

Wednesday, May 10, 2006
HPC

CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION

Wednesday, May 10, 2006

Present Historic Preservation Commission: Darin Derosier, Dr. Michael Guilbert, Louie Lalonde, Mary Ann Oberlander, Steve Olson, and Willie Steinlicht and Historic Preservation Officer Kevin Kuchenbecker.

Absent Historic Preservation Commission: Rose Speirs

Vice Chairman Louie Lalonde called the meeting of the Deadwood Historic Preservation Commission to order on Wednesday, May 10, 2006 at 5:15 p.m. in the Deadwood City Hall Meeting Room located at 108 Sherman Street, Deadwood, SD 57732.

Additions, Deletions and Corrections to the Agenda:

It was moved by Mr. Steinlicht, seconded by Mr. Derosier and carried unanimously to approve the following addition to the agenda under New Matters before the Deadwood Historic Preservation Commission:

- c. Approval of Outside of Deadwood Grants Committee Recommendations

Review and Approve – April 26, 2006 Minutes

It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the minutes of the April 26, 2006 meeting, as presented.

Voucher Approval for Operating Fund:

It was moved by Mr. Steinlicht, seconded by Mr. Derosier and carried unanimously to adopt a resolution approving the HP Operating Account in the amount of \$170,530.31, as presented.

Voucher Approval for Bonded Fund:

It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution approving the HP Bonded Account in the amount of \$111,123.94, as presented.

NEW MATTERS BEFORE THE DEADWOOD SIGN COMMISSION:

Bullock Express, 64 Main Street, Sign, Variance

The commission referred to the following staff report:

STAFF REPORT

To: Deadwood Historic Preservation/Sign Commission
From: Bernadette Williams, Planning and Preservation
Date: May 5, 2006
Property Owner: Bullock Express
Applicant: Chic-a-doodles

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The applicant is requesting a 3 x 20' sign. Enclosed is a copy of the proposed sign. A 1' variance is required from Section 15.32.230 Height.

ACTION REQUIRED:

1. Approval/approval with conditions/denial.

Building Inspector Keith Umentum responded to a question from the commission by stating this sign would be in addition to an existing sign at this location. A variance is required as per Section 15.32.230 of the sign ordinance which states the height of a wall sign shall not exceed two feet (2'); the sign requested measures three feet by twenty feet (3' x 20'). With the addition of this sign, the Bullock Express would still comply with the total square footage of signage allowed. Mr. Umentum feels the sign is appropriate given the location.

Mr. Olson requested clarification regarding ordinance stipulations requiring an entrance on the side of the building for a sign to be located there. Mr. Umentum stated the proposed sign is a distance from either entrance but there is little pedestrian traffic at this location. It was moved by Mr. Steinlicht and seconded by Mr. Derosier to adopt a resolution to approve the Sign Permit Application, for the Bullock Express/Chic-a-doodles, 64 Main Street, as presented. Ms. Oberlander and Mr. Olson suggested the motion include verbiage specific to the variance for height. The motion was amended by Mr. Steinlicht, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve the Sign Permit Application, and a variance to allow the wall sign measuring three feet by twenty feet (3' x 20'), for the Bullock Express/Chic-a-doodles, 64 Main Street, as presented.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC PRESERVATION COMMISSION:

Jim Callahan, 17 Fillmore – Placement into Retaining Wall Program

The commission referred to the following staff report:

STAFF REPORT

To: Deadwood Historic Preservation
From: Bernadette Williams, Planning and Preservation
Date: May 5, 2006
Owner: Jim Callahan
Address: 17 Fillmore Street, Deadwood, South Dakota

The applicant is requesting a retaining wall grant. Mr. Callahan's wall is historic and the rocks are falling and he has cracks in the wall.

ACTION REQUIRED:

1. Approval to be placed in the retaining wall program.

It was moved by Mr. Olson, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve the Retaining Wall Grant Program Application for 17 Fillmore, as presented by Jim Callahan, the applicant and property owner.

Masonic Temple, 715 Main, Request to Set Out Ticket Booth

Mr. Steinlicht recused himself from the commission during discussion of this item and responded to questions from the podium.

The commission referred to the following staff report:

STAFF REPORT

To: Deadwood Historic Preservation Commission Members
From: Bernadette Williams, Planning and Preservation
Date: May 5, 2006
RE: Ticket Booth for Deadwood Alive

The applicant is requesting to set a ticket booth outside for the sale of tickets prior to the Trial of Jack McCall. The booth would be taken inside after sales.

