

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, March 14, 2007

Present Historic Preservation Commission: Ronda Feterl, Mary Ann Oberlander, Mike Olsen, Steve Olson, Rose Speirs and Willie Steinlicht. Historic Preservation Officer Kevin Kuchenbecker was also present.

Absent Historic Preservation Commission: Darin Derosier.

A quorum being present, Chairman Rose Speirs called the Deadwood Historic Preservation Commission meeting to order on Wednesday, March 14, 2007 at 5:00 p.m. in the Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes – February 28, 2007:

Mr. Olsen noted the following correction to the minutes on page three (3), in the paragraph beginning with the statement "Ms. Feterl requested information on an administrative manner matter". Mr. Olson referred the commission to page nine (9) of the minutes and requested that the discussion pertaining to the Demolition by Neglect Public Hearing for the Pineview building conducted under "Other Business" be moved to page seven (7) and added to the section of the minutes pertaining to that agenda item. Hearing no further corrections from the commission, it was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the minutes of the regular Historic Preservation Commission meeting conducted on Wednesday, February 28, 2007, with the aforementioned corrections.

Review Minutes of Special Meeting – March 8, 2007:

Mr. Olsen noted the following correction to the minutes in the last paragraph on page one (1) in the statement that reads "During the street project, Mr. Lamb convinced the city that they should retain those original sidewalk openings which led down to the low below-grade storefronts". Mr. Olsen noted the following corrections on page two (2) in the fourth paragraph, the name of the engineer who completed the structural assessment should be "Ken Westby Loeschke". Hearing no further corrections from the commission, it was moved by Ms. Oberlander, seconded by Mr. Olsen and carried unanimously to adopt a resolution to approve the minutes of the special Historic Preservation Commission meeting conducted on Thursday, March 8, 2007, with the aforementioned corrections.

Voucher Approval:

Operating Account:

It was moved by Mr. Steinlicht and seconded by Mr. Olsen to adopt a resolution to approve the HP Operating Account in the amount of \$133,861.13. Mr. Olson referred the commission to page five (5) of the A/P Regular Open Item Register and the voucher to Twilight First Aid and Safety Supplies described as a first aid kit for the visitors' center in the amount of \$170.70. Having discussed this briefly with City Finance Officer Mary Jo Nelson, he requested withholding payment on this item pending further review of the matter. The motion was amended by Mr. Steinlicht with the concurrence of Mr. Olsen to adopt a resolution to approve the HP Operating Account in the amended amount of \$133,690.43. Ms. Feterl referred to page two (2) of the A/P Regular Open Item Register and the voucher to Chicago Albumen Works in the amount of \$32,000. Historic Preservation Officer Kevin Kuchenbecker stated this is the last installment on the contract for the glass plate negative reproduction/restoration. She also questioned a voucher on page four (4) to NAPA Auto Parts but Mr. Olson stated that expense, which was highlighted on the report, is not included in the HP Operating Account. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Bonded Account:
None.

PUBLIC HEARING:

At this time, Chairman Speirs instructed those in the audience who might approach to introduce themselves and voice any comments using the microphone for the record. She also requested they limit comments to no longer than five minutes.

5:15 p.m. – Demolition by Neglect Determination/Hearing – Pineview Building, 21 - 25½ Lee Street:

City Attorney John Frederickson stated in light of the special meeting held on Thursday, March 8, 2007, this is the time and place set aside to hear from Full House, Inc., owners of the Pineview Building.

Mr. Frederickson read a letter from Full House, Inc. representative Brad Estes which was hand-delivered on Friday, March 9, 2007, requesting a continuance on the matter concerning the Pineview Building as he will be at the Mayo Clinic in Rochester, MN, as his father is scheduled to under open heart surgery. It was moved by Ms. Oberlander and seconded by Mr. Steinlicht to continue this matter to the meeting on March 28, 2007. Mr. Olson stated if Mr. Estes is not available, "surely there is someone who can address this matter on his behalf". Mr. Frederickson reported having posed that question to the property owner, but was told Mr. Estes is the only person who has been working with Building Inspector Keith Umenthum about the status of the building. Mr. Olsen said the fact remains that Full House has been in possession of the findings by Mr. Umenthum for over two (2) weeks. He questioned legal counsel regarding adding the stipulation requiring the property owner and/or a representative to attend the next meeting. Mr. Frederickson indicated he could write a letter to that effect. Mr. Olsen "feels very badly" that Mr. Estes has been called away for a family medical emergency but "this issue has been open for a long time. We need to get it resolved."

