

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, June 25, 2008 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to order – Chair Willie Steinlicht
2. Review minutes.
3. Voucher approval.
4. Old Business
 - a. 1938 Switch Engine Loan to Lead Roundhouse – Archives Committee
5. New Matters before the Deadwood Historic District Commission
 - a. 560 Main Street – Paint – Deadwood Gulch Saloon
 - b. 560 Main Street – Masonry Repair and Covering – Deadwood Gulch Saloon
 - c. 560 Main Street – Façade Change – Deadwood Gulch Saloon
 - d. 785 Main Street – Windows – Marita Noeller
 - e. 5, 7, 9 Lee Street – Paint – Blake Haverberg
6. New matters before the Deadwood Historic Preservation Commission
 - a. 1902 Castin & Blessing Soda Fountain – Loan Request – Matt Ramsey
 - b. History & Information Center Funding Request – Chamber of Commerce
 - c. 45 Burnham – Demolition/New Construction – Scot Munro
 - d. Chinatown Archaeology Contract – Jason Campbell
7. Revolving Loan Fund/Retaining Wall Grant Update.
 - a. Retaining Wall Applications
 - b. Revolving loan disbursements
 - c. Retaining Wall disbursements
8. Items from Citizens not on agenda.
9. Committee Actions and Reports
10. Staff Report
11. Other business
12. Adjournment

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, June 25, 2008

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

Absent Historic Preservation Commission: None.

All motions passed unanimously unless otherwise stated.

A quorum being present, Chairman Willie Steinlicht called the Deadwood Historic Preservation Commission meeting to order on Wednesday, June 25, 2008 at 5:00 p.m. in Deadwood City Hall located at 108 Sherman Street, Deadwood, SD.

Review Minutes

It was moved by Mr. S. Olson and seconded by Ms. Feterl to approve the minutes from June 11, 2008. Aye – All. Motion carried.

It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to approve the minutes from June 4, 2008. Aye – All. Motion carried.

Voucher Approval

Operating Account:

It was moved by Mr. Pike and seconded by Ms. Feterl to approve the HP Operating Account in the amount of \$150,469.69. Aye – All. Motion carried.

Bonded Account:

It was moved by Mr. Pike and seconded by Mr. M. Olsen to approve the HP Bonded Account in the amount of \$16,116.00. Aye – All. Motion carried.

OLD BUSINESS

1938 Switch Engine Loan to Lead Roundhouse – Archives Committee

Kevin Kuchenbecker explained that at the last meeting he circulated an outdated loan agreement, which was drafted by City Attorney, Jason Campbell. He noted that the new loan agreement includes Recognition for the City of Deadwood. Additionally, he noted the letter he received from Keith Shostrom, a lifelong resident and representative of the Railroad Authority, stating that the engine was never native to Deadwood or the Black Hills and that at one time, Boeing Aircraft Company owned the

engine. Ms. Feterl asked if it would be of interest to the Commission to contact Boeing Aircraft to see if they are interested in having it in their museum.

Mr. Derosier said that even though it has no significance to the Lead Roundhouse; why not let them display it if that is their desire. Mr. Pike felt the more prudent thing to do, since the engine had no significance to Deadwood, would be to look for somebody to purchase it so Deadwood no longer has responsibility for its maintenance and upkeep. Mr. Derosier asked how much Deadwood paid for the engine, to which Mayor Toscana replied that it was a significant sum of money, but the engine was only one piece of the original purchase back in the early 1990s. Mayor Toscana also reminded the Commission of the rules and regulations the City of Deadwood must follow to surplus any property; however, felt it might be a good idea to sell the engine.

Mr. S. Olson said regardless of what the property is, he felt the Commission is tasked with preserving any item or items that belong to the City of Deadwood and what they were entrusted with at the time of purchase. He said whether it is kept in the collection, moved to another collection, or put up for surplus, he felt it needed to be looked at with due diligence. Mr. Pike said he agreed with the due diligence issue, but the point he was trying to make is that the engine has no connection with Deadwood's history and felt that if it was loaned to the Roundhouse with a recognition plaque on it, it would make it look like there was some false connection to Deadwood and the Black Hills. Ms. Feterl reiterated that if the engine belongs in another museum, that avenue should be looked at first.

