware of the parking issue and the incline of the street. Parking for the townhomes will be underground and provide 2 parking spaces per unit.

Ms. Field commented that she believes residents and guests will utilize on-street parking regardless of the garages provided to townhome owners. During the busy season, vehicles park on both sides of the road leaving an area wide enough for only a single vehicle to get through the street. Ms. Field reiterated her concern about evacuation in the event of a fire. Ms. Field also expressed concern that if this development goes through, it could open the door to more development in the future.

Commissioner Martinisko inquired as to whether there will be additional off-street parking for guests. Mr. Conforti responded in the negative.

Mr. Mohr commented that staff has met with the developer several times, that engineers are involved in the project, and the currently unfinished section of Burnham Avenue will be completed to city specifications. Water runoff will be captured and redirected to an area where it will not cause damage. The runoff area will run behind the properties on the east side of Burnham Avenue.

Commissioner Williams stated the Conditional Use Permit allows more control over the development. If each lot on the top of Burnham Avenue were built as single family dwelling units without Conditional Use Permits, such a development could create much more impact on the neighborhood.

Commissioner Keehn asked if the developer had future plans to develop Lots 1 through 13 of Block 2 after the townhomes on Block 1 are built. Mr. Conforti responded that Block 2 could not be developed due to the steep topography.

Further discussion occurred about State of South Dakota requirements for Notices of Public Hearings.

***It was moved by Commissioner Williams and seconded by Commissioner Owens approve the Conditional Use Permit if the four (4) conditions outlined in the Staff Report are met by the developer and continuously monitored. Voting yea: Martinisko, Keehn, Owens, Williams.***

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

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

**7. Items from Staff**

Discussion occurred about Short-Term Rental licensing as well as the dissolution of a few existing Bed and Breakfast Establishments in town.

Work continues on Deadwood's 150th celebrations that will take place throughout the year.

**8. Adjournment**

***It was moved by Commissioner Keehn and seconded by Commissioner Williams to adjourn the Planning and Zoning Commission meeting. Voting yea: Martinisko, Keehn, Owens, Williams.***

There being no further business, the Planning and Zoning Commission adjourned at 4:35 p.m.

ATTEST:

\_\_\_\_\_  
Chairman, Planning & Zoning Commission

\_\_\_\_\_  
Vice-Chair, Planning & Zoning Commission

***Minutes by Leah Blue-Jones, Zoning Coordinator***



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



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

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## PLANNING AND ZONING COMMISSION STAFF REPORT CONDITIONAL USE PERMIT

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### Staff Report

**Date:** February 18, 2026  
**To:** Planning and Zoning Commission  
**From:** Kevin Kuchenbecker  
 Planning, Zoning & Historic Preservation Officer  
**RE:** Conditional Use Permit – Bed and Breakfast Establishment

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**APPLICANT(S):** Greg and Cari Rothenhoefer

**PURPOSE:** Application for CUP – Bed and Breakfast Establishment

**ADDRESS:** 21 Spring Street

**LEGAL DESCRIPTION:** Lots 1 and 2, Block 5, Howard's Addition to the City of Deadwood, Lawrence County, South Dakota.

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

**ZONE:** R2 – Multi-Family Residential

### STAFF FINDINGS:

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#### Surrounding Zoning:

North: R2 – Multi-Family Residential

South: R2 – Multi-Family Residential

East: R2 – Multi-Family Residential

West: R2 – Multi-Family Residential

#### Surrounding Land Uses:

Residences

Open Space

Residences

Residences

### SUMMARY OF REQUEST

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The applicants have submitted a request for a Conditional Use Permit to operate a Bed and Breakfast Establishment located at 21 Spring Street. The Bed and Breakfast Establishment would offer guests three (3) bedrooms. The owners have

indicated they intend to stay onsite when guests are present by creating an owners suite in the garage/basement area. Parking is available for guests via a driveway. Overflow parking would be available by utilizing a neighboring lot. The owners have stated they have permission from the neighbors to utilize the lot in such a way.

## **FACTUAL INFORMATION**

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1. The property is currently zoned R2 – Multi-Family Residential.
2. The subject property has access from Spring Street with off-street parking via a driveway and one (1) car garage.
3. The subject property is located within an R2 – Multi-Family Residential zoning location on all sides.
4. The property is not located within a flood zone.
5. Adequate public facilities are available to serve the property.
6. The area is characterized by single family residential properties and open space.
7. The structure is listed as “non-owner occupied” by Lawrence County Department of Equalization.

## **STAFF DISCUSSION**

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The applicants have submitted a request for a Conditional Use Permit for a Bed and Breakfast Establishment and City regulations permit Bed and Breakfast Establishments in R2 – Multi-Family Residential zoning districts with an approved Conditional Use Permit. According to their application, there is adequate off-street parking via a driveway and one (1) car garage providing ingress/egress onto Spring Street.

The Deadwood Zoning Code 17.08 and South Dakota Codified Law defines a Bed and Breakfast Establishment as the following:

### **“Bed and Breakfast Establishment” means:**

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.

## Conditional Use Permit – Bed and Breakfast Establishment

21 Spring Street

February 18, 2026

1. No Bed and Breakfast Establishment shall be located on a lot closer than two hundred (200) feet from any other lot occupied with a structure used as a Bed and Breakfast Establishment in R1 and R2 zoning districts.

*In this instance there is not another Bed and Breakfast Establishment located within 200 feet of the property.*

2. Applicants proposing tandem parking shall be required to provide a control board for the keys of the guests. The owner/manager shall be responsible for the control board.

*Per the site plan provided by the applicant, tandem driveway/garage parking will be offered to guests.*

### **COMPLIANCE:**

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1. The Zoning Office provided notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accordance with Section 11-4-4.
2. A sign was posted on the property for which the requests were filed.
3. Notice of the time and place was published in the designated newspaper of the City of Deadwood.

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

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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. Preserving the existing stock of historic structures by working with individuals and guiding the uses is an acceptable means of achieving this goal. Traffic and parking have not significantly affected the neighborhood. This area is characterized by single-family dwellings.*

- 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 R2 – Multi-Family Residential and is intended to provide locations for medium density, multiple-family units such as duplexes, townhouses, condominiums and apartment developments.*

- 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.

*If the applicant only uses off street parking and prevents any public nuisance issues that are often associated with Bed and Breakfast Establishments, the proposed use may not result in a substantial or undue adverse effect on adjacent properties, or the character of the property and the use would not alter the character of the district. It should be noted; this street is not conducive for off-street parking. There will be no change in the size of the dwelling. To support the denial of a Conditional Use Permit on the grounds that it will cause increased traffic problems, there must be a high degree of probability that the increase would pose a substantial threat to the health and safety of the community.*

- D. Whether or not the proposed use increases the proliferation of non-conforming uses as well as previously approved Conditional Use Permits which are still in use, when influenced by matters pertaining to the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Policy Plan, this ordinance, or any other plan, program, map or ordinance adopted, or under consideration pursuant to official notice, by the city or other governmental agency having jurisdiction to guide growth and development.

