

CITY OF DEADWOOD  
HISTORIC PRESERVATION COMMISSION

Wednesday, July 25, 2007

**Present Historic Preservation Commission:** Darin Derosier, Mary Ann Oberlander, Mike Olsen, Steve Olson, Matt Pike and Willie Steinlicht. Historic Preservation Officer Kevin Kuchenbecker was also present.

**Absent Historic Preservation Commission:** Ronda Feterl.

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A quorum being present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order on Wednesday, July 25, 2007 at 5:00 p.m. in the Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

**Review Minutes – July 11, 2007**

*It was moved by Mr. Derosier, seconded by Mr. Olsen to adopt a resolution to approve the minutes of the regular Historic Preservation Commission meeting conducted on Wednesday, July 11, 2007 as presented.* Mr. Pike pointed out that under the discussion of 88 Charles Street, Creekside Clinic, there were two motions made and approved by the commission. He questioned City Attorney Jason Campbell as to whether this was a procedural error that needed to be rectified. Mr. Campbell concurred with Mr. Pike's assessment. *Hearing no further discussion, upon vote taken thereon, the motion died. It was moved by Mr. Derosier, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the minutes of the regular Historic Preservation Commission meeting conducted on Wednesday, July 11, 2007, with the exception of item 5d, 88 Charles Street - Creekside Clinic Sign.*

**Additions, Deletions, Corrections to the Agenda**

City Archivist Mike Runge appeared before the commission at this time. He explained that on June 24 - 26 the City of Deadwood was granted a "Conservation Needs Assessment Grant". Mr. Runge introduced Jerry Berggren, architect conservator, and Terri Schindel, conservator, to the commission and stated that they were working together on the grant project with the city and were here to explain their role in the grant process, as well as how the grant could be used to benefit the city's archival needs.

Ms. Schindel came forward and explained that her job was to look at the collection's management, care of the collection, conservation issues, staffing, funding, support from the community of the archives, and the function of the archives in servicing the community. She stated that Mike is doing a "fantastic job", the archives service the community, as well as surrounding regions, and the city "should be very proud" of their collection. Ms. Schindel explained that the next step in the grant process was to create a priority report based on input from the community and staff, consisting of long, mid, and short term goals, followed by implementation.

At this time, Mr. Berggren came forward and explained that his role is to serve as "backup" to Ms. Schindel when the archives are housed in historic structures. He explained that there are several issues to consider when historic artifacts are stored in a historic buildings that put an extra strain on the archives such as, climate control; moisture problems; HPAC systems; and leaking. He mentioned that, after touring several of the city's buildings, he noticed some of these issues that need to be addressed, but assured the commission that none of these concerns were "very serious".

**Voucher Approval**

**Operating Account:**

*It was moved by Mr. Derosier, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the HP Operating Account in the amount of \$98,778.69.*

Bonded Account:  
None.

OLD BUSINESS:

Additions, Deletions, Corrections to the Agenda

*It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to adopt a resolution to add 88 Charles Street, Creekside Clinic, under old business for reconsideration.*

Kiwanis' Prospector Bowl Request - Rod Galland

Rod Galland was not present. *It was moved by Mr. Olson, seconded by Ms. Oberlander and carried unanimously to adopt a resolution to continue the discussion on the Kiwanis Prospector Bowl request at the next Historic Preservation Meeting, August 8, 2007.*

639 Main Street - Awning - Ron & Lisa Jorgenson

Historic Preservation Officer Kevin Kuchenbecker summarized the applicant's request to remove the existing awning and install a new awning smaller in size. Mr. Kuchenbecker stated that he believes that the proposed project will have an adverse affect on the Historic District due to the inconsistencies with adjacent storefronts, as well as exposure of the mezzanine level which is not historically accurate with the original storefront. He explained that one issue the property owner is facing with the current awning, aside from disrepair, is the fact that the awning covers the existing windows and therefore does not allow light into the mezzanine level apartment. Mr. Kuchenbecker stated that he has met with the applicants to discuss other options to address this issue, but explained that it will be a challenge doing so without a costly renovation of the entire storefront.

Ms. Jorgenson explained that the original storefront was altered in the 1950s and prior to that renovation the storefront housed bay windows. She stated that she would like to lower the awning and put in bay windows where they had previously existed, but didn't feel that she could afford the cost of the window replacement. Mr. Pike stated that there may be some assistance available for window replacement through Neighborhood Housing, but Mr. Kuchenbecker explained that the program available for window replacement was for residential, not commercial, structures.

Mr. Olsen asked for clarification as to whether "the major difficulty is that the mezzanine level is not historically accurate to the building". Mr. Kuchenbecker replied, "right". He went on to explain that if the awning were lowered the probable location of the original transom windows would be exposed. Mr. Kuchenbecker stated that a possible design solution would be to take the storefront back to a bulk head, store front window and transom, "keeping the feel of the original storefront".

Mr. Pike then questioned Ms. Jorgenson as to whether the existing awning needed to be replaced and, if that were the case, would she consider just replacing the awning and leaving the windows covered. Ms. Jorgenson stated that the awning did in deed need replacing and reiterated that, by doing as Mr. Pike suggested, there would still be no light coming in on the mezzanine level. She stated that if she could "figure out a way to let light through the awning" she would consider that option.

Mr. Pike then asked Ms. Jorgenson if she understood the concerns that Mr. Kuchenbecker had with the new awning in comparison with the adjacent awnings as far as how the new awning would "look significantly smaller and break up the rhythm on Main Street". Ms. Jorgenson said that she understood, but did not agree with the Mr. Kuchenbecker's assessment due to the fact that there "is a great deal of inconsistencies up and down the street" in awning sizes. Mr. Olson pointed out that there are different sized awnings up and down main street, but this is a "marked difference" and would "appear very odd".

Chairman Steinlicht asked Ms. Jorgenson if she had considered applying for a low interest loan from Neighborhood Housing Services (NHS). Mr. Olsen stated that he felt it would be a good idea for Ms. Jorgenson to meet with Joy McCracken at NHS to discuss available funding options. He went on to say that if funding were available to aid in restoring the front of the building, it may no longer require a new awning, making further discussion unnecessary. *It was moved by Mr. Derosier, seconded by*

*Mr. Pike and carried unanimously to adopt a resolution to continue the Application for a Certificate of Appropriateness pending further discussion between the applicant, Neighborhood Housing, and Mr. Kuchenbecker.*

#### 26 Sampson Street - New Residential Structure - Terry Hall

Terry Hall, applicant and property owner, was not present. Historic Preservation Officer Kevin Kuchenbecker summarized the applicant's updated proposal for a new residential structure at 26 Sampson Street, located in the Large's Flat Historic Overlay Zone, which addressed the concerns of the commission by adding dormers. Mr. Kuchenbecker stated that he believes that, even with a new design, the structure will have an adverse affect to the district. *It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to deny the Application for Project Approval for the new residential structure at 26 Sampson Street, as proposed by Terry Hall, applicant and owner, because the scale and massing of the roof will have an adverse affect on a historic district.*

#### Additions, Deletions, Corrections to the Agenda

#### 88 Charles Street - Creekside Clinic - Dr. Michael Guilbert

*It was moved by Ms. Oberlander, seconded by Mr. Olson and carried unanimously to approve the Sign Permit Application for 88 Charles Street, with a variance because the sign would not be located near an entrance, as proposed by Dr. Michael Guilbert, applicant and owner, as presented.*

#### NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:

#### 11 Charles Street - Pizza Hut

Mr. Kuchenbecker summarized the proposed application. He stated that Pizza Hut was requesting to place a 70" x 24" sign on either side of the building, as well as paint the existing sign. Mr. Kuchenbecker explained that each sign would require a variance because there is not an entrance within ten (10) feet of the proposed locations.