It was moved by Mr. Derosier and seconded by Ms. Feterl to contact the Boeing Aircraft Museum to see if there is any interest in the engine, and if not, continue the loan agreement with the Roundhouse in Lead, SD. Aye – Derosier, Feterl, Oberlander, M. Olsen, S. Olson and Steinlicht. No – Pike. Motion carried.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION

560 Main Street – Paint – Deadwood Gulch Saloon

Kevin Kuchenbecker explained that the applicant requested a Certificate of Appropriateness to paint the structure at 560 Main Street, a contributing structure to the Deadwood National Historic Landmark. He said the first part was built in 1895 and the second story was built in 1890. He said the applicant proposes to change the exterior color of the building from white to River Road, which is a cream color with the trim to remain the same color of blue. He said the proposed activity does not encroach upon, damage or destroy the historic resource nor does it have an adverse affect on the character of the building or the district. *It was moved by Mr. M. Olsen and seconded by Mr. Derosier to grant a Certificate of Appropriateness to Judy Johner at 560 Main Street for re-painting.*

Ms. Feterl asked if the owners were in compliance with this property, to which Mr. Kuchenbecker stated that as far as historic preservation, they have stabilized the archaeological site where the Wing Tsue property was and it is being monitored. He added that on the other side they had come before the Commission for a Certificate of Appropriateness for a retaining wall. Ms. Oberlander questioned if the Commission could approve new projects when they have not completed their retaining wall. Mr. Derosier said he did not feel comfortable denying the project, noting that painting is simply maintenance. Mr. S. Olson also felt this project should not be tied to the other projects. Mr. Campbell said he believed the ordinance reads that if you are not in compliance in one area, you are not subject to denial for other

projects, adding that the building inspector is still working with the Johner's on their Shotcrete wall. He said they are not in noncompliance at this time. ***Aye – All. Motion carried.*** (The staff report is attached hereto on Exhibit A and incorporated herein by this reference.)

560 Main Street – Masonry Repair and Covering – Deadwood Gulch Saloon

Kevin Kuchenbecker said the applicant has requested approval for a Certificate of Appropriateness to add a Dryvit stucco over the concrete masonry units on each side of the structure located at 560 Main Street. Mr. Kuchenbecker said that as he looked at the project from a historical standpoint, he did not have a problem with the back addition, nor the left side addition, but felt the area above the first floor of the original building should use actual stucco to repair the area between the 1885 original building and the 1890 second story, adding that the area should be treated in a sensitive manner with appropriate materials to protect the resource. Mr. Kuchenbecker stated that this portion of the project would have an adverse effect on the historic resource. Mr. Pike asked Mr. Kuchenbecker if there would be a benefit to having the applicant return with a new application, which would indicate his recommendations clearly. ***Mr. S. Olson moved to continue the Certificate of Appropriateness for the Dryvit stucco at 560 Main Street. Motion failed for lack of a second.***

It was moved by Mr. Pike and seconded by Ms. Feterl to deny a Certificate of Appropriateness to Judy Johner at 560 Main Street with regard to this particular project. Aye – Feterl, Oberlander, M. Olsen, S. Olson, Pike and Steinlicht. No – Derosier. Motion carried. (The staff report is attached hereto on Exhibit B and incorporated herein by this reference.)

560 Main Street – Façade Change – Deadwood Gulch Saloon

Kevin Kuchenbecker explained that the applicant is requesting a Certificate of Appropriateness to raise the false front on the left hand side of the structure. He noted that in the rendering they would be bringing up a false front gable, adding that they want to address safety and curb appeal to hide equipment and storage sheds on the roof of the building. Mr. Kuchenbecker said that after doing historical research, he found that the project does encroach upon the adjacent historic resource; however, it does not damage or destroy the resource, but creates a false sense of history evident in the attached photographs, which do not show this type of front on earlier buildings. Therefore, the proposed project would have an adverse affect on the character of the building.

Mr. Derosier said that looking at the historical pictures, all the buildings have false fronts, to which Mr. Pike noted that none of them were gabled. Mr. Derosier said he felt the proposed false front looked good, as it matches the other side. ***It was moved by Mr. Derosier to grant a Certificate of Appropriateness for the false front structure on 560 Main Street. Motion failed for lack of a second.***

Mr. Steinlicht said he felt this was similar to other projects that have been permitted because they could easily be reversed. Mr. Kuchenbecker said the difference was going from a one-story to a two-story, as well as a gabled roof. Ms. Feterl said she felt it would have an adverse affect on the landmark district.

It was moved by Mr. S. Olson and seconded by Mr. M. Olsen to deny the Certificate of Appropriateness for 560 Main Street as presented. Aye – Feterl, Oberlander, Mr. M. Olsen, Mr. S. Olson and Pike. No – Derosier and Steinlicht. Motion carried. (The staff report is attached hereto on Exhibit C and incorporated herein by this reference.)