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 proposed use would not increase the proliferation of non-conforming uses. The appearance of the structure will not change; therefore, the character and use of the buildings and structures adjoining the subject property will not be adversely affected. Currently, there are no other short-term rentals licensed in this neighborhood.*

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

facilities, utilities, and services specified in city ordinance. Where any such improvements, facilities, utilities or services are not available or adequate to service the proposed use in the proposed location, the applicant, as part of the application and as a condition to approval of the proposed Conditional Use Permit, is responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities and services in sufficient time and in a manner consistent with the policy plan, this title, and other plans, programs, maps and ordinances adopted by the city to guide its growth and development. The approval of the Conditional Use Permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant as described in Section 17.04.110.

*The proposed use will not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services. Existing services are available onsite.*

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

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- A. In the R1 Residential District and/or R2 Multi-Family Residential District, Conditional Use Permits granted by this chapter shall be temporary in nature, with the exception of townhouses, condominiums and multi-family dwellings, and shall be granted to a designated person who resides at a residential address. They are not transferable from person to person or from address to address.
- B. Following the issuance of a Conditional Use Permit pursuant to the provisions of this ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by this section for its original approval.
- C. Conditional Use Permits, once granted, can be revoked by the Board of Adjustment for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filed with the 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. To defray the administrative costs of processing requests for Conditional Use Permits, a fee has been set by resolution of the City Commission, and such information is available at the Planning and Zoning Office.

- F. 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 therewith.
- G. 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.
- H. 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.
- I. Upon receipt in proper form of the application and other requested material, the Board of Adjustment shall hold at least one (1) public hearing in a location to be prescribed by the Board of Adjustment and shall make a decision upon the proposal to grant or deny the Conditional Use Permit. At least ten (10) days in advance of each hearing, notice of the time and place of such hearing shall be published in the official newspaper of the city. Notice shall be posted on the property for which the Application for Conditional Use Permit has been filed.

If approved for a Conditional Use Permit, staff recommend the following stipulation(s):

1. The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void.
2. Proof of a state sales tax number shall be provided to the Planning and Zoning Office for their files.
3. The Building Inspector shall have the right to inspect the premises to ensure compliance with applicable building codes.
4. City water and sewer rates to be changed from residential to commercial rates.

## Conditional Use Permit – Bed and Breakfast Establishment

21 Spring Street

February 18, 2026

5. Proper paperwork shall be filed with the City of Deadwood Finance Office for Business Improvement District (BID) taxes.
6. A City of Deadwood Business License shall be obtained.
7. A City of Deadwood Short-Term Rental License shall be obtained.
8. Obtain Lodging License after inspection from the South Dakota Department of Health.
9. All parking shall be off street and a parking agreement with the adjoining owner for overflow parking must be submitted to the Planning and Zoning Office.
10. Conditional Use Permits are reviewed on an annual basis. Applicants are encouraged to participate in the annual review process.
11. The Bed and Breakfast Establishment must provide family style meals by the operator.
12. The Bed and Breakfast Establishment's owner or owner's representative must be on-site when guests are present.
13. If the permitted use under the terms of the Conditional Use Permit has not been started within six (6) months of the date of issuance thereof, the permit shall expire and be cancelled by the City Planning Department.

**ACTION REQUIRED:**

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1. Approval/Denial by Deadwood Planning and Zoning Commission

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



Questions Contact:  
**Kevin Kuchenbecker**  
 (605) 578-2082 or  
 kevin@cityofdeadwood.com

Application No. \_\_\_\_\_

## APPLICATION FOR CONDITIONAL USE PERMIT

**Application Fee: \$500.00**

**Applicants:** Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Name of Proposed Development: 5R Bed and Breakfast

Street Location of Property: 21 Spring St. Deadwood, SD 57732

Legal Description of Property: Lots 1 and 2 Block 5  
Howard's Addition to the City of Deadwood

Zoning Classification of Property: Residential

Name of Property Owner: [REDACTED] Telephone: [REDACTED]

Address: 21 Spring Street Deadwood SD 57732  
 Street City State Zip

Name of Applicant: [REDACTED] Telephone: [REDACTED]

Address: [REDACTED]  
 Street City State Zip

### 1. The following documents shall be submitted:

- An improvement survey, including all easements,
- Development plan, including site plan with location of buildings, usable open space, off-street parking, loading areas, refuse area, ingress/egress, screening, proposed or existing signage, existing streets, and
- A written statement addressing the criteria for approval.

Uses of Building or Land: Bed and Breakfast Establishment

Signature of Applicant: [REDACTED] Date: 1/19/2026

Signature of Property Owner: [REDACTED] Date: 1/19/2026

Fee: \$ 500.00 Paid On 1/27/2026 Receipt Number 206395

Legal Notice Published Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

PLANNING AND ZONING ADMINISTRATOR:			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
PLANNING AND ZONING COMMISSION:			
Approved/P&Z Commission:	Yes	No	Date: _____
DEADWOOD BOARD OF ADJUSTMENT:			
Approved/City Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): \_\_\_\_\_



January 19, 2026

**City of Deadwood**

**Planning and Zoning and City Commissions**

**RE: Conditional Use Permit application to request permission to operate a Bed and Breakfast at 21 Spring Street, Deadwood, South Dakota**

**Documentation to accompany the Application**

**\*Improvement Survey –**

The attached site plan survey conducted by Schrier Engineering shows the house and driveway fronting on Spring Street. The property has no easements.

**\*Development Plan –**

The attached document from Schrier Engineering shows the location of the house. There are no other buildings on this property.

The useable open space includes the outdoor deck with a deck walkway to the front door opening to the first floor living space. The deck sitting area is approximately 200 square feet. The useable open area is approximately 4,000 square feet.

Off street parking will not be necessary. Full access to the driveway parking and the one-car garage space will be available to the guests. The owners of the neighboring property have given us permission to use their gravel parking area adjacent to the Spring Street right-of-way. This is available for short term 'overflow' parking. Loading area parking does not apply to this Bed and Breakfast use.