Mr. Olson questioned if the existing neon signs in the windows would be removed once the new signage was in place. Linda Johndreau, representing Pizza Hut, was not sure of the owners intent but did not believe so. Mr. Olson stated that according to the ordinance if the inside sign is less than one (1) foot from the window the sign would be considered outside signage and would then require another variance for approval.

*It was moved by Mr. Derosier to adopt a resolution to approve the Sign Permit Application for a 70" x 24" sign, located at 11 Charles Street, with a variance due to the fact the location of the sign is not within ten (10) feet of an entrance, as proposed by the applicant, Pizza Hut, as presented. The motion died due to a lack of a second. It was moved by Mr. Pike, seconded by Mr. Olson and carried unanimously to continue the discussion on 11 Charles Street until more information was ascertained as to the location of the neon signs in reference to the windows.*

#### 628 Main Street - Deadwood Harley Davidson

*It was moved by Mr. Olsen, seconded by Mr. Pike to adopt a resolution to approve the Sign Permit Application with a variance for a 5' x 4' temporary sign, located at 628 Main Street, with the condition that the sign be installed no sooner than 72 hours before the official start of the Sturgis Rally, August 5, 2007, and removed no later than 48 hours after the official ending of the rally, August 11, 2007, as proposed by the applicant, Deadwood Harley Davidson, as presented.* Mr. Jim Burgess, representing Deadwood Harley Davidson, asked the commission to allow additional time for the set up and removal of the sign. *It was moved by Mr. Olsen, seconded by Mr. Pike and carried unanimously to amend the time frame in the previous motion and allow the temporary sign to be in place from August 1, 2007 through August 13, 2007.*

#### 27 Deadwood Street - Hickok's Iron Horse Inn

*It was moved by Mr. Olsen, seconded by Mr. Pike and carried unanimously to adopt a resolution to accept the Sign Permit Application for a sign to be located on the rear of the Iron Horse Inn at 27 Deadwood Street, with a variance because there is no public entrance in the back of the building, with a stipulation that the sign be located between the first and second stories of the structure to comply with the ordinance, as proposed by Hickok's Iron Horse Inn.*

**NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:**

**658 Main Street - Awnings Buffalo/Bodega Complex**

The commission referred to the following staff report:

*Case No. 07055*  
*Address: 658 - 664 Main Street*

July 25, 2007

**STAFF REPORT**

The applicant requests Certificate of Appropriateness to install awnings on the front elevations of the Buffalo / Bodega Complex at 658 - 664 Main Street, a contributing structure located in the Deadwood City Historic Overlay Zone of the City of Deadwood.

Applicant: Kevin Johnson  
Owner: Kevin Johnson  
Constructed: 1880

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic District Commission shall use the following criteria in granting or denying Certificate of Appropriateness:**

***General Factors:***

***1. Historic significance of the resource:*** These building is a contributing resource in the Deadwood National Historic Landmark District. The Bodega Saloon has occupied the main floor since at least 1893. The tile floor, bar fixtures and other accouterments remain from a remodeling of the saloon in 1902.

***2. Architectural design of the resource and proposed alterations:*** Applicant proposes to install awnings as submitted in the application on the following three building's front elevations:

- a. Bodega I – 664 Main Street
- b. Bodega II – 662 Main Street
- c. Bodega III – 660 Main Street

***Attachments:*** Yes

***Plans:*** Yes

***Photos:*** Yes

***Recommended Decision:***

Staff's comment regarding the proposed awning at 664 Main Street – Bodega I – is the awning as proposed changes the significant vertical elements now visible on the front of the building The large windows are very attractive and significant element of this structure will be changed visually with the addition of the horizontal element of the awning; however, historic photographs show a very similar awning across the front of the building.

The proposed work and changes will not have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report. *It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the Application for Certificate of Appropriateness to replace the existing awnings with three (3) new awnings, at 658 Main Street, a contributing structure located in the Deadwood City Historic Overlay Zone, as proposed by the Buffalo/Bodega Complex, the applicant and property owner, as presented.*

**NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:**

**HPC Budget Review & Recommendation**

*It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to accept the Historic Preservation budget for 2008 and present it to the Deadwood City Commission for approval, as presented.*

**5 Stewart Street - Front Door - Rick Anderson**

The commission referred to the following staff report:

Case No. 07054  
Address: 5 Stewart Avenue

July 25, 2007

**STAFF REPORT**

The applicant requests Project Approval for to construct a new residence located at 5 Stewart Avenue located in the Cleveland Historic Overlay District in the City of Deadwood.

Applicant: Rick Anderson  
Owner: Same  
Constructed: ca. 1900

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic District Commission shall use the following criteria in granting or denying Project Approval:**

*General Factors:*

*1. Historic significance of the resource:* This building is a contributing resource in the Deadwood National Historic Landmark District. This is an early Deadwood house which was remodeled during the pre-World War II years; consequently, it has historic associations with both Deadwood's nineteenth-century mining boom and the region's mining revival of the late 1920s and 1930s. This house displays architectural elements which were popular during the latter period. In Deadwood, as elsewhere in the United States, residential remodels commonly borrowed from the then popular Craftsman Style. Other remodels copy traditional forms seen in the "Picturesque Revival" styles.

*2. Architectural design of the resource and proposed alterations:* The applicant proposes to remove old front door and side panels and replace with new pre-hung single door with side panels. Materials will be pre-finished steel door.

*Attachments:* Yes.

*Plans:* No.

*Photo* Yes

*Recommended Decision:* The current door is a steel door with no lights (window) which currently has an adverse affect to the property. A proper rehabilitation project would involve the repair of the existing wood framed sidelights and the installation of a wooden compatible door closer to the architectural style of the house. The proposed work and changes will have an adverse affect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Mr. Kuchenbecker summarized the information provided in the staff report. *It was moved by Mr. Olsen, seconded by Mr. Pike and carried unanimously to adopt a resolution to deny the Application for Project Approval to replace the existing front door with a pre-hung single door with side panels at 5 Stewart Street, a contributing resource located in the Cleveland Historic Overlay District, because it will have an adverse affect on the historic district, as proposed by Rick Anderson, applicant and property owner, as presented.*

**11 Jackson Street - Doors, Windows, Repair - William Zwingelberg**

The commission referred to the following staff report:

Case No. 07056  
Address: 11 Jackson Street

July 25, 2007

**STAFF REPORT**

The applicant requests Project Approval to replace exterior doors and windows at 11 Jackson Street, a contributing structure located in the Ingleside Historic Overlay Zone of the City of Deadwood.