Mr. Umenthum asked for a private moment to confer with the city attorney.

Mr. Olson referred to people in the audience with an interest in this matter, who have been here on possibly two (2) occasions, with possible testimony in this matter. He considers this "a horrible inconvenience to ask these people to keep coming back". Mr. Olsen concurred, but feels a continuance is appropriate considering the circumstances. He wants to make it absolutely clear that there will be a hearing at the next commission meeting. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:

735 Main Street – Black Hills Real Estate:

Historic Preservation Officer Kevin Kuchenbecker summarized the information provided in the staff report.

Building Inspector Keith Umenthum explained that the signage for the property at 735 Main Street has changed several times as businesses occupying the building have changed. Having reviewed the minutes of past meetings, he said in July 2004, the commission originally considered the wall sign that reads "Real Estate" on the side of the building. Mr. Umenthum reported having been under the impression that sign was approved "until he got his other sign for Deadwood Mountain Resorts". His review of the minutes also revealed that a variance for the wall sign has never been approved. The applicant is now proposing to change the wall sign back to "Real Estate" again.

Lee Thompson, owner of the property at 735 Main Street, stated originally the sign on the Wells Fargo side of the building read "Real Estate". Later, when Deadwood Mountain Resorts occupied the building, the existing "Real Estate" sign "was turned over" to advertise that company name. He stated the size of the sign complies with the ordinance restrictions for the square footage

of the building. Mr. Thompson indicated he would also like to add a hanging sign attached to the projecting sign, [referred to as a shingle sign by Ms. Feterl], which measures eight square feet and will read "Wyoming Properties".

Responding to a question by Mr. Olsen, Mr. Umenthum stated a variance is required for the wall sign as there is no entrance on that side of the building. It was moved by Mr. Olsen, seconded by Ms. Feterl and carried unanimously to adopt a resolution to approve the Sign Permit Application for a projecting sign and the lettering on the front door at Black Hills Real Estate, 735 Main Street as presented.

Mr. Olsen requested the property owner submit a Sign Permit Application for the wall sign on the side of the building. Mr. Thompson was critical of the additional forty dollars (\$40) fee. City Attorney John Frederickson concurred with Mr. Olson by stating these are two separate and distinct signs and requiring an additional sign permit application is consistent with previous action of the commission.

360 Main Street – Cadillac Jack's:

Mike McClain, representing Cadillac Jack's, approached the commission at this time and requested a twelve-month extension for the time period allowing the two (2) 8'x4' double faced signs located in the parking lot at 322 Main Street. He stated Cadillac Jack's anticipates coming forward with plan submittals for the proposed new construction project next month. A proposal for a retaining wall will likely be presented at that time with construction beginning in June. Project completion is currently anticipated for May or June of 2009. Mr. McClain stated future extensions might be necessary to allow the temporary signage during the construction project. Mr. Olson asked if vehicular traffic could be directed with arrows as opposed to two signs.

The staff report indicates a permit for the two signs was granted by the commission on April 12, 2006 and expired on February 14, 2007. Chairman Speirs called upon Building Inspector Keith Umenthum for information. In commercial parking lots, a single sign identifying the name of the lot and any rules regarding its use is allowed. He stated a variance was granted to allow the two temporary signs for a period of twelve months. Ms. Feterl asked if there were any limitations to the number of times a party could request an extension when a variance has been approved. Mr. Umenthum stated the sign ordinance does not address this. The decision is made by the commission.