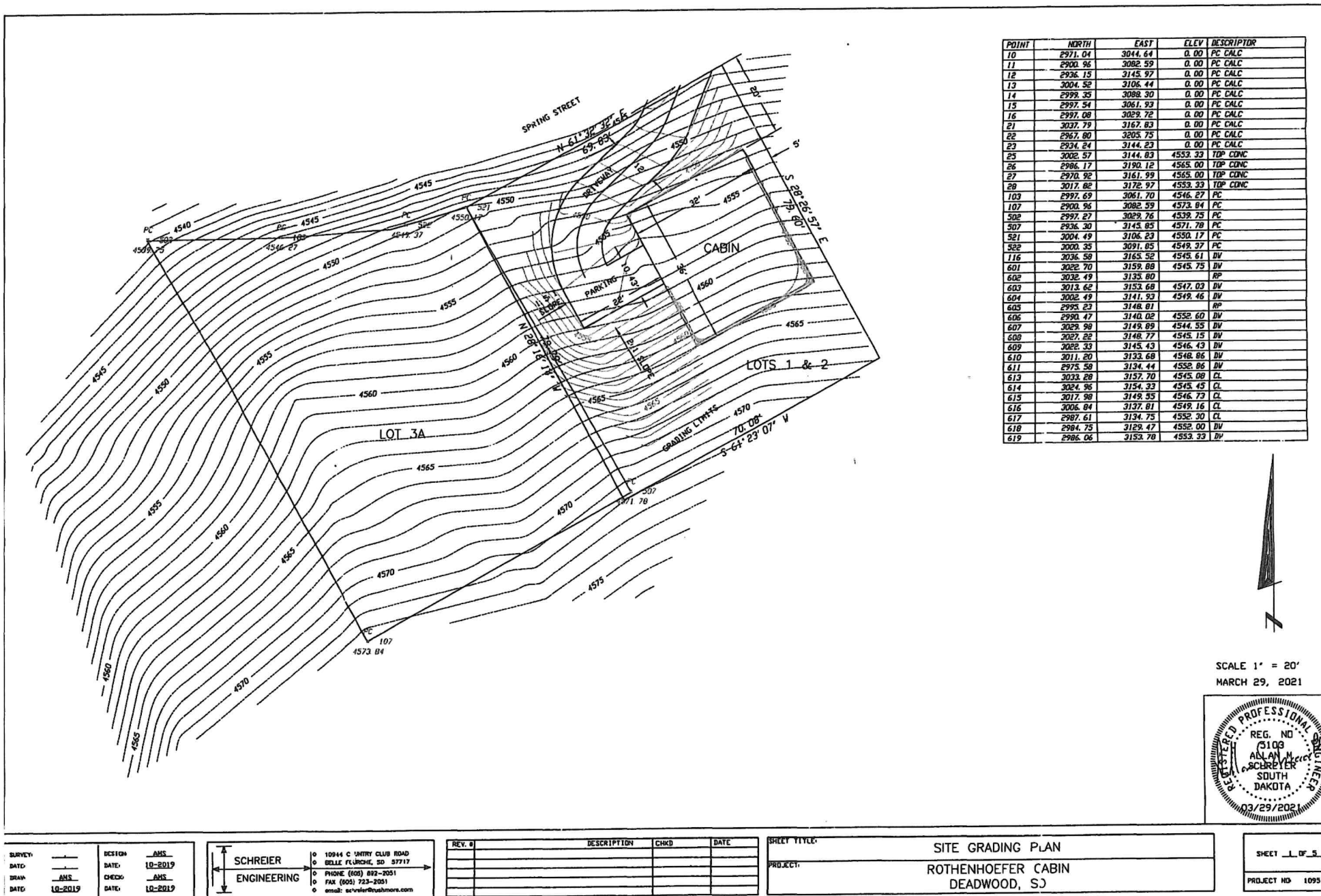
Refuse will be stored in closed containers inside the garage. Refuse will be disposed of by the owners. Screening for a trash area will not be necessary.

No signage is planned for the Bed and Breakfast. The street address sign is placed on the house and visible from the street.