Applicant: William Zwingelberg  
Owner: William Zwingelberg  
Constructed: ca. 1942

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic District Commission shall use the following criteria in granting or denying Project Approval:**

**General Factors:**

*1. Historic significance of the resource: This building is a contributing resource in the Deadwood National Historic Landmark District. It is significant for its historic association with the growth and economic activity which took place in Deadwood from the late 1920s until World War II. This is of the minimal traditional style.*

*2. Architectural design of the resource and proposed alterations: The applicant proposes to conduct a series of projects as submitted and outlined below:*

- a. Replace Basement Door*
- b. Replace Side Door*
- c. Replace six rear windows*
- d. Re-enforce deck piers, replace floor & rails*
- e. Strip peeling pain – repaint exterior*
- f. Replace rear storage building*

**Attachments:** Yes

**Plans:** Yes

**Photos:** Yes

**Recommended Decisions:**

- a. The proposed replacement door in the basement will not have an additional affect to the character of the house, due to the already existing conversion of the garage to living space and matching existing main level door.
- b. The proposed replacement of the side door matches the already installed front door which was approved by HPC on March 11, 2005; however, this may have an additional adverse affect to the character of the house.
- c. Replace six rear windows matches the already installed windows which were approved by HPC on March 11, 2005; however this may have an additional adverse affect to the character of the house.
- d. Re-enforce deck piers, replace floor & rails – no HPC approval needed as this is considered a maintenance issue and is dealt with simply through the issue of a building permit.
- e. Strip peeling pain – repaint exterior – no HPC approval needed as this is considered a maintenance issue and is dealt with simply through the issue of a building permit.
- f. Replace rear storage building – the retirement of this non-contributing structure will not have an adverse effect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provide in the staff report. The applicant requests the following: 1.) replace basement door; 2.) replace side door; 3.) replace six (6) rear windows; 4.) re-enforce deck piers, replace deck floor & rails; 5.) strip peeling paint & repaint exterior; and 6.) replace rear storage unit. Mr. Kuchenbecker suggested that the commission discuss and take action on each request separately.

***It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Application for Project Approval to replace the basement door at 11 Jackson Street, a contributing structure located in the Ingleside Historic Overlay Zone, as proposed by William Zwingelberg, applicant and property owner, as presented.***

Mr. Kuchenbecker stated that the replacement door would match the existing front door that was previously approved by the commission on March 11, 2005. Mr. Olsen questioned if the door being replaced was original to the house and Mr. Kuchenbecker stated that he did not believe it was. ***It was moved by Mr. Derosier, seconded by Mr. Olsen and carried upon roll call vote being taken, with the following commissioners voting AYE: Mr. Olsen, Mr. Olson, Mr. Derosier, and Mr. Steinlicht; the following commissioners voting NO: Mr. Pike and Ms. Oberlander, to adopt a resolution to approve the Application for Project Approval to replace the side door at 11 Jackson Street, a contributing structure located in the Ingleside Historic Overlay Zone, as proposed by William Zwingelberg, applicant and property owner, as presented.***

Mr. Kuchenbecker stated that the replacement windows would match the existing windows that were previously approved by the commission on March 11, 2005. He also stated that the windows to be replaced are original to the house. Mr. Derosier asked what the current windows would be replaced with. Mr. Kuchenbecker explained that the new windows would be double-hung vinyl windows. Mr. Olsen questioned the purpose of replacing the existing windows. Mr. Kuchenbecker stated that he believed that the property owners were making "upgrades throughout the house". ***It was moved by Mr. Olsen, seconded by Mr. Pike to adopt a resolution to deny the Application for Project Approval to replace six (6) rear windows at 11 Jackson Street, a contributing structure located in the Ingleside Historic Overlay Zone, as proposed by William Zwingelberg, applicant and property owner, as presented.*** Mr. Derosier expressed his concerns with the inconsistencies between commissions and the decision previously made to approve the installation of the same type of windows. At this time, the property owner Tamara Zwingelberg, spoke up and stated that the windows need replacing because they no longer open and close. Mr. Olsen asked Mr. Kuchenbecker if he had had the opportunity to discuss alternative options with the property owners that would be both functional and aesthetically appropriate. Mr. Kuchenbecker stated that he had not. Chairman Steinlicht asked if the applicants would qualify for the window program. Mr. Kuchenbecker stated that they would. Mr. Derosier suggested that the Zwingelbergs meet with Mr. Kuchenbecker to discuss the window program and then resubmit their application for the replacement windows at a later time. ***Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.***

Mr. Kuchenbecker explained that the next two (2) items, deck repairs and exterior painting, were both maintenance issues and did not require approval from the commission.

***It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to accept the Application for Project Approval to retire and replace the existing rear storage building at 11 Jackson Street, a non-contributing structure located in the Ingleside Historic Overlay Zone, as proposed by William Zwingelberg, applicant and property owner, as presented.***

### **9 Stewart Street - New Residence - Brian Jewell**

The commission referred to the following staff report:

Case No. 07052  
Address: 9 Stewart Avenue

July 25, 2007

### **STAFF REPORT**

The applicant requests Project Approval for to construct a new residence located at 9 Stewart Avenue located in the Cleveland Historic Overlay District in the City of Deadwood.

Applicant: Brian Jewell  
Owner: Same  
Constructed: new construction

### CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

**The Historic District Commission shall use the following criteria in granting or denying Project Approval:**

*General Factors:*

**1. Historic significance of the resource:** The existing structure is listed as a contributing double garage associated with a house that was addressed 9 Stewart Street. The house is no longer extant.

**2. Architectural design of the resource and proposed alterations:** The applicant received approval to demolish the garage upon approval of a new residential structure on the location. The applicant has submitted a colored rendering of the front elevation of the proposed new residential structure to be built on this site.

*Attachments:* Yes.

*Plans:* No.

*Photo:* Yes.

**Recommended Decision:** The proposed work and changes will have an adverse affect on the historic character of the existing building due to its retirement (already approved contingent on the approval of the new residential structure); however, the proposed new construction will not have an adverse affect on the character of the historic overlay zone or the historic character of the Deadwood National Landmark Historic District.

A complete set of plans should be reviewed by staff prior to the issuance of a building permit to ensure the final prints do not change the initial review on affect of the districts.

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report. *It was moved by Mr. Derosier, seconded by Mr. Olsen and carried unanimously to adopt a resolution to accept the Application for Project Approval to construct a new residence at 9 Stewart Avenue, located in the Cleveland Historic Overlay District, contingent upon design approval.*

### South Highway 14A - Jackrabbit Flats - Windows - R.A. Walling

The commission referred to the following staff report:

*Case No. 07053*

July 25, 2007

*Address: South Highway 14A – Jack Rabbit Flats*

### STAFF REPORT

The applicant requests Project Approval to replace / install four windows on the front of the structure at South Highway 14A, a non-contributing structure located in the 1<sup>st</sup> Ward - Industrial Historic Overlay Zone of the City of Deadwood.

