CITY OF DEADWOOD

HISTORIC PRESERVATION COMMISSION

Wednesday, May 25, 2005

Chairman Love called the meeting of the Deadwood Historic Preservation Commission to order on Wednesday, May 25, 2005 at 5:20 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT HISTORIC PRESERVATION COMMISSION: Dr. Michael Guilbert, Terri Keene, Louie Lalonde, Troy Love, Sonny Sorenson, Rose Speirs, Jim Wilson – Historic Preservation Officer.

ABSENT HISTORIC PRESERVATION COMMISSION: Ann Ochse.

ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA:
Mr. Wilson requested adding the following item to the agenda under New Matters before the Deadwood Sign Commission:

c. Ticket Booth

Mr. Wilson requested the following correction and addition to the agenda under New Matters before the Deadwood Historic Preservation Commission:

e. Open Bids for the Mt. Moriah Sign Replacement Project
n. Williams Street Engineering

Mr. Wilson requested adding the following item to the agenda under New Matters before the Deadwood Historic District Commission:

b. 792 Main

There being no further additions, deletions or corrections to the agenda, Ms. Speirs moved, seconded by Ms. Lalonde and carried unanimously to approve the agenda with the aforementioned changes.

REVIEW MINUTES:
Motion by Ms. Keene, seconded by Ms. Lalonde and carried unanimously to adopt a resolution approving the minutes of the April 27, 2005 meeting as presented.

Motion by Ms. Speirs, seconded by Ms. Keene and carried unanimously to adopt a resolution approving the minutes of the May 11, 2005 meeting as presented.

VOUCHER APPROVAL:

Operating Account:
Motion by Ms. Keene, seconded by Mr. Sorenson and carried unanimously to adopt a resolution approving the HP Operating Account in the amount of $145,275.80, as presented.

Bonded Account:
Motion by Ms. Keene, seconded by Ms. Speirs and carried unanimously to adopt a resolution approving the HP Bonded Account in the amount of $28,101.28, as presented.

NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:
152 Sherman, First Western Bank

A sign permit application by First Western Bank, 152 Sherman, sought approval to install five (5) individual signs, grouped together and varying in size, on three sides of the building. Signs presently exist on the north and south sides of the building. The total square footage for the proposed replacement sign on the north side is 73.5 square feet with the group of signs approximately ten (10) feet in height. The total square footage for the proposed replacement sign on the south side is 99.75 square feet with the group of signs approximately fifteen (15) feet in height. The property owner proposes to install a new sign on the west side of the building approximately seven (7) feet in height.

Ms. Speirs noted the bank building is located in the historic core district and expressed concern with the total square footage of the proposed signage exceeding the maximum size allowed by city ordinance. She stated the commission would be setting a precedence if were to approve the variance. A bank representative concurred with the classification but explained that the building, which is two and one half (2½) stories high with gable ends, offers no similarity to other buildings in the area. Following discussion, Ms. Lalonde moved, seconded by Ms. Speirs to adopt a resolution approving the Sign Permit Application for the SOUTH side of First Western Bank, 152 Sherman, with the stipulation that the signs not exceed 73.5 square feet. Following further discussion, Ms. Lalonde amended the motion to approve, seconded by Ms. Speirs and carried unanimously to adopt a resolution approving the Sign Permit Application and variance for the SOUTH side of First Western Bank, 152 Sherman, because of the distance of the existing building from the street and, although located in the historic core district, the existing building has gabled roofs, with the following stipulations: 1) the height of the group of signs is not to exceed 10 feet; and 2) the total square footage of the group of signs will not exceed 73.5 square feet. Motion by Ms. Keene, seconded by Ms. Speirs and carried unanimously to adopt a resolution approving the Sign Permit Application and variance for the NORTH side of First Western Bank, 152 Sherman, because of the distance of the existing building from the street and, although located in the historic core district, the existing building has gabled roofs, with the following stipulations: 1) the height of the group of signs is not to exceed 10 feet; and 2) the total square footage of the group of signs will not exceed 73.5 square feet. Motion by Ms. Keene, seconded by Ms. Lalonde and carried unanimously to adopt a resolution approving the Sign Permit Application and variance for the WEST side of First Western Bank, 152 Sherman, because of the distance of the existing building from the street and, although located in the historic core district, the existing building has gabled roofs, with the following stipulation: 1) the height of the group of signs is not to exceed 6.5 feet.