Respectfully Submitted,

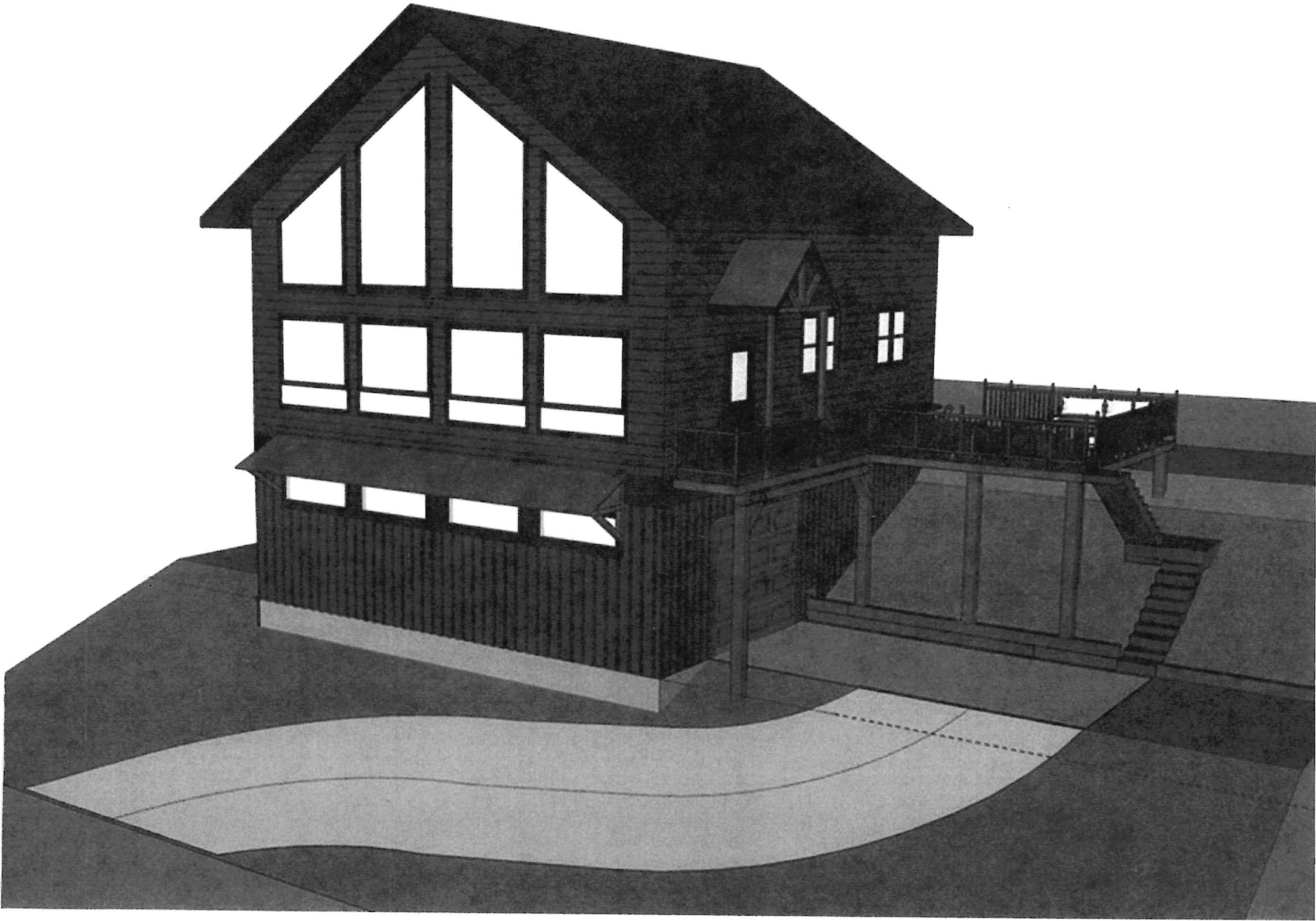
 

Greg and Cari Rothenhoefer



Dec 13

View 16.jpg



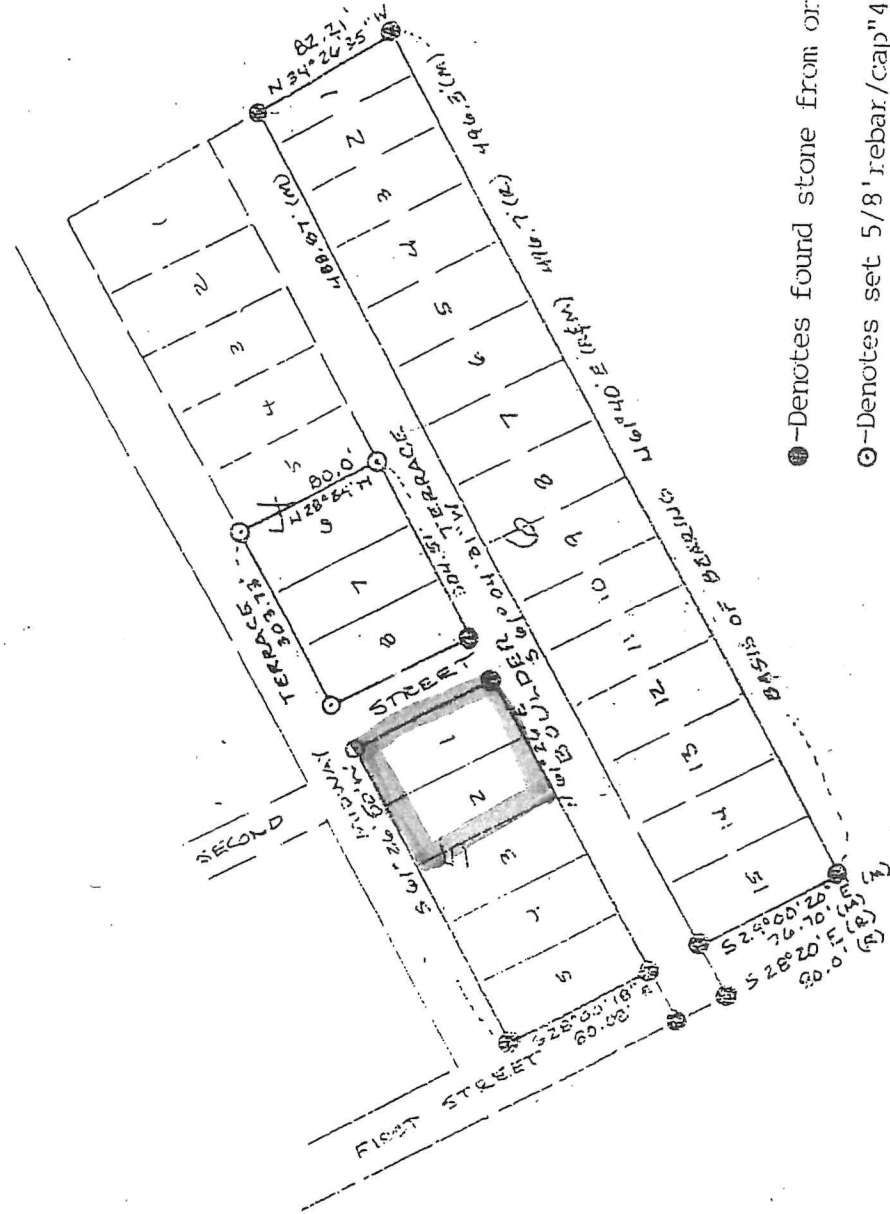
FIELD LAND SURVEYING

3412 Meadowbrook Drive - Rapid City, South Dakota 57702  
Phone 605-342-6155 Fax 605-346-1621

Division of P.L.S. Inc.

HOWARD ADDITION

City of Deadwood



● - Denotes found stone from original survey

○ - Denotes set 5/8" rebar/cap "4208"

LEGAL DESCRIPTION Lots 1 thru 15 of Block 6, Lots 6, 7 and 8 of Block 4, and Lots 1 thru 5 of Block 5 of Howard Addition to the City of Deadwood, South Dakota.

Drawn by	MJP
Approved by	MJP
Date	6/20/95
Project Number	94-143
Sheet	1 of 1

REGISTERED LAND SURVEYOR  
REG. NO. 4208

I, Mark J. Polenz, do hereby certify that I have surveyed the above described property and that I am a Registered Land Surveyor in the State of South Dakota.

Mark J. Polenz  
Reg. No. 4208

1" = 100'

February 5, 2026

Jim Lee, resident of the Rodeo Grounds neighborhood stopped by City Hall to voice his concerns about the potential Bed and Breakfast Establishment at 21 Spring Street.

Mr. Lee is concerned about increased traffic through the neighborhood should a Bed and Breakfast open at the proposed location. In addition, parking is limited along Spring Street and could create further issues related to congestion. In the past, when Short-Term Rentals have been allowed in the area, the increased traffic and vehicles have created a nuisance for the area residents.

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

## Public Notification

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Date: January 28, 2026  
To: Deadwood Property Owner / Resident  
From: Kevin Kuchenbecker  
Planning, Zoning & Historic Preservation Officer  
RE: Request for Conditional Use Permit for Bed and Breakfast  
Establishment

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**NOTICE IS HEREBY GIVEN**, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a Bed and Breakfast Establishment as allowed under Section 17.28.030 Conditional Uses.

**APPLICANT(S):** Greg and Cari Rothenhoefer

**LEGAL DESCRIPTION:** Lots 1 and 2, Block 5, Howard's Addition to the City of Deadwood, Lawrence County, South Dakota.

**ADDRESS:** 21 Spring Street

**NOTICE IS FURTHER GIVEN** that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, February 18, 2026, in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, at 4:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted. A public hearing will also be held by the Deadwood City Commission at 5:00 p.m. on Monday, March 16, 2026, at the same location.

**NOTICE IS FURTHER GIVEN**, that the proposed request for a Bed and Breakfast Establishment is on file and available for public examination at the Deadwood Planning and Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

**ANY** interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

The purpose of this mailed notice is to reasonably inform the surrounding property owners of the applications for a Conditional Use Permit and to inform you of the type of use being requested.

If you have any questions, please feel free to contact our office at 605-578-2082.



**NOTICE OF PUBLIC HEARING  
BEFORE THE PLANNING AND ZONING COMMISSION**

City of Deadwood  
Planning and Zoning Commission  
Deadwood, South Dakota 57732

**NOTICE IS HEREBY GIVEN**, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a Bed and Breakfast Establishment as allowed under Section 17.28.030 Conditional Uses.