In the past, we have allowed this type of use in order to promote the use of second floors in the Deadwood core district.

The use may possibly need City Commission approval also since it will be placed in the public right-of-way.

ACTION REQUIRED:

1. Approval to be place ticket booth in front of the Masonic Temple.

The Deadwood Alive organization is requesting permission to place a ticket booth in front of the Masonic Temple for the sale of tickets to the "*Trial of Jack McCall*" performances. Mr. Steinlicht explained the performances are held in a second floor theatre. The ticket booth would be in place until 8:15 p.m., then removed. Mr. Steinlicht reminded the commission that, last year, the city significantly reduced funding allocated to Deadwood Alive and recommended the organization charge a small fee to view the performance. It was moved by Mr. Derosier, seconded by Mr. Olson and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness for the placement of a ticket booth in front of the Masonic Temple from 5 p.m. to 8:30 p.m. for the sale of tickets to the "*Trial of Jack McCall*", as requested by Deadwood Alive.

Recommendations for Funding: Outside of Deadwood Grants Committee

The Outside of Deadwood Grants Committee recently met and recommended funding be allocated for three (3) programs and/or projects. Mr. Olson stated the committee also recommended stipulating that the Deadwood Historic Preservation Commission be recognized appropriately in the form of a plaque or a written statement as a source for partial funding of the program or project. [Dr. Guilbert entered the meeting at this time, 5:30 p.m.].

Mitchell Prehistoric Indian Village archeological site:

The Outside of Deadwood Grants committee considered a request for \$6,000 for research and development and educational materials. It was moved by Mr. Olson, seconded by Ms. Oberlander and carried unanimously to adopt a resolution to approve Outside of Deadwood grant funding in the amount of \$2,500.00 to the Mitchell Prehistoric Indian Village archeological site, with the stipulation that the Deadwood Historic Preservation Commission be recognized as a source of partial funding for the project.

Rapid City Area Chamber of Commerce:

The Outside of Deadwood Grants committee considered a request for \$15,000 for research and guidance. It was moved by Mr. Olson, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve Outside of Deadwood grant funding in the amount of \$5,000.00 to the Rapid City Area Chamber of Commerce, with the stipulation that the Deadwood Historic Preservation Commission

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be recognized as a source of partial funding, either by means of a plaque or listed appropriately in the credits section of the study.

Bismark-Deadwood State Trail, Douglas Ellison:

The Outside of Deadwood Grants committee considered a request from Douglas Ellison for \$3,400 for two (2) interpretive plaques for the Bismark-Deadwood Stage Trail. It was moved by Mr. Olson and seconded by Mr. Derosier to adopt a resolution to approve Outside of Deadwood grant funding in the amount of \$2,500.00 to Douglas Ellison, for the placement of two (2) interpretive plaques for the Bismark-Deadwood Stage Trail, with the stipulation that the Deadwood symbol be placed on the plaques and a statement recognizing the Deadwood Historic Preservation Commission as a source of partial funding for the project. Chuck Turbiville clarified that this request was made by Douglas Ellison on behalf of the Coal Springs Antique Club. Mr. Olson amended the motion, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve Outside of Deadwood grant funding in the amount of \$2,500.00 to Douglas Ellison on behalf of the Coal Springs Antique Club, for the placement of two (2) interpretive plaques for the Bismark-Deadwood Stage Trail, with the stipulation that the Deadwood symbol be placed on the plaques and a statement recognizing the Deadwood Historic Preservation Commission as a source of partial funding for the project.

NEW MATTERS BEFORE THE DEADWOOD HISTORIC DISTRICT COMMISSION:

Continued, Jimmy Mattson, 65-67 Sherman, Paint Front Door, Awning

The commission referred to the following staff report:

DEADWOOD HISTORIC PRESERVATION REQUEST FOR CERTIFICATE OF APPROPRIATENESS

Jimmy Mattson
Box 113
Deadwood, South Dakota 57732

Dear Jimmy,

The Deadwood Historic Preservation Commission, at their regularly scheduled meeting on April 26, 2006, continued your requests to paint the door and place an awning. They have requested you provide a sample of the paint color you have chosen for the door and also that you provide a professional drawing of the canopy with additional information regarding the type of material and what name will appear on the awning.

However, they did take action on the tables and chairs, and precedent has been set to prohibit use of the public way in this manner; therefore, that section of the requests was denied.