175 Sherman, Dollar Store

Randy Havlik, owner of property located at 173-175 Sherman, requested an interpretation from the commission as to whether the projecting automobile hood on the property is considered a sign or building decoration. Following considerable discussion, Mr. Havlik was directed to meet with staff regarding means to attract visitors to this location.

Ticket Booth, 657 Main:

The applicant, Woodie Cockrun, wishes to use a temporary ticket booth to sell tickets to performances in a second floor theatre at 657 Main Street, Monday through Saturday weekly. Motion by Ms. Speirs, seconded by Dr. Guilbert and carried with Ms. Lalonde abstaining, to adopt a resolution to allow a temporary ticket booth at 657 Main Street.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:

Non-Owner Occupied Properties, Guideline Language

Motion by Ms. Lalonde, seconded by Dr. Guilbert and carried unanimously to adopt a resolution to approve the revised statement of purpose and objectives for non-owner occupied properties to be included in the Guidelines for the Retaining Wall Grant Program, as presented.

Wooden Window Grant/Loan Program

Motion by Ms. Speirs, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve the Deadwood Historic Preservation Commission Revolving Loan Fund-Special Needs: Wooden Windows guidelines, upon correction of a typographical error in the first sentence in the Statement of Purpose.

Adams Museum, Change Order #6, Increase $2,583

Lyle Murtha, representing Williams and Associates, presented a brief explanation of contract change order #6 for the Adam's Museum renovation and addition project. Motion by Ms. Speirs, seconded by Ms. Keene and carried unanimously to adopt a resolution to approve contract change order #6 for the Adams Museum, a net increase of $2,583, as presented.

Mt. Moriah Sign Replacement
Mr. Wilson reported the Deadwood City Commission opened bids for the new sign to be placed at the entrance to Mt. Moriah, at their regularly scheduled meeting on Monday, May 23, 2005. Motion by Ms. Keene, seconded by Mr. Sorenson and carried unanimously to adopt a resolution to award the contract for the Mt. Moriah Sign Replacement project to Jacobs Welding, the lowest responsible bidder meeting specifications, at a total estimated project cost of $3,948, as presented.

15 Denver, Stojack, Baluster Replacement, Door and Window Replacement
Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests Project Approval to replace a porch railing, windows and a storm door at 15 Denver, Deadwood.

Applicant: Lou & Linda Stojack
Owner: Lou & Linda Stojack
Constructed: 1895

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic Preservation Commission shall use the following criteria in granting or denying Project Approvals:

General Factors:

1. Historic significance of the resource: The building is listed as a contributing structure in the Deadwood National Landmark Historic District.

2. Architectural design of the resource and proposed alterations: The owner proposes to replace two windows with wood replacement windows. The new storm door should be residential in character and an appropriate color. The owner proposes to replace the porch railing with a railing similar to that approved for 124 Denver. This is not an appropriate choice for this house. The metal railing was appropriate for a new railing or for a railing on a non-contributing house. A replacement railing on a contributing structure should be wood, with wood balusters to match the character of the house.

Attachments:

Plans

Recommended Decision: The proposed replacement railing, if done in wood, will not encroach upon, damage or destroy the historic building or the Deadwood National Landmark Historic District and should be approved by the Deadwood Historic Preservation Commission.

Motion by Dr. Guilbert, seconded by Ms. Keene and carried unanimously to adopt a resolution for project approval for replacement of a porch railing, windows, and a storm door on the residence located at 15 Denver, stipulating the use of wood material on the porch railing, proposed by the applicant and property owner, Lou and Linda Stojack, as presented.

906 Main, Gregory, Roof Replacement
Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests Project Approval to replace the roof at 906 Main, Deadwood.

Applicant: Terry Gregory
Owner: Terry Gregory

Constructed: 1895

CRITERIA FOR THE ISSUANCE OF PROJECT APPROVALS

The Historic Preservation Commission shall use the following criteria in granting or denying Project Approvals:

General Factors:

1. Historic significance of the resource: The house is a contributing structure in the Deadwood National Landmark Historic District.

2. Architectural design of the resource and proposed alterations: The owner wishes to replace the existing, asphalt shingle roof with a brown metal roof.

Attachments:

Photo

Roof material brochure

Recommended Decision: The proposed reroofing will not encroach upon, damage or destroy the character of the Deadwood National Landmark Historic District or the historic house.

Motion by Ms. Keene, seconded by Ms. Lalonde and carried unanimously to adopt a resolution for project approval for the roof replacement project at the residence located at 906 Main, proposed by the applicant and property owner, Terry Gregory, as presented.