Mr. Steinlicht asked if locating one sign in the middle of the parking lot would be sufficient to direct traffic. Mr. McClain said with two different points of access there is already some confusion with traffic coming into the lot. He said "it would just work better for us if we had two signs...one on each end". Mr. Olson stated if there is already confusion with the existing signs, what purpose will be served by continuing to have two signs there. Mr. McClain admitted that the majority of the people adhere to the instructions posted on the signs. It was moved by Ms. Feterl, seconded by Mr. Olsen to approve the Sign Permit Application for BY Development dba Cadillac Jack's, 360 Main Street, and a twelve-month extension for the two (2) temporary signs as presented, with the expiration being February 14, 2008. Mr. Olson suggested that the motion be amended to include reference to the variance originally granted to allow the second parking lot sign even though it is a temporary sign. City Attorney John Frederickson stated a variance was previously approved to allow the second sign and the motion is to maintain what is in place at this time. Hearing no further discussion, upon roll call poll being taken thereon, the vote on the motion resulted in a tie with the following commissioners voting AYE: Feterl; Steinlicht; and Olsen; and the following commissioners voting NO: Oberlander; Speirs; and Olson. Mr. Frederickson asked that the matter be continued to allow him time to research legal procedure in the event of a tie. Chairman Speirs explained her concern is the potential for requesting another extension. Ms. Feterl stated the parking lot might not be accessible for vehicular traffic once the retaining wall project is underway. There was discussion regarding the status of the motion. Several commissioners were of the opinion the motion dies. Mayor Toscana stated a majority is needed. It was moved by Mr. Olsen and seconded by Mr. Steinlicht to continue the matter to the next meeting. Mr. Frederickson offered an opinion that the commission can make a motion at the next meeting to reconsider the sign permit application for Cadillac Jack's. Mr. Olsen withdrew the aforementioned motion.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:

Neighborhood Housing Services (NHS) of the Black Hills Contract Renewal:

Historic Preservation Officer Kevin Kuchenbecker referred the commission to his memorandum dated March 8, 2007 included in the commission packet regarding the contract with Neighborhood Housing Services (NHS) of the Black Hills. It was moved by Ms. Feterl, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to recommend that the city commission renew the annual contract with Neighborhood Housing Services (NHS) of the Black Hills to provide administrative services required in connection with the administration of the Historic Preservation programs outlined in the contact agreement and according to written policy guidelines and procedures at a cost not to exceed \$86,900 for the period beginning January 1, 2007 and ending on December 31, 2007.

Deadwood Alive – David Soma:

David Soma, aka James Butler "Wild Bill" Hickok, CEO of Deadwood Alive, Inc., approached the commission at this time seeking financial support from the Historic Preservation Commission for the living history presence in the City of Deadwood. This is accomplished through the performance of historical re-enactments on the streets of Deadwood from the end of May through the beginning of September through the presentation of daily gun fights by western reenactors; the capture of Jack McCall; and, the trial of Jack McCall.

In January of this year, Mr. Soma took it upon himself at the direction of the Deadwood Alive Board of Directors to maintain a presence of Wild Bill Hickok on the streets of Deadwood. Working with various properties in town and the chamber of commerce he appeared seventeen (17) performances in January; twenty six (26) performances in February; and thus far in March 2007, Mr. Soma has appeared in or is schedule to appear in thirty five (35) performances. Just today, he reported having greeted over one hundred fifty people in Deadwood. A performance can consist of meeting and greeting visitors and tour buses; doing dinner shows; conventions and special meetings; maintaining a presence on the Main Street of Deadwood in the character of Wild Bill Hickok; and imparting to them the history of Wild Bill and his presence here in Deadwood; along with the history of Deadwood, the northern Hills and western Dakota territory.

It was moved by Mr. Steinlicht, seconded by Mr. Olsen and carried unanimously to adopt a resolution to refer the request for financial support from David Soma on behalf of Deadwood Alive, Inc. to the budget subcommittee for consideration.

2 Dudley, Richard Morgan – Permission to Seek Quotes for Engineering:

Richard Morgan, owner of the property located at 2 Dudley Street, approached the commission at this time. There is an old barn on the property which dates back to 1905/1906. It was recently featured in the National Parks Service National Historic Landmarks Calendar for the month of January. The barn is in "serious need of stabilization and engineering work". He is seeking financial assistance for the engineering studies and stabilization.

A memorandum from Historic Preservation Officer Kevin Kuchenbecker dated March 8, 2007 was included in the commission packet. In it he refers to the "Deadwood Treasure's" Program, established by the Deadwood Historic Preservation Commission during the 2007 budget process. The line item is part of the revolving loan fund. Mr. Kuchenbecker stated this line item could be used in funding professional engineering services to determine the correct procedures to stabilize and restore the barn and the attached shed. Financial assistance in the form of a grant or loan could be considered upon completion of the engineering study to assist in the restoration project. It was moved by Mr. Olsen, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution authorizing staff to solicit qualified engineers to provide cost estimates for services to develop a stabilization and restoration plan for the barn.