785 Main Street – Windows – Marita Noeller

Kevin Kuchenbecker explained that the applicant has requested a Certificate of Appropriateness to replace frail and failing windows on the side and rear of the structure located at 785 Main Street, a contributing structure built circa 1900. He said the applicant proposes to replace an existing kitchen window on the left side of the house, as well as two smaller windows on the back side of the house with new wood windows; size and style to be the same wooden material. He said the proposed activity does not encroach upon, damage or destroy the historic character of the resource or have an adverse affect on the character of the building or the district.

It was moved by Ms. Feterl and seconded by Ms. Oberlander to approve the Certificate of Appropriateness to replace the windows on the side and rear of the structure at 785 Main Street. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit D and incorporated herein by this reference.)

It was moved by Ms. Feterl and seconded by Ms. Oberlander to accept the applicant into the Revolving Loan Program for wood windows. Aye – All. Motion carried.

5, 7 and 9 Lee Street – Paint – Blake Haverberg

Kevin Kuchenbecker explained that the applicant is requesting a Certificate of Appropriateness to change the exterior color of the building located at 5, 7 and 9 Lee Street, located in the South Deadwood Planning Unit; a contributing structure constructed in 1935 as a gas station. He said the applicant proposes to change the exterior color of the building to a cream color, adding that the trim will be repainted with the color remaining black. He said the proposed activity does not encroach upon, damage or destroy the resource, nor does it have an adverse affect on the character of the building or the district. *It was moved by Ms. Feterl and seconded by Mr. Pike to approve the Certificate of Appropriateness to change the exterior color of the building located at 5, 7 and 9 Lee Street to a cream color as presented. Aye – All. Motion carried.* (The staff report is attached hereto on Exhibit E and incorporated herein by this reference.)

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION

1902 Castin & Blessing Soda Fountain – Loan Request – Matt Ramsey

Kevin Kuchenbecker explained that Matt Ramsey, owner and operator of the Lucky Nugget Gambling Hall, is rehabilitating the structure at 606 Main Street. He stated that they have expressed an interest in acquiring the old soda fountain for their location. Mr. Kuchenbecker read several options that could be considered for the soda fountain. Mr. David Beroza, representative for the Lucky Nugget, was available for questions. Mr. Beroza explained that it was through Mr. Kuchenbecker that they became aware of the soda fountain and they would like to incorporate it with a gift shop/country store. He said they have talked with a contractor about placing the fountain in the store and there would be adequate room for it.

Mr. Steinlicht expressed his concern over the location of the business and wondered if it could generate enough business. *It was moved by Mr. S. Olson to refer this item to the Archives Committee.* Mr. Pike asked if a special committee should be formed to look at this asset, as well as others. Mayor Toscana said he felt that this was an opportunity to stop paying rent on the soda fountain and get it out of storage and did not feel forming another committee was the answer. Mr. Derosier said he felt there were already too

many committees. *Mr. S. Olson withdrew his original motion. It was moved by Mr. S. Olson and seconded by Mr. Pike to continue this matter until the next meeting. Aye – All. Motion carried.*

History & Information Center Funding Request – Chamber of Commerce

It was moved by Ms. Feterl and seconded by Mr. M. Olsen to approve the expenditure of \$5,500.00 to the Chamber of Commerce to complete their operation of the Visitor Center for the 2008-year. Aye – All. Motion carried.

It was moved by Ms. Feterl and seconded by Mr. S. Olson to have legal counsel review and update the contract for the Chamber of Commerce and the Visitors Bureau for 2008, and annually thereafter. Aye – All. Motion carried.

45 Burnham – Demolition/New Construction – Scot Munro

Kevin Kuchenbecker explained that the applicant is requesting Project Approval to retire the existing garage located at 45 Burnham, and also requests permission to construct two new residential structures on replatted lots 3A and 4A, Block 8, Highland Park Addition located in the Highland Park Planning Unit. He said the garage is circa 1935 and shows up in the 1993 Architectural Survey as a contributing resource to the district. According to the survey, it is associated with an earlier Deadwood house, which was remodeled during the pre-World War II years. However, it does not appear on any of the Sanborn Fire Insurance Maps, including the 1948 version.

Mr. Kuchenbecker said the applicant would like to remove the existing garage located at 45 Burnham with the intention of building two new residential structures as per the plans submitted. He said based on the survey, the proposed activity does encroach upon, damage and destroy the historic resource; however, the proposed new construction of the two residential structures will blend into the Planning Unit quite well with the size, mass, setting and materials; therefore, the new construction will not encroach upon, damage or destroy the historic character of the district, nor have an adverse effect on the character of the district.

It was moved by Mr. S. Olson and seconded by Ms. Feterl to grant Project Approval to retire the existing garage located at 45 Burnham with appropriate recordation accomplished to the retirement. Aye – All. Motion carried.