409 Cliff, Havlik, Addition

Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests Project Approval to construct an addition at 409 Cliff.

Applicant: Randy Havlik
Owner: Randy Havlik
Constructed: 1990

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 was built in 1990 and is outside the period of significance for the Deadwood National Landmark Historic District. The building is located outside the boundaries of the Deadwood National Landmark Historic District. It is not a contributing building in the Deadwood National Landmark Historic District.

2. Architectural design of the resource and proposed alterations: The owner constructed an enclosed deck on the rear of the building. It is not visible from any public thoroughfare and was constructed to solve a severe drainage problem.

3. General appearance of the resource: The appearance of the building has not been altered by the addition.

Attachments:

Photo

Recommended Decision: The addition does not encroach upon, damage or destroy the historic character of the building or of the Deadwood National Landmark Historic District.

Randy Havlik informed the commission that a tin roof and wood sides have been added to enclose an existing 12'x30' deck for storage and to solve a severe drainage problem. Motion by Ms. Speirs, seconded by Ms. Keene to deny project approval for construction of an addition at 409 Cliff, proposed by the applicant and property owner, Randy Havlik. Ms. Speirs initiated discussion regarding staff concerns about noncompliance with current building code requirements. Chairman Love directed Mr. Havlik to work with staff regarding these issues. Hearing no further discussion on the motion to deny, upon vote taken thereon, the motion carried unanimously.

409 Cliff, Havlik, New Building

Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests Project Approval to construct a new building at 409 Cliff.

Applicant: Randy Havlik
Owner: Randy Havlik
Constructed: NA

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 building on the site was built in 1990 and is outside the period of significance for the Deadwood National Landmark Historic District. The site is located outside the boundaries of the Deadwood National Landmark Historic District.

2. Architectural design of the resource and proposed alterations: The owner would like to construct a 24' x 40' storage building at the rear of his property adjacent to existing storage buildings. The front façade will have a full length porch. The building will be constructed with a metal roof that should be brown or green. Siding should be wood or Hardie Plank or equivalent.

3. General appearance of the resource: The new building should enhance the appearance of the area.

Attachments:

Plans

Photo

Recommended Decision: The new building does not encroach upon, damage or destroy the historic character of the Deadwood National Landmark Historic District.

Randy Havlik stated his intent to construct a 24'x40' storage building at the rear of his property adjacent to existing storage buildings. Ms. Speirs would like the code concerns previously discussed resolved prior to proceeding with this construction project. Dr. Guilbert disagreed. Following discussion, Mr. Havlik was directed to work with staff regarding the proposed construction project including the type of materials to be used. Motion by Ms. Lalonde, seconded Ms. Keene and carried unanimously to continue this item directing Mr. Havlik to work with staff to further clarify the construction project.

Deadwood Elementary School, Non-Profit Grand Fund
An application for non-profit grant funds from the Deadwood Elementary School was reviewed. Mr. Wilson described the two-phase project with the first phase involving the relocation of the playground and the potential second phase involving a canopy for the playground area. The total estimated project cost for phase I is $91,389, excluding the concrete work described in Division 3 of the estimate provided by Albertson Engineering, Inc. Motion by Ms. Speirs, seconded by Ms. Lalonde and carried unanimously to adopt a resolution for approving grant funds not to exceed $91,389 for the Deadwood Elementary School playground improvement project, as presented.

Hire Thurston Design Group as Fire Hall Architect

Motion by Ms. Keene, seconded by Mr. Sorenson and carried unanimously to adopt a resolution to retain Thurston Design Group as the architect for the Deadwood Fire Station Addition, as presented.

Review Fire Hall Addition
A representative from the Fire Department responded to questions from the commission and others present regarding the construction project. Considerations have been made with Wells Fargo for the installation of a drainage system in the existing roadway to accommodate runoff from the fire hall roof in exchange for encroaching on their property. Mayor Toscana inquired of the meaning of the term "clerk of the works". There was brief discussion regarding the total square footage of the addition and the exterior enclosure/façade line item.

Reroof Smith House, Mt. Moriah Visitor Center
Motion by Ms. Keene, seconded by Ms. Speirs and carried unanimously to adopt a resolution authorizing staff to reroof the Smith House, Mt. Moriah Visitor Center, at a cost not to exceed $1,500, and to hire HCW Construction Company to complete the project as they are onsite completing the ticket booth/bathroom facilities.