Oral History Contract with Independent Contractor – Archives:

The commission referred to a memorandum from City Archivist Mike Runge regarding the oral history contract for 2007. He requested permission to hire Suzanne Julin as an independent contractor to collect and transcribe fifteen (15) oral histories. Ms. Julin was selected to complete this work in 2006 and 2005. Ms. Feterl requested a list of the people to be interviewed. Mr. Runge reported that there are thirty six (36) people on a list that have been identified for the interviews. The interviews for 2007 will focus on hearing from long time residents of Deadwood; the Deadwood U-Bet committee; and limited gaming and its effect on Deadwood. It was moved by Mr. Olsen, seconded by Ms Feterl and carried unanimously to adopt a resolution to approve the Deadwood Oral History Contract with Independent Contractor, Suzanne Julin, Missoula, MT, for completion of fifteen (15) oral history interviews as budgeted in the 2007 Archives budget with a contact amount \$8,250.00.

CONSERVATION ASSESSMENT PROGRAM (CAP) Grant – Archives:

City Archivist Mike Runge reported the City of Deadwood Archives Department was recently awarded grant funding in the amount of \$6,540 from the Heritage Preservation: National Institute for Conservation through the Conservation Assessment Program (CAP). The funds will be used to complete a conservation assessment of the City Archives, the Deadwood Visitor Information Center and the Mt. Moriah Visitor Center. The purpose of the grant is to assess the conditions of the City's visitor centers, exhibit areas and Archives and provide guidelines on how to protect its resources. The recommendations from this assessment will aide in the development of a five year strategic plan for the City Archives. Responding to a question by Mr. Olson, Mr. Runge stated the city is required to provide matching funds of \$610. It was moved by Mr. Olsen, seconded by Mr. Olson and carried unanimously to adopt a resolution to accept the Conservation Assessment Program (CAP) grant in the amount of \$6,540 from the Heritage Preservation: National Institute for Conservation in the amount.

784 Main Street , Lester Karas – Reroofing Garage:

The commission referred to the following staff report:

Case No. 07009
Address: 784 Main Street

March 9, 2007

STAFF REPORT

The applicant requests Project Approval to install a new roof on the garage adjacent to 784 Main Street, a contributing structure located in the Upper Main Historic Overlay Zone of the City of Deadwood.

Applicant: Lester M. Karas
Owner: Lester M. Karas
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. It is significant for its historic association with the founding and initial period of growth of the town of Deadwood.*

2. Architectural design of the resource and proposed alterations: *The applicant has proposes to install a 5/12 pitched roof lengthwise on the adjacent cinderblock wall with green tin roof.*

Attachments: Yes

Plans: Yes

Photos: Yes

Recommended Decision: Staff has reviewed this project and would recommend a 5/12 roof with asphalt shingles installed conventionally. (see attached photo with staff's sketch). If applicant agrees to these conditions, 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. Staff has reviewed the project and recommends a 5/12 roof with asphalt shingles installed conventionally. One of the concerns expressed to him by Mr. Karas was drainage to the adjacent property which Mr. Kuchenbecker feels can be addressed with gutters and downspouts. It was moved by Mr. Steinlicht, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the installation of a new 5/12 roof with asphalt shingles installed conventionally, in accordance with the staff recommendation, on the garage adjacent to the property at 784 Main Street, a contributing structure location in the Upper Main Historic Overlay Zone of the City of Deadwood, and owned by Lester M. Karas.

Days of '76 Presentation for Phase I Construction Review:

President of the Days of '76 Museum, Inc., John Mattson, approached the commission at this time and presented an update on the capital campaign and plans for phase I of the proposed new museum. He reported that, in addition to the \$3 million commitment from the city, and funds or commitments of funds for an additional \$325,000, the Days of '76 Museum was recently awarded a Bush Foundation grant in the amount \$242,687. .

Mark Straub introduced Wayne Lund, Lund & Associates, who presented unofficial plans for phase I of the project which consists of construction of the storage facility and workshop area. At this time, they are seeking input from the commission regarding the preliminary project plans and will proceed with the design of the proposed facilities and project approval in the near future. Mr. Lund referred the commission to information distributed in the commission packet including the floor plan of the proposed shop building. This will also serve as a storage facility for the wagons and archives during the demolition of the existing museum and the construction of the new museum.