Staff is placing you on the May 10, 2006, agenda; however, as per our conversation on the phone, Danny Gray did get approval for the canopy; however, I did not find samples or renderings of the canopy. You indicated the door will be the same color of green as the canopy. I did not find much information in the file and they probably would like to know the color of green. Could you ask Danny Gray if he has any of the materials he provided for his request. The Commission has always had either brochures or renderings for the requests. I don't believe they will approve anything unless they see what it looks like and they know what type of material the canopy is made up of. If you wish to be placed on the May 10, 2006, agenda, please have the requested information at city hall by Friday, May 5, 2006, since packets are distributed to the commission members that afternoon.

Sincerely,

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Bernadette Williams
Planning and Preservation

Cc:file

Danny Gray, owner of the property located at 65-67 Sherman Street, presented a sample paint chip which "is the same as the other green awnings in town". The awnings are the roll-up type. He explained the front door will be repaired and repainted the same color it was before. It was moved by Mr. Steinlicht, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness for installation of green awnings and painting of the front door at 65-67 Sherman Street, as proposed by Danny Gray, the applicant and property owner, as presented.

Continued, Certificate of Appropriateness, Blake Haverberg, Old Town Hall, 12 Lee Street

The commission referred to the following staff correspondence:

**DEADWOOD HISTORIC PRESERVATION
REQUEST FOR CERTIFICATE OF APPROPRIATENESS**

Deadwood Development Co.
Attention: Blake Haverberg
P.O. Box 594
Deadwood, South Dakota 57732

Dear Blake,

The Deadwood Historic Preservation Commission, at their regularly scheduled meeting on April 26, 2006, continued your request to May 10, 2006.

Staff will be placing you on the May 10, 2006, unless you contact us directly to wait until a later date. Mr. Kevin Kuchenbecker, Historic Preservation Officer, will be arriving on May 8, 2006 to fill the position and he will be running the next meeting.

If you have any further questions, please do not hesitate to contact me at 578-2082.

Sincerely,

Bernadette Williams
Planning and Preservation

Cc:file

Blake Haverberg presented **architectural renditions** of The Gallows proposed at the Old Town Hall building located at 12 Lee Street. He has contacted Black Hills Power & Light regarding the large green electrical box on the property. The box can be fenced in but cannot be covered. He will present a request regarding the fence and color choices for the structure at the next meeting.

Historic Preservation Officer Kevin Kuchenbecker has conducted a site visit, reviewed the Application for a Certificate of Appropriateness submitted on April 21st and has reviewed the historic research and photographs compiled by staff. He finds the proposed project will have no adverse affect on the historic character of the Deadwood National Landmark Historic District or the Deadwood Historic District. It was moved by Mr. Olson, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve

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the Application for a Certificate of Appropriateness for the proposed work described and attached thereto and dated April 21, 2006, to be completed at 12 Lee Street, as proposed by Deadwood Development Company and Blake Haverberg, the applicant and property owner respectively, as presented.

Tin Lizzies, 555 Main Street – Certificate of Appropriateness

The commission referred to the following staff report:

STAFF REPORT

Case No. 06038

May 5, 2006

Address: 555 Main Street

The applicant requests Project Approval to replace the parking lot shed door with a roll up door.

Applicant: Tin Lizzies
Owner: Blue Sky Gaming
Unit 4.

CRITERIA FOR THE ISSUANCE OF CERTIFICATE 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: This is a contributing building in the Deadwood National Landmark Historic District.

2. Architectural design of the resource and proposed alterations: The owner is requested permission to replace the parking lot shed door with a roll up door. The current door is rusted out and the new door would allow access to the shed even when a vehicle is parked in front of the doors. The new door would be an almond color.

Attachments: See Enclosures.

Photo: See Enclosures.

Recommended Decision: Replacement of the shed door with a roll up door will have no adverse effect on the historic character of the Deadwood National Landmark Historic District.

It was moved by Mr. Derosier, seconded by Mr. Steinlicht and carried unanimously to adopt a resolution to approve the Application for a Certificate of Appropriateness to replace the parking lot shed door with a roll up door at Tin Lizzies, 555 Main Street, as proposed by Weston Pleinis and Blue Sky Gaming, the applicant and property owner respectively, as presented.

REVOLVING LOAN FUND/RETAINING WALL GRANT UPDATE:

Joy McCracken, Executive Director of Neighborhood Housing Services, provided the following reports to the commission.