Applicant: R.A. Walling  
Owner: Same  
Constructed: ca. 1950

### CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

**The Historic District Commission shall use the following criteria in granting or denying Project Approval:**

**General Factors:**

**1. Historic significance of the resource:** *This building is a non-contributing resource outside the Deadwood National Historic Landmark District. The building is not historically significant.*

**2. Architectural design of the resource and proposed alterations:** *The applicant proposes to replace / install four wooden sliding windows on the front of the structure as submitted in the application.*

**Attachments:** Yes

**Plans:** Yes

**Photos:** Yes

**Recommended Decision:** The proposed work and changes will not have an adverse effect on the character of the building and the historic character of the Deadwood National Landmark Historic District.

Mr. Kuchenbecker summarized the information provided in the staff report. ***It was moved by Mr. Olsen, seconded by Mr. Pike and carried unanimously to adopt a resolution to approve the Application for Project Approval to replace four (4) of the existing windows on the front facade with 4' x 6' wood sliding windows at South Highway 14A, Jackrabbit Flats, a non-contributing structure located in the 1st Ward-Industrial Historic Overlay Zone, as proposed by R.A. Walling, applicant and property owner, as presented.***

**861 Main Street - Windows - Curtis Williams**

The commission referred to the following staff report:

Case No. 07057  
Address: 861 Main Street

July 25, 2007

**STAFF REPORT**

The applicant requests Project Approval to install new vinyl windows at 861 Main Street a non-contributing resource located in the Upper Main Historic Overlay Zone in the City of Deadwood.

Applicant: Curtis Williams  
Owner: Same  
Constructed: 1950

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

**The Historic District Commission shall use the following criteria in granting or denying Project Approval:**

**General Factors:**

**1. Historic significance of the resource:** This is a 1950s era ranch-style house with a hip roof. Because this structure is less than fifty years old, it cannot currently contribute to The Deadwood National Historic Landmark District at this time.

**2. Architectural design of the resource and proposed alterations:** The applicant proposes to install new vinyl windows in the structure located at 861 Main Street.

**Attachments:** Yes.

**Plans:** No.

**Photo:** Yes.

**Recommended Decision:** The current windows are wood double-hung two-over-two windows. As proposed the change of material may have an adverse affect to the property for future eligibility as contributing to the district. A proper rehabilitation project would involve the repair of the existing wood windows or if necessary replacement with wooden windows to match the existing window styles.

The proposed work and changes may have an adverse affect on the integrity of the building and the historic character of the Deadwood National Landmark Historic District. Furthermore, the application states the work has already started without a building permit.

Mr. Kuchenbecker summarized the information provided in the staff report. The applicant is requesting to install six (6) new vinyl windows at 861 Main Street. Mr. Kuchenbecker explained that when the last architectural survey was done in 1993 the structure was less than fifty (50) years old and therefore, it is not currently considered a contributing structure. Mr. Kuchenbecker pointed out that the property owner, Curtis Williams, was present to answer any questions from the commission.

Mr. Olsen asked if a stop work order had been issued. Mr. Kuchenbecker replied that he believed, due to the lack of a building permit, Mr. Umenthum had issued a stop work order. Mr. Olsen then asked how much work was completed before Mr. Curtis was told to discontinue the installation of the windows. Mr. Curtis replied that five (5) were almost done & the sixth one had been started. The manufacturer and installer of the windows was present and informed the commission that it was an unfortunate oversight on his part that a building permit was not obtained and assured them that the error would not be repeated. Mr. Olson pointed out that "any exterior change to any building basically in the City of Deadwood is subject to possible approval or action by this board".

Mr. Olson questioned if the new windows were the same configuration, two over two, as the existing windows. The manufacturer replied that the new windows do not have the muntins in the center, but stated that he could add it to the design.

Mr. Olsen asked Mr. Kuchenbecker his opinion on whether the new windows would have an effect on the upcoming survey, causing the structure to be considered a non-contributing resource permanently. Mr. Kuchenbecker stated, "not necessarily". He went on to say that there were several criteria that are considered when evaluating a structure's eligibility to be placed on the National Registry of Historic Places. Mr. Kuchenbecker also stated that the structure is a 1950's ranch style, common in most cities, but unique to Deadwood and "that could make it significant", therefore "the two over two becomes an important part of maintaining some of the characteristics that define that 1950's structure".

***It was moved by Mr. Derosier, seconded by Mr. Olsen and carried, with Mr. Pike abstaining due to the possible implications, to adopt a resolution to approve the Application for Project Approval to replace six (6) windows, four (4) double hung and two (2) picture, at 861 Main Street, a non-contributing resource located in the Upper Main Historic Overlay Zone, as proposed by Curtis Williams, applicant and property owner, with the stipulation that a horizontal muntin be added to create the appearance of a two over two configuration.***

#### **Stage Run Development - Excavation - Bill Pearson/Clayton Johnson**

Mr. Kuchenbecker stated the applicants are requesting an excavation and grading permit. He stated that he has been working with the archeologists in completing an archeological survey. Mr. Kuchenbecker went on to say that the Historic Preservation staff is in the process of identifying early transportation routes into Deadwood and has identified a wagon trail going through the proposed site for the Stage Run Development. He referred the commission to a plat of the property which also provided a GPS overlay distinguishing the identified route. Mr. Kuchenbecker stated that there may be some discrepancies, but it appears that the wagon trail will run through some of the proposed green space. He went on to say that, after doing some research and talking with the state, he feels that the site could be considered eligible for the National Register as a linear site. Mr. Kuchenbecker proposed that a "good mitigation" would be to conserve the road by integrating it into public space, such as walking paths with interpretive panels. He stated that the developers agreed to include the interpretive panels, but more research will still need to be done. Mr. Kuchenbecker pointed out that the developers, the engineer, and the archeologists were all present to answer questions from the commission.

Mr. Olsen asked if the developers needed final plat approval from Planning and Zoning before beginning excavation. Mr. Pearson stated that he was told by Bernadette Williams that approval from the Historic Preservation Commission was the next step in the process and that they could present the plat to Planning and Zoning at a later time. Mr. Olsen then asked if they had received an easement from the Forest Service for Mt. Roosevelt Road. Mr. Clayton stated that they have spoke with Rich Hudson, director of the Black Hills Forest Service, who claims that "it will happen, but it will take some time".

Mr. Olsen questioned Mr. Kuchenbecker's level of comfort with this project. Mr. Kuchenbecker replied that the development will have an adverse affect on a portion of the transportation route but he felt that much of it could be maintained. He went on to say that this project needed to be a "give and take". Mr. Kuchenbecker then asked Lance Rom, the archeologist on record for the project, if he had anything to add. Mr. Rom explained that when considering all of the different transportation routes into Deadwood the site could be eligible for the Historic Register, but stated that he was comfortable with the "developer's proposal to preserve as much as they can". ***It was moved by Mr. Derosier, seconded by Mr. Olsen to adopt a resolution to approve the Application for Project Approval, with the stipulation that the developers preserve the green space surrounding the early transportation route and implement interpretive signs, as proposed by Stage Run Development, as presented.*** Mr. Olson clarified that the approval included only the grading and excavation portion of the project. ***Hearing no further discussion, upon vote being taken thereon, the motion carried unanimously.***

### **100 Pine Crest - Ramkota Project - Deadwood Resort, LLC**

The Commission referred to the following staff report:

Case No. 07051  
Address: 100 Pine Crest Lane

Date: July 23, 2007

#### **STAFF REPORT**

The applicant requests Project Approval for "rough grading" for the proposed new construction of The Lodge at Deadwood at 100 Pine Crest Lane in the Pine Crest Historic Overlay Zone of the City of Deadwood, South Dakota.