South Dakota State Historical Society Press Publications Fund, FYI
The *Deadwood Publications Fund Report, 2004* from the South Dakota State Historical Society Press was distributed in the packets for information only.

Williams Street Engineering
Motion by Ms. Keene, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to authorize staff to retain the firm of NJS Engineering of Spearfish to design road and water line improvements on the unpaved section of Williams Street south of the Hills Apartments, approving the expenditure of bonded funds not to exceed $6,380. The Deadwood City Commission took similar action at their regularly scheduled meeting on Monday, May 23, 2005.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:

611 Main, Mineral Palace
Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests a Certificate of Appropriateness to construct a new addition to the Mineral Palace at 603-607 Main, Deadwood.

Applicant: G. R. Deadwood, L.L.C.
Owner: G. R. Deadwood, L.L.C.
Constructed: 1901/1905/1912//1923/1993

CRITERIA FOR THE ISSUANCE OF CERTIFICATES OF APPROPRIATENESS

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

General Factors:

Attached are revised drawings provided by the owner. The owner has addressed the questions raised by the Commission and staff that were raised at the meeting on May 11, 2005, and in subsequent conversations with staff.

The revised drawings do provide a scale for the buildings and do provide information regarding relative width and height. The owner has also provided a north elevation as well as an east elevation showing the elevated 4 lane highway and its relationship to the new building.

The revised drawings also show a visual separation between air conditioner grills and windows on the third floor. The elimination of the grid work from the first floor windows in building #3 is an improvement.

An issue that was not raised in previous discussion concerns the window sill and window heads on facades. These should be three dimensional components of the wall and not simply decorative items applied to the surface of the wall.

The owner opted not to change the first floor windows on the Main Street façade. Attached are two pages from the Deadwood Downtown Design Guidelines that discuss the preferred treatment for storefronts and street level facades in Deadwood. The present window configuration is not appropriate for downtown Deadwood.

There have been a number of previous applications for construction on this parcel. Height has always been a major concern. In 2000 a 35' building was approved for the site with the note that the height is similar to adjacent buildings. In 2004 the owner proposed a three story addition less than 35' high. The Mineral Palace Hotel is 35' feet high.

Attached is a copy of the Sanborn Map showing heights of adjacent buildings in the gray circles. It is standard for blocks to have taller buildings on the corners. The two prominent exceptions in downtown Deadwood are the Midnight Star Building and the Bodega. The Midnight Star Building was 50' and the Bodega 46'.

An alternate design for the parapets and decoration would minimize the height of the proposed addition.

Based on available information including the archeological investigation on the adjacent property it is incumbent upon the owner to conduct archeological testing on the building site in order to determine if further archeological mitigation is necessary.

Attachments:

Photos

Plans

Site plan

Recommended Decision: The proposed three story addition will have no adverse effect on the historic building or the Downtown Historic District of the Deadwood National Historic Landmark District if the total building height is 35' or less, if the first floor windows on the Main Street façade are redesigned to conform to the Deadwood Downtown Design Guidelines and if the appropriate archeological testing is completed.

At the request of the commission at the meeting on May 11th, Roger Tellinghuisen presented detailed information regarding the construction of an addition to the Mineral Palace including scaled drawings, a color schematic design of the front elevation, a digitally enhanced photograph taken in recent weeks, and samples of the materials to be used on the front and side building exterior.

Motion by Ms. Lalonde, seconded by Dr. Guilbert to adopt a resolution to approve a Certificate of Appropriateness for the Mineral Palace, 603-607 Main, for the construction of a three story addition and to approve a variance allowing the parapets to extend to a height of 43'4" with the occupied space of the building restricted to 35' or less

with the following additional stipulations: 1) the first floor windows on the Main Street façade must be redesigned to conform to the Deadwood Downtown Design Guidelines; and, 2) the appropriate archeological testing must be completed. For the record, Dr. Guilbert stated the commission looked favorably on the height variance because the design of the proposed addition is complementary in nature with the adjacent buildings. Ms. Speirs thanked Mr. Tellinghuisen for the additional information provided, although, for the record, she would have preferred the height of the parapets be no more than 39'6". Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

[Exit Ms. Keene, 6:30 p.m.]

792 Main, Tracy Rear
Mr. Wilson referred the commission to the following staff report:

STAFF REPORT

The applicant requests a Certificate of Appropriateness to remove and replace rear addition at the house at 792 Main, Deadwood.