Mr. Lund reported that the Days of '76 building committee met this morning. The committee considered a proposal for construction of a "pre-engineered metal building" with a front façade compatible with the existing buildings and with the rendering of the new museum. The façade could be similar to that shown in historic photographs provided by Mr. Kuchenbecker, which Mr. Lund described as similar to the slime plant. The goal is to come up with something suitable to start this first phase to include construction of the metal shop building and front façade. Mr. Lund hopes to request project approval for the pre-engineered metal building at the next meeting and asked the commission to forward any comments to him "in the next few days".

Mr. Lund and Mr. Straub pointed out the proposed location of the shop and storage facility which sits approximately thirty feet from the site of the new museum "where an old steel building is right now". Responding to a question by Chairman Speirs, Mr. Lund stated this is not a temporary building. It will be the shop and storage building.

Chairman Speirs spoke favorably of the metal building with a front façade. Upon further review of the historic photographs staff reproduced, Mr. Lund cautioned the commission by stating that "the grade has changed drastically on the site" so materials can be very similar but probably won't be have some of the features including dormers and specific types of windows. Mr. Lund

stated efforts are being made to be good stewards of the public dollars and donated funds received, particularly for this initial phase.

Ms. Feterl questioned whether other options would be considered. Mr. Lund explained the intent this evening was to review the proposed site plan and proposed floor plan distributed in the commission packet. The other proposal "came up at this morning's meeting".

Mr. Olsen reported that he and Mr. Steinlicht recently attended a conference in Denver and referred to a casino in Central City which had recently constructed a parking structure and he described "the façade of that structure is gorgeous".

Retaining Wall Program Update:

Historic Preservation Officer Kevin Kuchenbecker referred the commission to a memorandum included in the commission packet dated March 8, 2007 which provides an update on three (3) retaining wall projects currently underway: 7 Fillmore Street – Luzviminda Goodman; 36 Water Street – Donna Karotko; and, 80 Williams Street – David Thompson. This update was provided for information only.

Archaeology Committee Recommendation – Boulder Ditch:

Historic Preservation Officer Kevin Kuchenbecker referred the commission to a memorandum included in the commission packet dated March 8, 2007 and the archaeology committee recommendation on Boulder Ditch.

Dunbar Enterprises, LLC is currently proposing a development referred to as the Buena Vista Land Development Project. In compliance with the archaeological guidelines, the developer has contracted with Mr. Jeff Buechler of Dakota Research Services to conduct the necessary archaeological survey. Mr. Buechler has proposed two approaches:

1. The preferred approach would involve the recordation of the entire eight mile ditch system. This approach would cost \$6,400.00.
2. The alternate approach would be limited to only the portion of the ditch (120 acres) which is situated within the proposed development area of Dunbar Enterprises. This approach would cost \$4,960.00.

Mr. Kuchenbecker stated that Dunbar Enterprises is questioning the possibility of the Deadwood Historic Preservation Commission participating in the cost of the preferred approach in the amount of \$1,440, the cost difference between the two. It was moved by Mr. Olsen, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve the expenditure of \$1,440.00 from the historic preservation commission budget archeology line item to participate in the recordation of the complete ditch system by Dakota Research Services with cooperation of Dunbar Enterprises, LLC.

Supplemental Budget Proposal:

At the request of Historic Preservation Officer Kevin Kuchenbecker, it was moved by Ms. Feterl, seconded by Mr. Olsen and carried unanimously to continue the supplemental budget proposal to the next meeting.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:

735 Main Street, Black Hills Real Estate – Rear Window:

The commission referred to the following staff report:

*Case No. 07010
Address: 735 Main Street*

March 9, 2007

STAFF REPORT

The applicant requests Certificate of Appropriateness to install egress window to the basement at the rear of 735 Main Street, a contributing structure located in the Deadwood City Historic Overlay Zone of the City of Deadwood.

Applicant: Deadwood Real Estate, LLC
Owner: Same
Constructed: unknown

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: 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 and the northern Black Hills from the late 1920s until World War II. Spurred by resurgence in local mining activity, Deadwood experienced a period of expansion and new construction during these decades that it had not seen since the nineteenth century.

2. Architectural design of the resource and proposed alterations: Applicant proposes to install egress window to the basement at the rear of this commercial structure along with a window well. The location of the proposed window would be directly below the window left of the rear entrance. Applicant also requests permission to vent gas fireplace exhaust out rear of building.