**APPLICANTS:** Greg and Carrie Rothenhoefer

**LEGAL DESCRIPTION:** Lots 1 and 2, Block 5, Howard's Addition to the City of Deadwood, Lawrence County, South Dakota.

**ADDRESS:** 21 Spring Street

**ZONE:** R2 – Multi-Family Residential

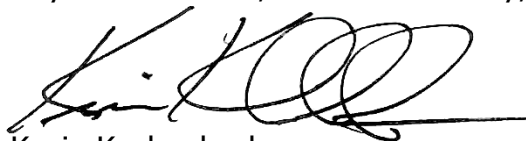
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**ANY** interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

Dated this 27<sup>th</sup> day of January 2026.

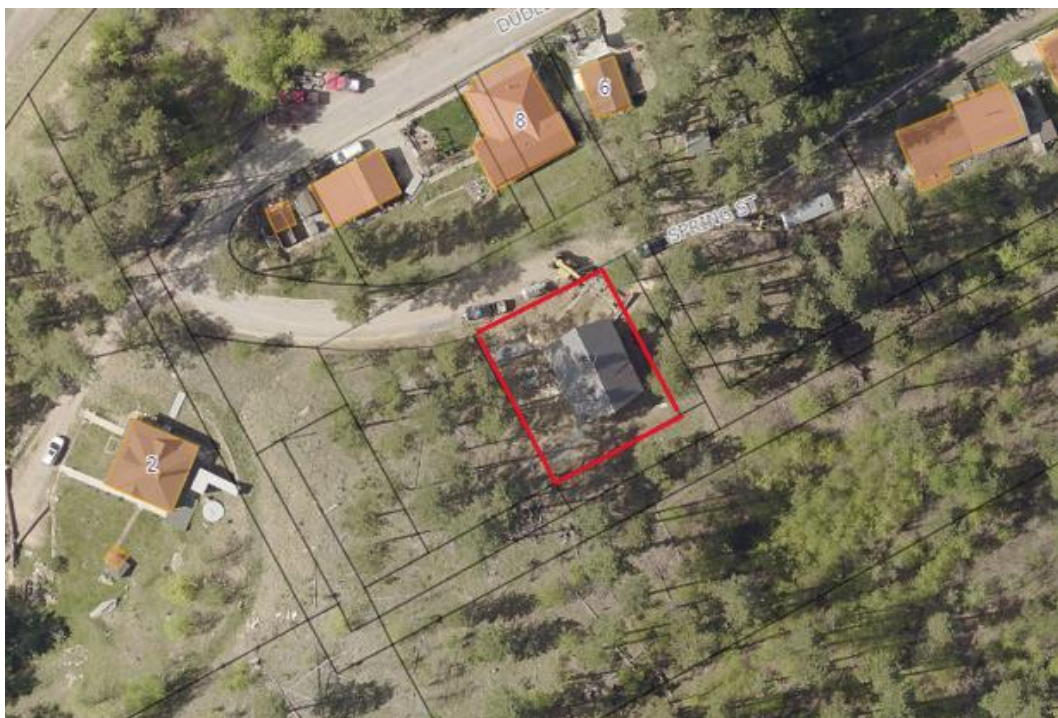
City of Deadwood, Lawrence County, South Dakota



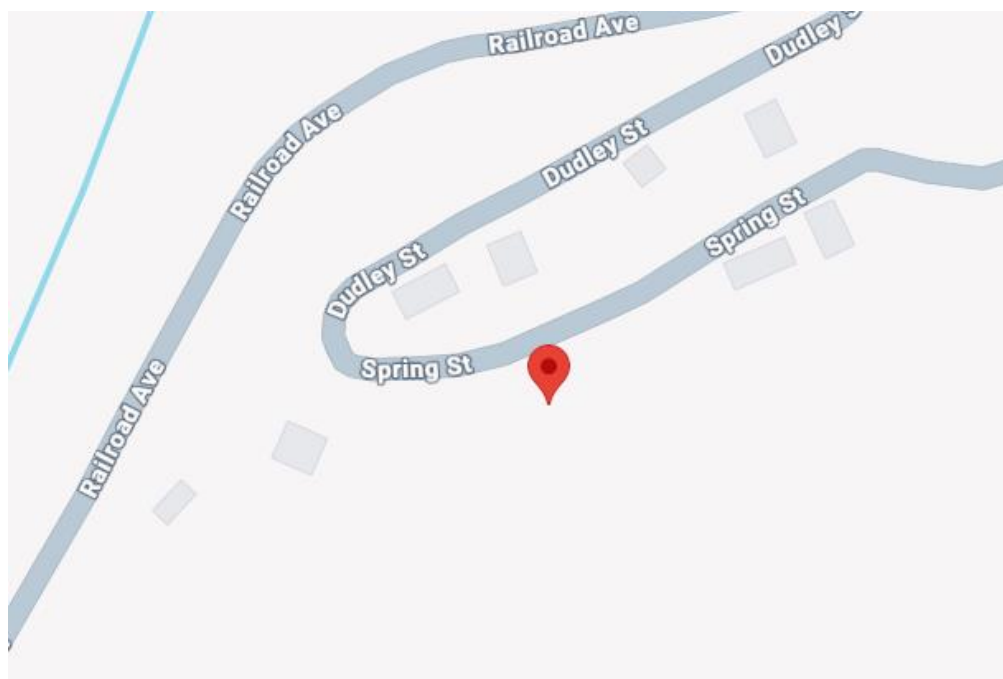
Kevin Kuchenbecker  
Planning, Zoning and Historic Preservation Officer

**PUBLISH:** Black Hills Pioneer: **Date**

Published once at the total approximate cost of \$ \_\_\_\_\_



**Aerial photo of 21 Spring Street**



**Map of 21 Spring Street**





**Zoning map showing 21 Spring Street**

### Zoning Legend

-  C1 - COMMERCIAL
-  CE - COMMERCIAL ENTERPRISE DISTRICT
-  CH - COMMERCIAL HIGHWAY
-  PF - PARK FOREST
-  PU - PUBLIC USE
-  PUD - PLANNED UNIT DEVELOPMENT
-  R1 - RESIDENTIAL
-  R2 - MULTI-FAMILY RESIDENTIAL

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



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

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## PLANNING AND ZONING COMMISSION STAFF REPORT CONDITIONAL USE PERMIT

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### Staff Report

**Date:** February 18, 2026  
**To:** Planning and Zoning Commission  
**From:** Kevin Kuchenbecker  
Planning, Zoning & Historic Preservation Officer  
**RE:** Conditional Use Permit – Laundromat

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**APPLICANT(S):** Tyler Peterson

**PURPOSE:** Application for CUP – Laundromat

**ADDRESS:** 801 Main Street

**LEGAL DESCRIPTION:** Lot E of the Wagner Subdivision of a portion of M.S. 97,  
located in the City of Deadwood, Lawrence County,  
South Dakota.

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

**ZONE:** C1 - Commercial

### STAFF FINDINGS:

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#### Surrounding Zoning:

North: R2 – Multi-Family Residential  
South: PF – Park Forest  
East: R2 – Multi-Family Residential  
West: C1 - Commercial

#### Surrounding Land Uses:

Businesses and Residences  
Highway and Open Space  
Residential  
Businesses

## **SUMMARY OF REQUEST**

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The applicants have submitted a request for a Conditional Use Permit to operate a laundromat located at 801 Main Street. The site currently operates as a restaurant within the Gold Country Inn. The laundromat would contain approximately nine (9) washing machines and five (5) dryers. The laundromat would be available to the public.