Applicant: Larry Crane – Perspective, Inc.  
Owner: Deadwood Resorts, LLC  
Constructed: New Construction

#### **CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

The Historic District Commission shall use the following criteria in granting or denying Project Approval:

##### ***General Factors:***

***1. Historic significance of the resource:*** The project area lies immediately south of Highway 85 and sits on the north-facing slope of Sunrise Mountain. Sunrise Mountain is situated on the northeastern part of what is locally known as Deadwood Hill. Much of the project area was disturbed with a 1959 wild fire. Additionally, the construction of modern Highway 85, and the newly developed *Tatanka: Story of the Bison* has dramatically changed the historic setting of the Pine Crest Tourist Park which opened in 1924. This facility represented one of the early auto tourist camps with "modern" facilities in South Dakota and the Black Hills and was the first in Deadwood.

The project is outside the 1981 city limits therefore is not considered part of the Deadwood National Historic Landmark District; however, it is in the Pinecrest Historic Overlay Zone.

In March 2005, a National Register of Historic Places evaluation of this site was conducted to determine if the site of the Pine Crest Tourist Camp was eligible for listing under the National Register regulations or as contributing to the Deadwood Historic District. It was determined that the site does not contain the integrity for listing nor is contributing to the district.

Adjacent to the proposed undertaking is an eligible National Register of Historic Places site (39LA789) – Deadwood Dick's cabin, which was once part of the Pine Crest Tourist Park.

During investigation of a neighboring proposed development; staff has determined the Noble Toll Road would have intersected this site but was not documented by the archaeology firm which surveyed the area. This Toll Road appears to have lost its integrity during the previous excavations.

**2. Architectural design of the resource and proposed alterations:** The applicant proposes new construction for a multi-use facility consisting of a 140 room hotel, indoor aquatic center, casino, bar-restaurant and convention center totally approximately 166,233 gsf. (see attached rendering, site plans and floor plans). The applicant is requesting preliminary approval for "rough grading" with the understanding that a complete submittal will follow for the entire facility.

The proposed construction will have a rustic lodge overall appearance with use of regional materials and a pedestrian scale front façade. The building's form echoes the Pine Crest Tourist Park's Community Building with the use of simple gables and exposed log roof trusses. Exterior colors will be earth tones to blend into the surrounding scenery.

The building is proposed to have peeled log trusses with a mix of vertical board and batten and horizontal lap siding. The windows are proposed to be framed trim surrounds and wood entrance doors will have exposed black iron hardware. The roof is proposed to be standing seam steel roof.

**Attachments:** Yes

**Plans:** Yes

**Photo:** Yes (Architectural Rendering and Historic Photos)

**Recommended Decision:**

Staff has conducted a preliminary review of this significant project based on this partial submittal for "rough grading." The applicant understands that a complete submittal will be required for the entire facility; however, it is the staff's preference to review this proposal based on the proposed construction of the new facility rather than just the "rough grading" to provide the Deadwood Historic Preservation Commission an understanding of the affect of the project to the Deadwood National Historic Landmark District. Although this site has undergone project review and received Project Approval under a different concept, it has since expired and the new proposal has changed. It is the staff's belief that the proposed project has less impact than the original proposed application due to the fact that it has been somewhat downsized in scale and further based its overall design by complimenting the previous Pine Crest Tourist Park which occupied this location in the past.

The proposed rustic lodge construction use of regional materials and pedestrian scale front façade would be appropriate in the fact the form echoes the Pine Crest Tourist Park's Community Building. The exterior colors of earth tones will blend into the surrounding scenery.

The building's proposed log trusses and mix of vertical board and batten and horizontal lap siding. The windows are proposed to be framed trim surrounds and wood entrance doors which appear appropriate. The roof standing seam steel roof also appropriate.

As stated in the previous staff report regarding this project, there are mediation agreements from 1995 between the following entities; Deadwood Historic Preservation Commission, Black Hills National Forest and the South Dakota Historical Society with regards to this property.

Staff still concurs with the recommendations from the National Register of Historic Places Evaluation (39LA3000-PC) conducted in April 2005 by Quality Services, Inc. for the Ramkota Hotel Facilities. The recommendation from this report is an interpretive sign or display be created describing the history and significance of the Pine Crest Tourist Park due to the historical significance as a part of the proposed project. Furthermore, the previous 1995 Deadwood Historic Preservation Commission and Black Hills National Forest recommendations regarding Deadwood Dick's cabin (39LA789) should be followed to ensure no adverse effects to this adjacent site.

Under the Deadwood Design Guidelines there is a section entitled: For new construction in areas with few or no remaining historic buildings. This section of the guidelines has been also utilized as part of this staff report. It states: "Because so little of the original built environment remains in these areas to provide visual clues for appropriate infill architecture, proposals for development will be evaluated for how they reestablish the original development pattern; for example, in areas where residences existed, as illustrated by Sanborn Fire Insurance Maps, proposed development should reestablish the spacing, setbacks, scale and character of the original buildings. Where historic photographs exist, these can reveal the architectural character of the area. Re-creation of the buildings is not the primary objective; however, re-creation of the pattern and scale of buildings is." Staff believes there is an attempt to recreate a feel of the Pine Crest Tourist Park.

Base on the partial submittal of information, staff has reviewed this application against the South Dakota Administrative Rule 24:52:07:04, Standards for new construction and additions in historic districts. New construction or additions within a historic district must comply with The Secretary of the Interior's Standards for the Treatment of Historic Properties. While this project appears to

be outside the National Historic Landmark District it does lie within the Pine Crest Historic Overlay Zone; however, there are no structures within this overlay district which currently contribute to the National Historic Landmark District. Staff has reviewed the project as if it lies within the NHL district.