Applicant: Tracy Rear
Owner: Tracy Rear
Constructed: 1900

CRITERIA FOR THE ISSUANCE OF CERTIFICATES OF APPROPRIATENESS

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

General Factors:

1. Historic significance of the resource: 792 Main is a non-contributing resource in the Deadwood National Historic Landmark District.

2. Architectural design of the resource and proposed alterations: The owner proposes to remove the unsafe rear addition and replace it with a code compliant rear stairway, porch and deck. The Commission did approve a loan for this work at the meeting on May 11, 2005. The owner desires to have the work completed prior to Paint the Town on June 4 as this house is part of that project.

3. General appearance of the resource: The safety and appearance of the property will be greatly improved by completion of this project.

Attachments:

Photos

Recommended Decision: The proposed project will have no adverse effect on the historic character of the property and will have no adverse effect on the historic character of the Deadwood National Landmark Historic District.

Motion by Ms. Lalonde, seconded by Dr. Guilbert to adopt a resolution to approve a Certificate of Appropriateness to remove and replace the rear addition at the house at 792 Main, proposed by the applicant and property owner, Tracy Rear, as presented.

Plaques of Appreciation:
Chairman Love presented a plaque of appreciation to Sonny Sorenson for three (3) years of dedicated service to the Historic Preservation Commission.

Chairman Love displayed an identical plaque of appreciation for Terri Keene for six (6) years of dedicated service to the Historic Preservation Commission.

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Retaining Wall Fund Voucher
None.

Revolving Loan Fund Disbursements
Motion by Ms. Lalonde, seconded by Ms. Speirs and carried unanimously to adopt a resolution to approve Revolving Loan Fund Disbursements totaling $757.27 to the following: Deadwood Home Center, $688.27; Lawrence Title, $25; Lawrence County Register of Deeds, $22; and, Lawrence County Register of Deeds, $22.

Review Loan Delinquency Report
No changes to report.

43 Forest, Borass, Loan
Motion by Ms. Lalonde, seconded by Mr. Sorenson and carried unanimously to adopt a resolution to approve a zero percent (0%) life safety loan in the amount of $3,000 for Bruce Borass, 43 Forest, as presented.

22 Denver, Griffith, Loan
Motion by Ms. Speirs, seconded by Ms. Lalonde and carried unanimously to adopt a resolution to approve a zero percent (0%) life safety loan in the amount of $2,800 for Michael Griffith, 22 Denver, as presented.

22 Jefferson, Johnson, Retaining Wall Grant, Increase of $7,000
Motion by Ms. Speirs moved, seconded by Mr. Sorenson and carried unanimously to adopt a resolution to increase the retaining wall grant amount for 22 Jefferson, Johnson, by $7,000 due to a clerical error.

COMMITTEE REPORTS:

Budget
Nothing to report at this time.

Museum
Nothing to report at this time.

HistoryLink
Mr. Wilson reported talking to Dustin of TDG and the committee has commenced work on the neighborhood signage.

Advocacy
Nothing to report at this time.

Chamber of Commerce
Ms. Lalonde reported on the recent chamber annual luncheon and election of officers.

NHS
Dr. Guilbert reported on the positive working relationship between NHS and Historic Preservation. In response to an inquiry from Chairman Love concerning the status of internal advocacy and ongoing educational efforts between the entities, Ms. McCracken would like to involve a member of NHS staff in the committee meetings. Mr. Wilson will also work with the appointed staff member as needed.

Hall of Fame and Recognition Committee
The committee was provided a sample on paper of the Hall of Fame designed by the committee. Mr. Wilson reported an appropriate location for the Hall of Fame recipients has not been determined at this time.

Planning and Zoning
Bernie Williams reported on the conditional use permit granted for a used car dealership adjacent to the Laundromat.

ITEMS FROM CITIZENS NOT ON THE AGENDA:
None.

OTHER BUSINESS:
Mayor Toscana publicly thanked Terri Keene and Sonny Sorenson for their years of service on the Historic Preservation Commission.

Public Works Director, JR Raysor invited the commission to the dedication of the T.C. Holloway statue scheduled for 4 p.m. on Friday, May 22, 2005.

ADJOURNMENT:
As there was no further business to come before the commission at this time, Ms. Lalonde moved, seconded by Ms. Speirs and carried unanimously to adjourn the meeting at 6:10 p.m.

ATTEST:

Mr. Troy Love
Chairperson
Historic Preservation Commission
MBurket/Secretary