## **FACTUAL INFORMATION**

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1. The property is currently zoned C1 – Commercial.
2. The property has been operating as a restaurant for several years.
3. The subject property has access from Main Street with off-street parking for forty-eight (48) vehicles.
4. The subject property is located within a C1 - Commercial zoning location on one (1) side, R2 – Multi-Family Residential zoning on two (2) sides and PF – Park Forest on one (1) side.
5. The property is located within the 500-year flood zone.
6. Adequate public facilities are available to serve the property.
7. The area is characterized by a mixture of both business and residential uses.

## **STAFF DISCUSSION**

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The applicants have submitted a request for a Conditional Use Permit for a Laundromat and City regulations permit Laundromats in C1 - Commercial zoning districts with an approved Conditional Use Permit. The subject property has historically operated as a restaurant. In addition to the laundromat, the property offers a gaming hall and motel. There is adequate off-street parking via a parking lot providing ingress/egress onto Main Street.

## **COMPLIANCE:**

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1. The Zoning Office provided notice identifying the applicant, describing the project and its location, and giving the scheduled date of the public hearing in accordance with Section 11-4-4.
2. A sign was posted on the property for which the requests were filed.
3. Notice of the time and place was published in the designated newspaper of the City of Deadwood.

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

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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. Preserving the existing stock of historic structures by working with the individuals and guiding the uses is an acceptable means of achieving this goal. The exterior of the building will not be affected by the requested 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 and is intended to provide locations for commercial uses, which require access to roads and highways, and substantial amounts of parking. This area is of mixed use. The proposed use will not create detrimental over-concentration of laundromats in the 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 right-of-way.

*Use by guests of the attached forty-eight (48) vehicle parking lot should prevent any public nuisance issues pertaining to parking. The proposed use may not result in a substantial or undue adverse effect on adjacent properties, or the character of the property and the use would not alter the character of the district. There will be no change in the size of the building. To support the denial of a Conditional Use Permit on the grounds that it will cause increased traffic problems, there must be a high degree of probability that the increase would pose a substantial threat to the health and safety of the community.*

- D. Whether or not the proposed use increases the proliferation of non-conforming uses as well as previously approved Conditional Use Permits which are still in use, when influenced by matters pertaining to the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Policy Plan, this ordinance, or any other plan, program, map

or ordinance adopted, or under consideration pursuant to official notice, by the city or other governmental agency having jurisdiction to guide growth and development.

For any conditional use, lot and performance standards shall be the same as similar types of 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 proposed use would not increase the proliferation of non-conforming uses. The appearance of the structure will not change; therefore, the character and use of the buildings and structures adjoining the subject property will not be adversely affected.*

- E. Whether or not the proposed use in the proposed area will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, and services specified in city ordinance. Where any such improvements, facilities, utilities or services are not available or adequate to service the proposed use in the proposed location, the applicant, as part of the application and as a condition to approval of the proposed Conditional Use Permit, is responsible for establishing ability, willingness and binding commitment to provide such improvements, facilities, utilities and services in sufficient time and in a manner consistent with the policy plan, this title, and other plans, programs, maps and ordinances adopted by the city to guide its growth and development. The approval of the Conditional Use Permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant as described in Section 17.04.110.

*The proposed use will not cause significant adverse impacts on water supply, fire protection, waste disposal, schools, traffic and circulation, or other services. Existing services are available onsite.*

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

- A. Following the issuance of a Conditional Use Permit pursuant to the provisions of this ordinance, such permit may be amended, varied, or altered only pursuant to the standards and procedures established by this section for its original approval.
- B. Conditional Use Permits, once granted, can be revoked by the Board of Adjustment for cause after a hearing is held before them. Complaints seeking the revocation of such permit shall be filed with the 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.

- C. 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.
- D. To defray the administration costs of processing requests for Conditional Use Permits, a fee has been set by resolution of the City Commission, and such information is available at the Planning and Zoning Office.
- 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 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 permitted use 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.
- H. Upon receipt in proper form of the application and other requested material, the Board of Adjustment shall hold at least one (1) public hearing in a location to be prescribed by the Board of Adjustment and shall make a decision upon the proposal to grant or deny the Conditional Use Permit. At least ten (10) days in advance of each hearing, notice of the time and place of such hearing shall be published in the official newspaper of the city. Notice shall be posted on the property for which the Application for Conditional Use Permit has been filed.

If approved for a Conditional Use Permit, staff recommend the following stipulation(s):

1. The Conditional Use Permit runs with the applicant and not the land; therefore, should the property be sold, the Conditional Use Permit is null and void.
2. The Building Official shall inspect the building to ensure it meets applicable building codes.
3. City of Deadwood Business License has been maintained.

Conditional Use Permit – Laundromat

801 Main Street

February 18, 2026

4. Verification of a Sales Tax number issued by the Department of Revenue shall be provided to the Planning and Zoning Office for their files.
5. Each coin operated machine designed for washing, cleaning or drying any material must be licensed with the SDDOR. Verification of such license(s) shall be provided to the Planning and Zoning Office for their files.

**ACTION REQUIRED:**

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1. Approval/Denial by Deadwood Planning and Zoning Commission

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



Questions Contact  
**Kevin Kuchenbecker**  
(605) 578-2082 or  
kevin@cityofdeadwood.com

Section 5 Item b.

Application No. \_\_\_\_\_

## APPLICATION FOR CONDITIONAL USE PERMIT

**Application Fee: \$500.00**

**Applicants:** Please read thoroughly prior to completing this form. Only complete applications will be considered for review.

Name of Proposed Development: Gold Country Laundromat

Street Location of Property: 801 Main St Deadwood SD 57732

Legal Description of Property: M.S. 97 Lot E ex Lot 3 (69.96sf) Plat Bk3 Pg373

Zoning Classification of Property: C1 Commercial

Name of Property Owner: Gold Country LLC/ Tyler Peterson Telephone: [REDACTED]

Address: [REDACTED] Deadwood SD 57732  
Street City State Zip

Name of Applicant: [REDACTED] Telephone: [REDACTED]

Address: [REDACTED] [REDACTED] SD 57732  
Street City State Zip

**1. The following documents shall be submitted:**

- An improvement survey, including all easements,
- Development plan, including site plan with location of buildings, usable open space, off-street parking, loading areas, refuse area, ingress/egress, screening, proposed or existing signage, existing streets, and
- A written statement addressing the criteria for approval.