It was moved by Mr. M. Olsen and seconded by Ms. Feterl to grant Project Approval for the construction of the two new single-family houses on lots 3A and 4A on Pleasant Street. Aye – All. Motion carried. (The staff report is attached hereto on Exhibit F and incorporated herein by this reference.)

Chinatown Archaeology Contract – Jason Campbell

City Attorney, Jason Campbell, presented a new agreement between the City of Deadwood and the South Dakota Archeological Research Center. *It was moved by Mr. Derosier and seconded by Mr. M. Olsen to recommend the contract for the City of Deadwood and the South Dakota Archaeology Research Center. Aye – All. Motion carried.*

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE

Retaining Wall Applications

None.

Revolving Loan Disbursements

It was moved by Mr. Derosier and seconded by Mr. M. Olsen to approve the Revolving Loan disbursements in the amount of \$1,733.00. Aye – All. Motion carried.

Retaining Wall Disbursements

It was moved by Mr. M. Olsen and seconded by Mr. Derosier to approve the retaining wall grant disbursements in the amount of \$28,845.92. Aye – All. Motion carried.

Joy McCracken reviewed the Balance Sheet, Statement of Revenue and Expenditures and the Delinquency Report.

Loan Request

Ms. McCracken explained the loan request for Phil Breland and Georgette Ohayon. She stated that they have been long-time customers of historic preservation and said they are requesting a loan for exterior painting in the amount of \$5,300.00; a 5% loan, 7-year amortization. *It was moved by Mr. M. Olsen and seconded by Mr. S. Olson to approve the loan to Phil Breland and Georgette Ohayon at 34 Centennial for \$5,300.00 at 5% interest. Aye – All. Motion carried.*

ITEMS FROM CITIZENS NOT ON AGENDA:

Twin City Clothing Center

Mr. Steinlicht read a letter from the Twin City Clothing Center asking for help to organize the store on the day of its grand opening on July 19, 2008.

COMMITTEE ACTIONS AND REPORTS:

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

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

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

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

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

Grants, Recognition, Advocacy & Public Education: Commission representatives: Ronda Feterl (chair), Willie Steinlicht and Mary Ann Oberlander.

No report.

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

No report.

Adams Museum: Commissioner Mary Ann Oberlander.

Ms. Oberlander said that Phase II of the HARC Building has started and noted that Phase II is being paid for from private funding. She said an upcoming event for the Adams Museum is The Deadwood Songbook Performance which will be performed in the Lead Opera House on July 11, 2008 and will be taped for broadcast by Public Broadcasting. There will also be another picnic on the lawn at the Adams House with Gordy Pratt impersonating Seth Bullock during July. Additionally, Ms. Oberlander noted that Preservation Thursday will be on July 17th, 2008 with The Society of the Black Hills Pioneers.

Chamber of Commerce: Commissioners Willie Steinlicht and Darin Derosier.

Mr. Steinlicht reported that they have been having sign meetings.

Days of '76: Commissioner Steve Olson.

Mr. S. Olson reported that they are progressing very well with the rehabilitation of the grandstands.

Neighborhood Housing Services: Commissioner Willie Steinlicht.

Mr. Steinlicht noted that Neighborhood Housing Services is now in their new building.

Planning and Zoning: Commissioner Mike Olsen.

Mr. M. Olsen reported on the following:

Approved the relocation of the existing signs at Cadillac Jack's, due to the State widening the street, noting that they were approved with a two-year limit.

Approved the oversized real estate signs at 1 Railroad Avenue with a one-year limit because the property is located so far off the Main Street. However, if the house sells, the signs must be removed within seven days of the sale.

Approved a variance from the front yard setback for Chad Blair for his new home off Ryan Road.

Approved a final plat for 304 Cliff Street, which is Deadwood Gulch Resort. The plat has been split into four lots with the Convention Center being separated from the Hotel portion.

Demolition By Neglect: Commissioner Matthew Pike (chair) and Steve Olson.

No report.

Policies and Procedures: Commission representatives: Matthew Pike (chair) plus entire HPC

No report.

Historic Preservation Staff:

Mr. Kuchenbecker reported on the following:

Mike Runge's report for April and May was noted. Mike currently has two interns working in the Archives. Mike is doing an outstanding job with the City's collections.

Archeology Camp has been going very well with 26 students in attendance. They will be having a picnic in the park on Friday.

Budget letters have been sent out to all organizations.

OTHER BUSINESS:

Mr. S. Olson said he read in the newspaper that the State Historical Society has the Ft. Pierre to Deadwood Trail book finished and felt that it was something that should be purchased.

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 6:20 pm.

ATTEST:

Willie Steinlicht
Chairman, Historic Preservation Commission
Ronda Morrison, Recording Secretary