Attachments: No

Plans: No

Photos: Yes

Recommended Decision: This alteration is at the rear of the building in limited view of the general public. Window should be wood and size determined by code requirements.

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.

Lee Thompson, owner of the property approached the commission at this time. He reported the standard size for an egress window based upon the several contacts he has made is thirty inches by forty eight inches (30" x 48"). He plans to install a wooden window of this size.

Mr. Thompson also requested permission to vent a gas fireplace exhaust out the rear of the building.

Mr. Olson noted the fact that the applicant is proposing to install a below-grade egress window. He questioned whether there are any special code requirements that apply to below-grade windows. In the absence of Building Inspector Keith Umenthum, he called upon the city attorney for direction. It was moved by Mr. Olson and seconded by Mr. Olsen to adopt a resolution to approve the Application for a Certificate of Appropriateness to install an egress window made of wood unless otherwise determined by building code requirements and to approve the installation of a gas fireplace exhaust vent out the rear of the building at 735 Main Street, a contributing structure located in the Deadwood City Historic Overlay Zone of the City of Deadwood, as proposed by Deadwood Real Estate, LLC and Lee Thompson, the applicant and property owner. Mr. Kuchenbecker clarified that the exhaust vent will be placed in the side of the building not the rear of the building as stated in the staff report. Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Lower Main Parking Lot, Coffee Cabin – Todd & Cindy James:

At this time, Mr. Olson recused himself from the commission during discussion of this item and was seated in the audience.

The commission referred to the following staff report:

Case No. 07012
Address: Lower Main Parking Lot

March 9, 2007

STAFF REPORT

The applicant requests Certificate of Appropriateness to place a "Coffee Cabin" in the Lower Main Parking Lot located in the Elizabethtown Historic Overlay Zone of the City of Deadwood.

Applicant: Todd & Cindy James
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 Certificate of Appropriateness:

General Factors:

1. Historic significance of the resource: The proposed structure will be located near the entrance of the core of the Deadwood National Historic Landmark District and in the Elizabethtown Historic Overlay Zone.

2. Architectural design of the resource and proposed alterations: Applicant proposes to place in the Lower Main Parking Lot a wood structure (as shown in photographs) appearing to be approximately 12' x 16' to be used as a "Coffee Cabin."

Attachments: Yes

Plans: No

Photos: Yes

Recommended Decision: This structure could be considered an intrusion into the Historic District although it is a definite reversible change to the district. The proposed work will have an adverse affect on the historic character of the Deadwood National Landmark Historic District. The location and design may minimize the potential adverse affect.

The applicant, Cindy James, requested permission to place a "Coffee Cabin" by the utility box near the visitor's center in the Lower Main Parking Lot. The City Transportation and Parking Committee has also reviewed this request and designated three parking spaces they feel would provide an appropriate location for the structure. In response to a question by Mr. Olsen, Ms. James explained the building measures approximately twelve by sixteen feet (12' x 16').

Historic Preservation Officer Kevin Kuchenbecker stated the proposed location lies within the Elizabethtown Historic Overlay Zone of the City of Deadwood. He stated the proposed wooden structure could be considered an intrusion at the lower main entrance into the Historic District although it is definitely reversible because it is a temporary building. His staff report states the proposed work will have an adverse affect on the historic character of the Deadwood National Landmark Historic District. The location and design may minimize the potential adverse affect. He suggested that perhaps taking some design cues off of the existing lower main street visitor's center, the location and possibly the size. The proposed size of the building is much bigger than the existing espresso business. Chairman Speirs would prefer the coffee cabin be located further back from the visitor's

center; however, Ms. James explained space is needed to allow large tour buses and trolleys to negotiate through the parking lot.

Mayor Toscana stated ultimately this request has to be approved by the city commission. City Attorney John Frederickson suggested Ms. James work with the historic preservation officer to negotiate an acceptable design and location. Mr. Olsen stated this commission has authority to provide input regarding the exterior features of the building however it cannot control location. Mayor Toscana stated that Parking & Transportation has identified a site they feel is appropriate; he recommended the commission continue the matter to allow Mr. Kuchenbecker the opportunity to work with the applicant to come up with an acceptable design for this site.