Uses of Building or Land: Laundromat

Signature of Applicant: [Signature] Date: 1/24/24

Signature of Property Owner: [Signature] Date: 1/24/24

Fee: \$ 500.- Paid On 1/27/26 Receipt Number 206401

**Legal Notice Published** Date: \_\_\_\_\_ **Hearing Date:** \_\_\_\_\_

PLANNING AND ZONING ADMINISTRATOR:			
Approved/P&Z Administrator:	Yes	No	Signature: _____ Date: _____
PLANNING AND ZONING COMMISSION:			
Approved/P&Z Commission:	Yes	No	Date: _____
DEADWOOD BOARD OF ADJUSTMENT:			
Approved/City Commission:	Yes	No	Date: _____

Reason for Denial (if necessary): \_\_\_\_\_



City of Deadwood Planning and Zoning,

The property located at 801 Main Street is zoned C-1 Commercial and is currently operated as a weekend-only diner. Under Deadwood Municipal Code 17.32.030, Conditional Uses permitted within the C-1 zoning district include "Laundromat" as listed under Item V.

Based on feedback received from local residents as well as visiting travelers, I am submitting an application for a Conditional Use Permit to allow the operation of a self-service laundromat at this location. The proposed use would serve both residents of the City of Deadwood and guests visiting the community.

The proposed improvements would be limited to interior modifications only. These would include installing a commercial interior glass door within the existing 8-foot opening and removing the current kitchen equipment. Deadwood Electric would be utilized to verify and ensure that the existing electrical service is adequate for the proposed washer equipment. Additionally, a licensed HVAC contractor would be engaged to verify proper placement and suitability of existing gas lines, which currently serve the kitchen equipment, for use with gas dryers. Preliminary thoughts of 4 double gas dryers and one larger dryer as well as 5 top load washers and 4 front load washers. I am unsure of the exact need, so I would consult with Dakota Laundry to get their recommendation for exact placement, layout and number of machines.

The lot is 24,587 sqft with 48 parking spots as well as .13 acres or 5.663 sqft of leased lot for overflow parking across the street.

There would be no changes to the building footprint, site layout, or exterior appearance of the property. Parking demand is anticipated to remain similar to or less than its current use; therefore, off-street parking and loading areas would not be adversely affected. Any proposed signage would comply fully with applicable City regulations and would be submitted for approval as required.

Thank you for your time and consideration of this request. I look forward to working with the City to provide a needed service while maintaining compliance with all applicable codes and standards.

Sincerely,  
Tyler

NW

Gaming Area

Entry door

Cage

Bathroom

Bathroom

Hotel

Hallway

Proposed interior wall with door to laundry mat

Entry door

Window

27'

Window

17 ft

24,587 sq ft lot  
 48 parking spots in lot  
 and off street  
 leased .13 acre lot  
 across the street for  
 parking as well.

MAIN STREET

SUBJECT  
 OFFSTREET  
 PARKING

FIRST FLOOR SKETCH  
 7,761 SF GBA

Proposed laundry

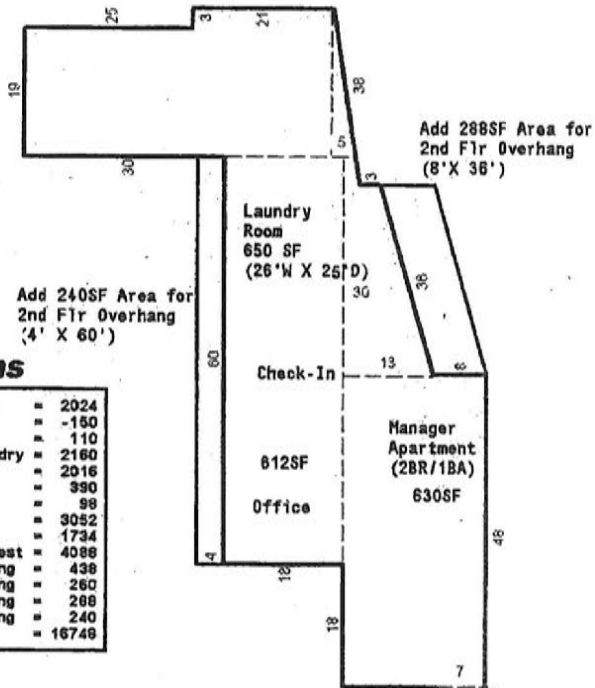
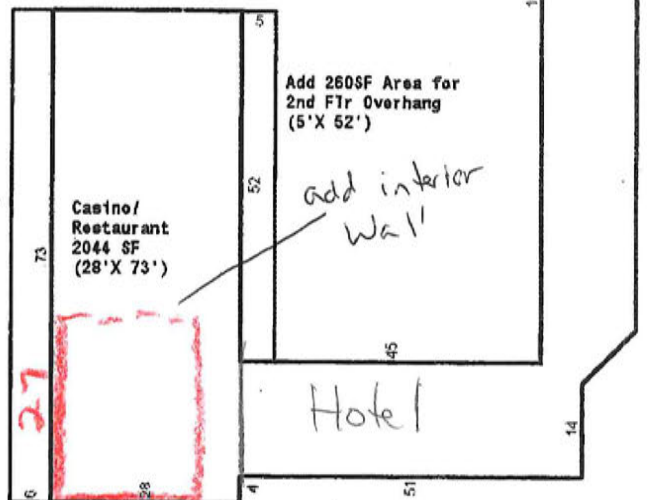
Add 4385F Area for  
 2nd Flr Overhang  
 (6' X 73')

Casino/  
 Restaurant  
 2044 SF  
 (28' X 73')

Add 2605F Area for  
 2nd Flr Overhang  
 (5' X 52')

add interior  
 wall

Hotel



Calculations

22	X	48	X	2	=	2024
3	X	25	X	2	=	-150
2.5	X	22	X	2	=	110
18	X	60	X	2	=	2160
21	X	48	X	2	=	2016
6.5	X	30	X	2	=	390
7	X	7	X	2	=	98
14	X	109	X	2	=	3052
17	X	51	X	2	=	1734
73	X	28	X	2	=	4088
5	X	73	X	1	=	438
5	X	52	X	1	=	260
8	X	36	X	1	=	288
4	X	60	X	1	=	240
Total					=	16748

Add 2405F Area for  
 2nd Flr Overhang  
 (4' X 60')

Add 2885F Area for  
 2nd Flr Overhang  
 (8' X 36')

Laundry  
 Room  
 650 SF  
 (26' X 25')

Check-In

6125F  
 Office

Manager  
 Apartment  
 (2BR/1BA)  
 630SF

## NOTICE OF PUBLIC HEARING BEFORE THE PLANNING AND ZONING COMMISSION

City of Deadwood  
Planning and Zoning Commission  
Deadwood, South Dakota 57732

**NOTICE IS HEREBY GIVEN**, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a Laundromat as allowed under Section 17.32.030 Conditional Uses.

**APPLICANTS:** Tyler Peterson

**LEGAL DESCRIPTION:** Lot E of the Wagner Subdivision of a portion of M.S. 97, located in the City of Deadwood, Lawrence County, South Dakota.