Retaining Wall Fund Voucher

It was moved by Mr. Derosier and seconded by Mr. Steinlicht to adopt a resolution approving the HP Retaining Wall Grant Fund Disbursements totaling \$64,778.00 as follows: RCS Construction, 71 Forest Avenue, Sundstrom, \$37,658.00; and, Lehmen Construction, 52 Taylor, Olson, \$27,120.00, as

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presented. For the record, Mr. Olson requested that a first name be added to the project at 52 Taylor. Ms. McCracken noted the name is misspelled and should be corrected referring to a "Mike Olsen". Hearing no further discussion, upon vote taken thereon, the motion carried unanimously.

Revolving Loan Fund Disbursements

It was moved by Mr. Steinlicht, seconded by Dr. Guilbert and carried with Ms. Oberlander abstaining to adopt a resolution to approve the historic preservation revolving loan fund cash disbursements journal totaling \$38,713.91 to the following: Lawrence Title, \$99.00; Terry Gregory, \$1,197.71; Dumont Building and Repair, \$1,100.00; NHS of the Black Hills, \$38.35; NHS of the Black Hills, \$21,725.00; RCS Construction, \$10,816.00; Lawrence County Register of Deeds, \$22.00; Lawrence Title, \$25.00; Missy Morse, \$3,668.85; and the Meade County Register of Deeds, \$22.00, as presented.

NHS Financial Report

None.

Rhea and Betty Trevino, 320 Williams

It was moved by Mr. Olson, seconded by Mr. Derosier and carried unanimously to adopt a resolution to approve the loan subordination for Rhea and Betty Trevino, 320 Williams, as presented.

COMMITTEE REPORTS:

Loan:

Mr. Steinlicht stated the committee met and its recommendations for Outside of Deadwood Grant funds was presented to the commission this evening.

Advocacy/HistoryLink/Public Education:

Nothing to report at this time.

Hall of Fame and Recognition:

Nothing to report at this time.

Cemetery:

Nothing to report at this time.

Museum/Homestake Archives:

Nothing to report at this time.

Representative to Adams Museum Board:

In the absence of Chairman Speirs, no report was given.

Representative to Chamber of Commerce:

Mr. Derosier reported the chamber annual luncheon and election of officers was held yesterday.

Representative to NHS:

Dr. Guilbert reported that Neighborhood Housing Services continues to gear up for summer projects.

Representative to Planning & Zoning:

Nothing to report at this time.

Representative to Days of '76:

Representative to Days of '76:

Dr. Guilbert reported the group is currently working on securing grant funding. Officials from the state recently examined the Clowser collection and an individual from Montana recently reviewed the Native American collection. City Attorney John Frederickson reported recently receiving a letter from the U.S. Fish & Wildlife Service indicating that the Clowser Collection was in compliance with the Migratory Bird Act and Endangered Species Act thus in compliance with federal wildlife laws and no violations were identified.

ITEMS FROM CITIZENS NOT ON THE AGENDA:

At this time, Richard Morgan presented a request for grant funds to assist with restoration of a barn on his property located 2 Dudley Street. He stated the barn dates back to 1906. Vice Chairman Lalonde explained that, at the present time, historic preservation does not have grant funding available for this type of project. City Attorney John Frederickson concurred. Mr. Morgan stated some time ago, he did apply for and receive a zero percent life safety financing for improvements to the house located on the property.

Several commission members reported having visited the site in recent days. Historic Preservation Officer Kevin Kuchenbecker stated the existing outbuildings on the property are listed as contributing buildings. He is aware of a "Barn Again Program" administered through the National Trust and county extension offices and plans research the availability of grant funds through those entities to assist Mr. Morgan with restoration of the barn.

OTHER BUSINESS:

Mr. Kuchenbecker reported receiving a letter from The Booth Society, Inc. dba the D.C. Booth Historic Fish Hatchery regarding an unveiling of the historic fisheries railcar exhibit scheduled for Sunday, May 21st. Grant funds from historic preservation were used to complete this work at the hatchery and the commission is invited to attend the unveiling.

EXECUTIVE SESSION:

Vice Chairman Lalonde announced there would be a brief executive session following the meeting to discuss personnel matters with no action to be taken thereafter.

ADJOURNMENT:

Hearing no further business to come before the commission at this time and no objections from the commission or the audience, Vice Chairman Lalonde adjourned the meeting at 6:50 p.m.

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ATTEST:

Louie Lalonde
Vice Chairman
Historic Preservation Commission
Mary Burket, Recording Secretary