- (1) **Compatibility of design.** This site is void of surrounding historic buildings; therefore, the massing, size, and scale of the proposed new construction is difficult to determine compatibility although it does echo somewhat of a tourist resort. Overall architectural features of the proposed new construction are of rustic design which does not directly mimic the historic buildings which were part of the Pine Crest Tourist Park. The overall visual appearance of new construction does appear to somewhat dominate but not necessarily distracting from the surrounding historic landscape;
- (2) **Height.** It is not possible to compare the height of the proposed new building to existing historic buildings where proposed new construction is to be located; however, the maximum height under the City of Deadwood's Zoning Code is 45 feet in the Commercial Highway zoning district. The overall height of the proposed hotel portion of the project is 51 feet while the convention, gaming establishment and restaurant area is approximately 26 feet in height.
- (3) **Width.** Again, the width of the proposed new building must be similar to adjacent historic buildings; unfortunately, there is no existing buildings left from the Pine Crest Tourist Park; however, the proposed building is very large in width but is somewhat broke up with the entrances to the various aspects of the facility.
- (4) **Proportion.** Due to the lack of any existing historic buildings in the immediate vicinity of the proposed new building, the proportion of its height and width relationship is non comparable. The proportion of openings in the facades of proposed new construction appears to be pedestrian friendly with some form of compatibility to similar openings in other historic buildings;
- (5) **Rhythm and scale.** The design of new building incorporates a form of rhythm, placement, and scale of openings along with prominent vertical and horizontal members similar to features present in some other historic buildings;
- (6) **Materials.** The proposed materials which make up the new building complements materials present in nearby historic district and that of the previous Pine Crest Tourist Park. The proposed materials are of similar color, texture, reflective qualities, and scale as historical materials present in the historic district;
- (7) **Color.** The colors of materials, trim, ornamentation, and details used in the new construction are similar to those colors on existing historic buildings or must match colors used in previous historical periods for identical features within the historic district. This is evident through the use of earth tone colors and natural materials;
- (8) **Details and ornament.** The details and ornamentation on proposed new building is of contemporary design that complements those features of similar physical or decorative function on historic buildings;
- (9) **Roof shape and skyline.** While the size of the project is quite large, the roof shape and materials of the proposed new construction is similar to that of historic buildings which existed in the Pine Crest Tourist Park;
- (10) **Setting.** Due to the loss of the original structures of the Pine Crest Tourist Park, it is difficult to review the relationship of the proposed new building to the traditional placement of historic buildings with regard to the relation of streets, sidewalks, natural topography, and lot lines; however, the proposed building is not visible from the National Historic Landmark District and is somewhat nestled into Deadwood Hill; and
- (11) **Landscaping and ground cover.** The proposed retaining walls, fences, plants, and other landscaping elements that are part of proposed new construction does not introduce elements which are out of character with the setting of the historic district.

The proposed work and changes for "rough grading" and the preliminary review of the proposed construction of The Lodge at Deadwood will not have an adverse affect on the character of the Pine Crest Historic Overlay Zone and the historic character of the Deadwood National Historic Landmark District.

Mr. Kuchenbecker summarized the information provided in the staff report. The applicant is requesting permission to "rough grade" the proposed new construction of The Lodge at Deadwood. Mr. Derosier clarified that, if approved, the applicant would still need to present the final design plan to the commission for approval. Mr. Olson stated that some grading had already been done on this site and questioned how the proposed grading compared to the "footprint" of the old one. Mr. Kuchenbecker explained that all of the grading would be done inside of the existing "footprint". *It was moved by Mr. Olsen, seconded by Mr. Pike and carried unanimously to adopt a resolution to approve the Application for Project Approval for "rough grading" for the proposed new construction of The Lodge at Deadwood at 100 Pine Crest Lane, located in the Pine Crest Historic Overlay Zone, as proposed by Larry Crane, applicant, as presented.*

**316, 322 & 360 Main Street - Cadillac Jack Expansion - B.Y. Development**

The Commission referred to the following staff report:

*Case No. 07050*  
*Address: 360 Main Street*

*July 20, 2007*

**STAFF REPORT**

The applicant requests Project Approval to expand the existing facility of Cadillac Jacks through the construction of a significant addition located at 360 Main Street located in the Fountain City Historic Overlay District in the National Historic Landmark District of the City of Deadwood, South Dakota.

Applicant: BY Development, Inc.  
Owner: Same  
Constructed: n/a

**CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS**

The Historic District Commission shall use the following criteria in granting or denying Project Approval:

***General Factors:***

***1. Historic significance of the resource:*** The Fountain City Historic Overlay Zone traditionally consisted of residential properties interspersed with small commercial enterprises. This area was not a traditional commercial district with two to three story buildings with zero setbacks typical of the Downtown Core Historic District. This is documented in the Sanborn Insurance Maps as well as historic photographs of the area.

***2. Architectural design of the resource and proposed alterations:*** The applicant proposes the construction of a significant addition to the existing Cadillac Jack's located at 360 Main Street as proposed in the attached plans.

***Attachments:*** Yes.

***Plans:*** Yes.

***Photo:*** Yes.

***Recommended Decision:*** The applicant has taken the necessary steps, in advance of the proposed new construction, to insure proper evaluation of possible archaeological resources. This office has received the archaeological report by Quality Services, Inc. which states the cultural resources identified in the survey are recommended as non-contributing portions to Deadwood's National Historic Landmark status and no further work or protection to the archaeological resources is recommended.

The applicant has also completed a preliminary geotechnical analysis for a retention system for the slope cut. The proposed wall will have 1:1 slope (vertical to horizontal) with an estimated 20 foot reinforced concrete retaining /structure wall with buttresses for the first 80 feet to the east from existing wall along the north side of the structure. The wall then will also have a 1:1 slope with a 12 to 15 foot high reinforced concrete retaining /structure wall with buttresses along the remainder of the north side of the structure. The geotechnical analysis was conducted by American Technical Services, Inc. and Hayward Baker.

The proposed work and changes will have an adverse affect on the character of the Fountain City Historic Overlay Zone and the historic character of the Deadwood National Historic Landmark District. I have documented throughout the staff report the reasons this proposed work will have an adverse affect and this is summarized below in bulleted format.

- The proposed new construction does not re-create the pattern and scale of buildings which were part of this historic overlay zone.
- The proposed new construction is not visually compatible with the buildings and environment with which the new construction is visually related.
- The massing, size, and scale of the new construction is not compatible with the surrounding historic buildings.
- The building's scale does not fit either the core district or the proposed site with the historic aspects of the city.

- The architectural features are reminiscent of core commercial buildings rather than residential or commercial highway construction.
- The proposed project does not display a rhythm, pattern, and scale to comparable elements to the adjacent historic buildings.
- The overall visual appearance of the proposed new construction dominates and is distracting to the surrounding historic landscape.
- The height of the new building exceeds a standard variance of ten percent of the average height of historic buildings on both sides of the street.
- The proposed building exceeding Deadwood City Ordinance under Chapter 17.40.040 of the regarding Commercial Highway Zoning District.
- The width of the new building is not similar to adjacent historic buildings and is not appropriate to this area of the Deadwood Historic Landmark District.
- The relationship between the height and width of the new building is not similar in proportion to existing historic buildings in the area.
- The rhythm, placement, and scale of openings, prominent vertical and horizontal members, and separation of buildings which are present in adjacent historic buildings is not incorporated into the design of the new building;
- Materials which make up the new building do not complement materials present in nearby historic properties.
- The details and ornament on the new building do not complement features of similar physical or decorative function on adjacent historic buildings;
- The roof shape and skyline of the proposed new construction is not similar to that of existing historic buildings in the area;
- The relationship of the new building does not maintain the traditional placement of historic buildings in relation to streets, sidewalks, natural topography, and lot lines; and
- The proposed retaining wall will be out of character with the setting of the historic district.