In response to a question by Mr. Steinlicht, Ms. James described the facility as offering both drive up and walk up service. Ms. Feterl stated the concern of this commission is whether the proposed design of the facility is suitable within the Elizabethtown Historic Overlay Zone. It was moved by Ms. Feterl, seconded by Ms. Oberlander and carried with Mr. Olson abstaining, to adopt a resolution to continue the request for a Certificate of Appropriateness to place a "Coffee Cabin" in the Lower Main Parking Lot located in the Elizabethtown Historic Overlay Zone of the City of Deadwood, to allow the applicant to meet with the historic preservation officer to discuss design guidelines.

OLD BUSINESS:

890 Main Street, Kate Byers – Window / Door / Porch:

Historic Preservation Officer Kevin Kuchenbecker referred the commission to a memorandum included in the commission packet dated March 9, 2007 regarding the project at 890 Main Street, proposed by Kate Byers.

The application for project approval to remove a window and install a door along with rehab of the porch was continued by the commission at its meeting on February 28, 2007, pending additional details and specifications regarding the door they propose to install on the back of the building. The proposed door measures 6'-0" x 6'-8". Mr. Kuchenbecker was provided a sample of the spindle to be used on the porch railing.

Mr. Kuchenbecker reported that the proposed work and changes will not have an adverse affect on the historic character of the building and the historic character of the Deadwood National Landmark Historic District. It was moved by Mr. Olsen, seconded by Ms. Feterl and carried unanimously to adopt a resolution to approve the Application for Project Approval to remove a window and install a door along with the rehab of the porch at 890 Main Street, a contributing structure located in the Upper Main Historic Overlay Zone of the City of Deadwood, as proposed by Kate Byers, the applicant and property owner, as presented.

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. Steinlicht, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Historic Preservation Revolving Loan Fund Cash Disbursements Journal totaling \$4,328.20 to the following: Michael Conover Construction, \$1,467.35; Gerving Construction, \$2,688.85; Lawrence County Register of Deeds, \$22, \$44; and Lawrence Title, \$106, as presented.

Monthly Financials Report:

Ms. McCracken referred the commission to the financial reports for the month of January 2007 including the Deadwood HP Total Loans; the HP Revolving Loan Fund Balance Sheet; the HP Revolving Loan Fund Statement of Revenue and Expenditures; the Delinquency Report; and, the Pool Trial Balance.

The loan delinquency report consists of The Gillmore and Tommy Wentz. The appraisal has been received for The Gillmore; Ms. McCracken will meet with the city attorney regarding that matter. Mr. Wentz resides in Arizona and a telephone call will resolve the matter.

Retaining Wall Disbursements:

None.

ITEMS FROM CITIZENS NOT ON AGENDA:

Carlton Spindler, owner of the property at 520 Cliff Street, referred to the presentation before the commission this evening regarding construction of a metal storage building on the Days of '76 rodeo grounds. A similar request was denied to him some time ago because of "our proximity to the gateway to Deadwood". He simply stated "if this commission is going to have any consistency at all, please weigh this carefully".

Mr. Olson reported that at the Days of '76 building committee meeting this morning, there was extensive discussion regarding the pros and cons of a metal building.

COMMITTEE REPORTS:

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

Archeology: Commission representatives: Darin Derosier (chair), Mike Olsen and Willie Steinlicht
Mr. Olsen reported the subcommittee met recently and finalized the information presented this evening.

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

Budget: Commission representatives: Ronda Feterl (chair) and Mike Olsen
Ms. Feterl reported that the committee met this afternoon. Following receipt of additional information from various city departments, the subcommittee should have a recommendation regarding the supplemental budget, possibly at the next meeting.

Each commissioner received a prepared by the City Finance Officer listing line item expenditures. This report will be distributed monthly.

Cemetery: Commission representatives: Steve Olson (chair), Mary Ann Oberlander and Rose Speirs
Mr. Olson stated the subcommittee has not met, however he called upon Historic Preservation Officer Kevin Kuchenbecker regarding the exploration at Seth Bullock's grave site. Mr. Kuchenbecker reported that staff is in communication with a property owner here in Deadwood whom is willing to give us what appears to be the original gate on the fence around the Bullock grave". Mr. Kuchenbecker is fairly confident from historic photographs that this is the original gate.

Demolition by Neglect: Commission representatives: Mike Olsen (chair), Rose Speirs and Steve Olson
Mr. Olsen called upon City Attorney John Frederickson who reported it will be a week and a half before the revised demolition by neglect ordinance is available for further review.