**ADDRESS:** 801 Main Street

**ZONE:** C1 - Commercial

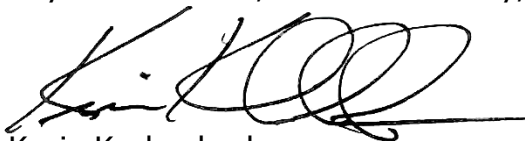
**NOTICE IS FURTHER GIVEN** that said application will be heard by the Planning and Zoning Commission within and for the City of Deadwood, State of South Dakota, at a regular meeting to be held Wednesday, February 18, 2026, in the Commission Room at 102 Sherman Street, Deadwood, South Dakota, at 4:00 p.m. or soon thereafter as the matter at which time and place any such person interested may appear and show cause if there be any, why such special exception should not be granted.

**NOTICE IS FURTHER GIVEN**, that the proposed request for a Laundromat is on file and available for public examination at the Deadwood Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

**ANY** interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

Dated this 28<sup>th</sup> day of January 2026.

City of Deadwood, Lawrence County, South Dakota



Kevin Kuchenbecker  
Planning, Zoning and Historic Preservation Officer

**PUBLISH:** Black Hills Pioneer: **Date**

Published once at the total approximate cost of \$ \_\_\_\_\_

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

## Public Notification

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Date: January 29, 2026  
To: Deadwood Property Owner / Resident  
From: Kevin Kuchenbecker  
Planning, Zoning & Historic Preservation Officer  
RE: Request for Conditional Use Permit for Laundromat

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**NOTICE IS HEREBY GIVEN**, that the following person(s) has applied to the City of Deadwood Planning and Zoning Office for a Conditional Use Permit for the operations of a Laundromat as allowed under Section 17.32.030 Conditional Uses.

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**NOTICE IS FURTHER GIVEN**, that the proposed request for a laundromat is on file and available for public examination at the Deadwood Planning and Zoning Office located at 108 Sherman Street, Deadwood, South Dakota.

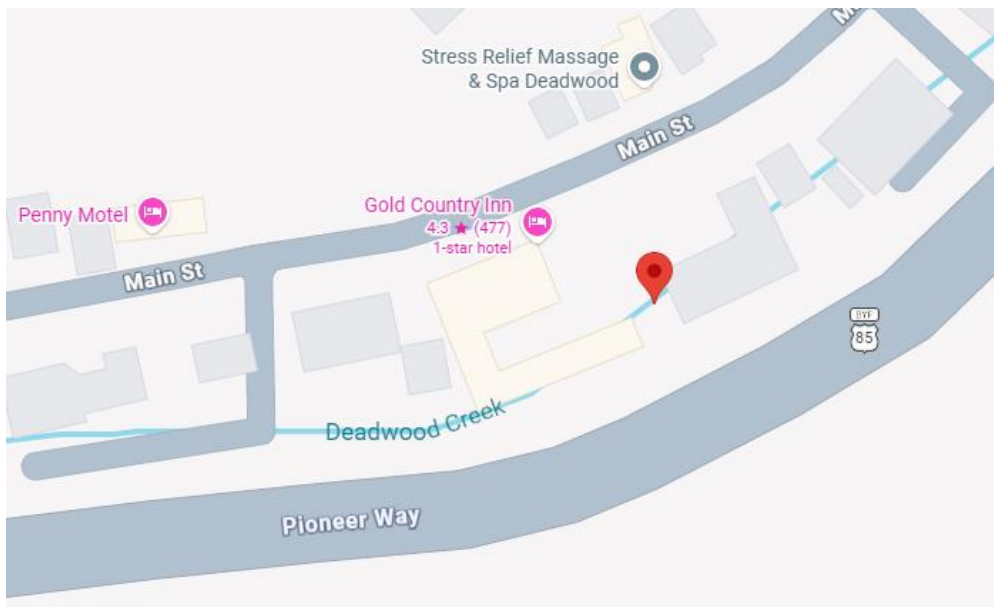
**ANY** interested person or his/her agent is invited to submit oral or written comments or suggestions regarding the request to the Commissions or their agent prior to or at the public hearing.

The purpose of this mailed notice is to reasonably inform the surrounding property owners of the applications for a Conditional Use Permit and to inform you of the type of use being requested.

If you have any questions, please feel free to contact our office at 605-578-2082.

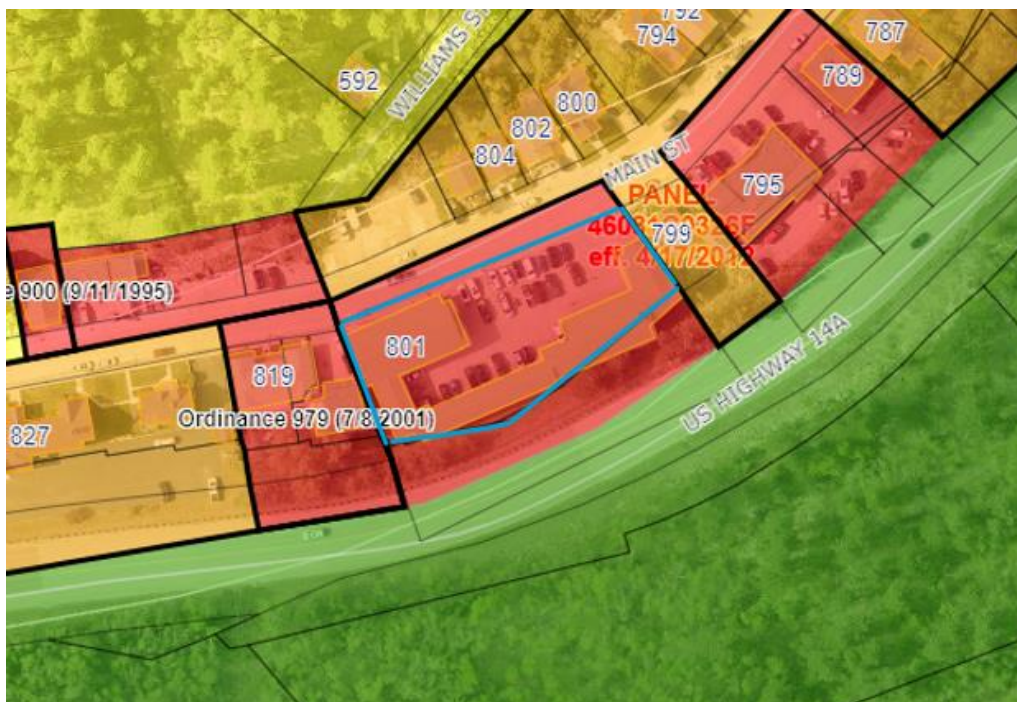


**Aerial photo of 801 Main Street**



**Map of 801 Main Street**





**Zoning map showing 21 Spring Street**

### Zoning Legend

- C1 - COMMERCIAL
- CE - COMMERCIAL ENTERPRISE DISTRICT
- CH - COMMERCIAL HIGHWAY
- PF - PARK FOREST
- PU - PUBLIC USE
- PUD - PLANNED UNIT DEVELOPMENT
- R1 - RESIDENTIAL
- R2 - MULTI-FAMILY RESIDENTIAL