Deadwood is a National Historic Landmark. National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States. Today, fewer than 2,500 historic places bear this national distinction. The Deadwood National Historic Landmark District is on the Watch (Priority 2) list of the National Park Service due to the continued development pressures of the district including recent developments or proposals for new development. The Watch (Priority 2) indicates Deadwood faces impending actions or circumstances that likely will cause a loss of integrity to the district.

Under the City Ordinance 17.68.010 regarding Historic overlay zones; an historic overlay zone is established for the purpose of the protection of the historical resources of the city. Any development within such zone shall comply with the provisions of this Chapter 17. The boundaries of the historic overlay zone follow the boundaries of the federally designated Deadwood National Historic Landmark District and its environs. These are based on historical development patterns. The historic preservation commission may use review guidelines specific to each unit and such guidelines may be consistent with local, state and federal guidelines and regulations, including, but not limited to, building safety and fire codes and the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation.

Under the Deadwood Design Guidelines there is a section entitled: For new construction in areas with few or no remaining historic buildings. This section of the guidelines has been also utilized as part of this staff report. It states: "Because so little of the original built environment remains in these areas to provide visual clues for appropriate infill architecture, proposals for development will be evaluated for how they reestablish the original development pattern; for example, in areas where residences existed, as illustrated by Sanborn Fire Insurance Maps, proposed development should reestablish the spacing, setbacks, scale and character of the original buildings. Where historic photographs exist, these can reveal the architectural character of the area. Re-creation of the buildings is not the primary objective; however, re-creation of the pattern and scale of buildings is."

For the purpose of this review, it is documented and referenced throughout the staff report the location of the proposed construction is in the Fountain City Historic Overlay Zone of the National Historic Landmark District of Deadwood, South Dakota. The Fountain City Historic Overlay Zone traditionally consisted of residential properties interspersed with small commercial enterprises. This area was not a traditional commercial district with two to three story buildings with zero setbacks typical of the Downtown Core Historic District. This is documented in the Sanborn Insurance Maps as well as historic photographs of the area. Furthermore, under my review as the current Historic Preservation Officer of the City of Deadwood, it is my professional opinion, the existing building known as Cadillac Jacks has an adverse affect on this Historic Overlay Zone and the National Historic Landmark District due to similar reasons this proposed addition/project has an adverse affect.

The Fountain City Historic Overlay Zone, similar to the balance of Deadwood, has or had very few elaborate residential buildings. Through the history of Deadwood, simple wood frame houses of vernacular architecture were constructed. The sense of scale and simplicity in the residential areas surrounding the core commercial district should be preserved and is referenced in the City of Deadwood's Comprehensive Plans.

The review of this application should be viewed in the comparison of this architecture – the scale and simplicity of the residential buildings in the area – rather than the core commercial district which appears did not exist in this area of town prior to the construction of the existing Cadillac Jacks structure constructed in 2002.

Under the South Dakota Administrative Rules 24:52:07:04, Standards for new construction and additions in historic districts, new construction or additions within a historic district must comply with **The Secretary of the Interior's Standards for the Treatment of Historic Properties** as incorporated by reference in § 24:52:07:02. In addition the following standards apply:

1. Compatibility of design
2. Height
3. Width
4. Proportion
5. Rhythm and scale
6. Materials
7. Color
8. Details and ornament
9. Roof shape and skyline
10. Setting
11. Landscaping and ground cover

This proposed project is within the Fountain City Historic Overlay Zone. This historic overlay zone lies within the National Historic Landmark District of Deadwood, South Dakota as established by the National Park Service of the Department of Interior on July 4, 1961 and re-established as the 1981 Deadwood city limits by the Rocky Mountain Regional Office of the National Park Service in 1981. Therefore, this project would fall under 24:52:07:04 of the South Dakota Administrative Rules with regards to Standards for new construction and additions in historic districts.

Furthermore, under the Deadwood City Ordinance 17.68.050-B, the historic preservation commission shall use the following criteria and established design review guidelines in granting or denying project approvals:

1. In advance of new construction, steps shall be taken to insure evaluation of possible archaeological resources, as set forth in SDCL 1-20.
2. The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related, including but not limited to: the height, the gross volume, the proportion between width and height of the facade(s), the proportions and relationship between doors and windows, the rhythm of solids to voids created by openings in the facade, the materials, the textures, the colors, the patterns, the trims and the design of the roof.
3. Existing rhythm created by existing building masses and spaces between them shall be preserved.
4. The landscape plan shall be compatible with the resource, and it shall be visually compatible with the environment with which it is visually related. Landscaping shall also not prove detrimental to the fabric of a resource, or adjacent public or private improvements like sidewalks and walls.
5. No specific architectural style shall be required.
6. With respect to these new construction criteria, the commission shall also consider the zoning classification and historic integrity of visually related buildings.

In an effort to review this project, staff has taken each of the above referenced standards and applied them to the proposed project as detailed below in this report.

- **Compatibility of design.** The massing, size, and scale of the new construction is **not compatible** with the surrounding historic buildings. The building's scale **does not fit** with the historic aspects of this part of the city of Deadwood. The overall architectural features of the proposed new construction are of contemporary design and do not directly mimic historic buildings; however, the architectural features are **reminiscent of core commercial buildings rather than residential or commercial highway** construction. The architectural elements such as windows, doors, and cornices display a rhythm and pattern do fit the comparable elements in Deadwood's core historic district; however, the scale of this proposed structure **does not fit either** the core district or the proposed site. Once again, it **does not display** a rhythm, pattern, and scale to comparable elements to the adjacent historic

buildings which are residential in nature. The overall visual appearance of the proposed new construction **dominates and is distracting** to the surrounding historic landscape; the existing building also **dominates the surround area** and has an **adverse affect** on the Deadwood National Historic Landmark District;

- **Height.** The height of the proposed new building **exceeds a standard variance of ten percent of the average height of historic buildings** on both sides of the street where proposed new construction is to be located. Under Chapter 17.40.040 of the Deadwood City Ordinance regarding Commercial Highway Zoning District the maximum height for principal buildings **shall not exceed 45 feet**. Under my interpretation of the "building height" the proposed building appears to be approximately 64 feet **exceeding city ordinance** by 19 feet.
- **Width.** The width of the new building or addition to existing buildings **is not similar to adjacent historic buildings** and **is not appropriate** in the Deadwood Historic Landmark District. The proposed parking area/gaming hall at the front portion of the project especially **does not match** the width of any structure in the city of Deadwood.
- **Proportion.** The relationship between the height and width of the new building or addition to existing building **is not similar in proportion** to existing historic buildings in the area or within the city limits. The proportion of openings in the facades of the new construction or addition must be compatible with similar openings in adjacent historic buildings; while the facades of the main portion of the building are proportionate to traditional core commercial buildings other than overall height; **the overall project is not proportionate** especially when you consider the veranda-parking-gaming hall portion of the project.
- **Rhythm and scale.** The rhythm, placement, and scale of openings, prominent vertical and horizontal members, and separation of buildings which are present in adjacent historic buildings **is not incorporated** into the design of the new building;
- **Materials.** Materials which make up the new building **does not complement materials present in nearby historic properties**. It should be noted, the new materials are of similar color, texture, reflective qualities, and scale as historical materials present in the historic district;
- **Color.** The colors of materials, trim, ornament, and details used in new construction are to be similar to those colors on existing historic buildings or match colors used in previous historical periods for features within the historic district;
- **Details and ornament.** The details and ornament on the new building is of contemporary design; however, these **do not complement** features of similar physical or decorative function on adjacent historic buildings;
- **Roof shape and skyline.** The roof shape and skyline of the proposed new construction is not similar to that of existing historic buildings in the area;
- **Setting.** The relationship of the new building **does not maintain the traditional placement of historic buildings** in relation to streets, sidewalks, natural topography, and lot lines; and
- **Landscaping and ground cover.** Retaining walls, fences, plants, and other landscaping elements that are part of new construction may not introduce elements which are out of character with the setting of the historic district. The proposed retaining wall will be **out of character with the setting** of the historic district.
- The following **aspects of the new construction are not visually compatible with the buildings and environment** with which the new construction is visually related, including but not limited to: the height, the gross volume, the proportion between width and height of the facade(s), the proportions and relationship between doors and windows, the rhythm of solids to voids created by openings in the facade, the materials, the textures, the colors, the patterns, the trims and the design of the roof.
- The building will **destroy any remaining existing rhythm** created by existing building masses and spaces between them.
- The landscape plan **is not visually compatible with the environment** with which it is visually related.