Chairman Speirs explained that staff is in the process of developing a calendar

GIS: Commission representatives: Steve Olson (chair) and Mary Ann Oberlander

Mr. Olson stated the subcommittee has not met. Mr. Olson referred to the progress report presented by Rob Mattox, GIS Coordinator. At the request of several commission members, Historic Preservation Officer Kevin Kuchenbecker will set up a time for them to meet with him.

Grants: Commission representatives: Mary Ann Oberlander (chair), Ronda Feterl and Willie Steinlicht

Ms. Oberlander reported that the subcommittee has not met.

Homestake Archives: Commission representatives: Ronda Feterl (chair) and Mike Olsen

No report was given.

Loans: Commission representatives: Willie Steinlicht (chair), Darin Derosier and Ronda Feterl

Mr. Steinlicht reported there were no loans to approve.

Policies and Procedures: Commission representatives: Rose Speirs (chair) plus entire HPC

Chairman Speirs asked Mr. Kuchenbecker to schedule a meeting.

Signage: Commission representatives: Willie Steinlicht (chair), Darin Derosier and Rose Speirs

Mr. Steinlicht reported the sign subcommittee met this morning with George Milos from the Chamber of Commerce. Regulations will be put in ordinance form and presented to the historic preservation commission and city commission.

Recognition: Commission representatives: Mary Ann Oberlander (chair) and Ronda Feterl

Ms. Oberlander stated the committee will be meeting soon to review scholarship applications, the Wall of Fame and Century awards.

Representative to the Adams Museum: Commission representative: Rose Speirs

Chairman Speirs announced there is a meeting on Tuesday, March 20, 2007 at 4:30 p.m.

Representative to the Chamber: Commission representatives: Darin Derosier (chair) and Willie Steinlicht

Mr. Steinlicht reported that the main focus of the recent Chamber of Commerce meeting was St. Patrick's Day and follow-up discussion regarding the television special entitled: "Stop the Presses: Gaming in Deadwood".

Representative to the Days of '76 Board: Commission representative: Steve Olson

Mr. Olson reported that the Board met this morning and practically every matter was presented to the commission tonight.

Representative to NHS: Commission representative: Willie Steinlicht

Mr. Steinlicht announced that Neighborhood Housing Services (NHS) of the Black Hills is the recipient of a generous donation from U.S. Bank in the amount of \$100,000 for affordable housing.

The next NHS board meeting will be March 23, 2007 at 5:30 p.m. at Pizza Hut.

Representative to Planning & Zoning: Commission representative: Mike Olsen

Mr. Olsen had nothing to report as the Planning and Zoning Commission did not meet.

Historic Preservation Staff: ♦ Kevin Kuchenbecker, HP Officer ♦ Michael Runge, Archivist ♦ Rob Mattox, GIS Coordinator
♦ Deanna Berglund, Administrative Assistant ♦ Brooklyn Isaak, Administrative Assistant II

Historic Preservation Officer Kevin Kuchenbecker stated commercial-free DVD copies of "Stop the Presses: Gaming in Deadwood" can be checked out in his office.

He referred the commission to the brochure for the 5th Annual Deadwood Historic Preservation Symposium scheduled for April 27-29, 2007.

Mr. Kuchenbecker is finalizing the travel request for the South Dakota State Historical Society annual conference. So far Ronda Feterl, Steve Olson, City Archivist Mike Runge and Kuchenbecker are registered to attend.

Mr. Kuchenbecker distributed a proposed schedule for subcommittees meetings on a regular basis. He asked the commission to review it and get back to him. Ms. Oberlander informed him that Thursdays are not good for her.

OTHER BUSINESS:

Carlton Spindler questioned the demolition by neglect proceedings and questioned whether there is a list of properties within the city and questioned how we "zeroed in on Pineview". Mr. Kuchenbecker explained the Pineview matter has been an issue for some time. He reported that a separate property owner was contacted via written correspondence regarding demolition by neglect violations and has complied. He described the demolition by neglect ordinance currently being reviewed by the subcommittee. He informed Mr. Spindler that at this point, there is no formal list of the properties.

Mr. Spindler may have a property to add.

EXECUTIVE SESSION:

None.

ADJOURNMENT:

Hearing no further business to come before the commission at this time and no objections from the commission or the audience, Chairman Speirs adjourned the meeting at 6:40 p.m.

ATTEST:



Rose Speirs
Chairman, Historic Preservation Commission
Mary Burket, Recording Secretary