Again, in summary, the proposed work and changes will have an adverse affect on the character of the Fountain City Historic Overlay Zone and the historic character of the Deadwood National Historic Landmark District. Also attached and made apart of this report is documentation and comments from the National Park Service, the State Historic Preservation Office and the National Trust for Historic Preservation regarding this proposed project.

Roger Tellinghusen, representation for B.Y. Development, stated that due to the lack of time the commission had to review the proposal, he asked the commission to postpone making a decision and to continue the discussion at the next Historic Preservation meeting, August 8, 2007. He also stated that there were some procedural issues he needed to discuss with the

City Attorney Jason Campbell. Mr. Tellinghusen added that Cadillac Jack's had put together an extensive presentation and asked that they still be able to present it to the commission. Mr. Pike spoke up and stated that for the record "he had ample time to be prepared for this meeting". Mr. Campbell recommended that the commission view the presentation and move to continue the discussion. *It was moved by Mr. Olsen, seconded by Mr. Pike and carried unanimously to continue the discussion of the proposed expansion at 316, 322, & 360 Main Street, Cadillac Jack's, on August 8, 2007.* Mike McClain, a representative of B.Y. Development, came forward at this time to present the slide show of the proposed expansion to the commission.

#### REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Joy McCracken, Executive Director of Neighborhood Housing Services (NHS), presented the following information to the commission.

##### Revolving Loan Disbursements

*It was moved by Mr. Olson, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the Historic Preservation Revolving Loan Fund Cash Disbursements Journal totaling \$2,109.07 to the following: Jacobs Welding, \$559.02; Rich Turbiville, \$1,024.24; and Rich Turbiville, \$525.81, as presented.*

##### John and Sharon Martinisko - 29 Adams Street

*It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve financing for John and Sharon Martinisko, 29 Adams Street as follows: loan funding in the principal amount of \$3606.00 with an interest rate of zero percent (0%) per annum.*

##### Retaining Wall Disbursements:

*It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Historic Preservation Retaining Wall Grant Disbursement totaling \$44,730.00 to Lehmen Construction, 29 Adams, as presented.*

#### ITEMS FROM CITIZENS NOT ON AGENDA:

None.

#### COMMITTEE ACTIONS AND REPORTS:

Advocacy: Commission representatives: Ronda Feterl (chair), Mike Olsen and Willie Steinlicht  
No report was given.

Archeology: Commission representatives: Mike Olsen (chair), Darin Derosier and Willie Steinlicht  
No report was given.

Archives: Commission representatives: Mike Olsen (chair), Steve Olson, and Matthew Pike  
No report was given.

Budget: Commission representatives: Ronda Feterl (chair) and Mike Olsen  
No report was given.

Cemetery: Commission representatives: Steve Olson (chair), Mary Ann Oberlander and Matthew Pike  
No report was given.

Demolition by Neglect: Commission representatives: Mike Olsen (chair) and Steve Olson  
No report was given.

GIS: Commission representatives: Steve Olson (chair), Mary Ann Oberlander, and Matthew Pike  
No report was given.

Grants: Commission representatives: Mary Ann Oberlander (chair), Ronda Feterl and Willie Steinlicht  
No report was given.

Homestake Archives: Commission representatives: Ronda Feterl (chair) and Mike Olsen  
No report was given.

Loans: Commission representatives: Ronda Feterl (chair), Darin Derosier and Willie Steinlicht  
Next meeting August 2, 2007.

Policies and Procedures: Commission representatives: Matthew Pike (chair) plus entire HPC  
Mr. Pike recommended a video regarding ethical responsibilities of public officials. He stated that the committee discussed creating a sub-committee to review and revise ordinances as needed, as well as what their priorities should be, due to the fact that they had not met for some time.

Signage: Commission representatives: Willie Steinlicht (chair) and Darin Derosier  
Mr. Kuchenbecker stated that he and Mr. Umenthum made the collective decision to allow Cadillac Jack's and the Silverado to display their old banners that name all of the recognized civic events during the Day's of '76 because they have not had time to print new banners for the event due to the recent change of the sign ordinance effective on July 13, 2007. However, these banners will not be allowed in the future.

Recognition: Commission representatives: Mary Ann Oberlander (chair) and Ronda Feterl  
No report was given.

Representative to the Adams Museum: Commission representative: Mary Ann Oberlander  
Ms. Oberlander recognized Rose Speirs as the new Communications Director at the Adams Museum. She also stated that all though the trolley no longer stops at the museum, visitor attendance is up.

Representative to the Chamber: Commission representatives: Darin Derosier (chair) and Willie Steinlicht  
No report was given.

Representative to the Days of '76 Board: Commission representative: Steve Olson  
Mr. Olson stated that there were 660 entries and 639 competitors in the Days of '76 Rodeo this year.

Representative to NHS: Commission representative: Willie Steinlicht  
No report was given.

Representative to Planning & Zoning: Commission representative: Mike Olsen  
Mr. Olsen presented the Planning & Zoning recommendations. They were as follows: 1.) approval for an amendment to the TIF for the Stage Run Development; 2.) approval of findings of fact for a conditional use permit for a daycare at 732 Main; 3.) findings of fact for a request for front yard setbacks at 60 Denver Street.

Historic Preservation Staff:  
Mr. Kuchenbecker stated that he met with the new owners of the Slime Plant, TenTexKota, to go over their preliminary designs of the property.

**OTHER BUSINESS:**

None.

**ADJOURNMENT:**

Hearing no further business to come before the commission at this time and no objections from the commission or the audience, Chairman Steinlicht adjourned the meeting at 7:45 p.m.

ATTEST:

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Willie Steinlicht  
Chairman, Historic Preservation Commission  
Heather Pleinis, Recording Secretary