

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

February 15, 2006

JOINT MEETING

The Joint Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Larry Ryan on Wednesday, February 15, 2006 at 5:00 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT PLANNING & ZONING: Larry Ryan, Marie Farrier, Mel Allen and Sheree Green. Robert Thorp arrived at 5:30.

APPROVAL OF MINUTES

Ms. Farrier moved approve the minutes of the December 21, 2005 and January 4, 2006 regular meetings. Mr. Allen seconded and the motion carried.

All in favor - 4
Opposed - 0

REQUEST FOR 2' VARIANCE FOR INTERIOR SIDE YARD LOT LINE - BRUCE AND MARY ANN OBERLANDER

Location: 102 Charles Street
Zone: R-1 Residential District

Ms. Williams referred to the following staff report:

Ms. Williams stated she supplied the commissioners with a drawing of the area and stated the applicants would like to have enough turn radius so they wanted to get as close as they could to the side lot lines. Ms. Williams stated the property is in the located in the AB base flood plain elevations are determined and when apply for a building permit they will have to contact an engineer.

Ms. Farrier moved to approve the 2' variance for the interior side yard for Bruce and Mary Ann Oberlander, located at Lot A, Block 75, formerly known as a portion of Lots 30 and 32, Block 75, Located in the NE 1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Ms. Green seconded and the motion carried.

All in favor - 4
Opposed - 0

DEADWOOD BOARD OF ADJUSTMENT

Mayor Toscana called the Board of Adjustment to order.

Ms. Feterl moved to approve the 2' variance as recommended by the Planning and Zoning Commission. Mr. Speirs seconded and the motion carried.

All in Favor - 4
Opposed - 0

Mr. Toscana adjourned the Board of Adjustments and turned the meeting over to the Planning and Zoning Commission.

Mr. Ryan called the Planning and Zoning meeting back to order.

FINAL PLAT - Plat of Tract E-1 Revised of Crawford Addition II, Formerly known as Tract E-1 and Tract C of the Crawford Addition II, Located at the NE 1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Location: 308 McGovern Hill Road

Zone: R-1 Residential District

Ms. Williams referred to the following staff report:

Ms. Williams stated that the Nelson's plan to retire in Deadwood and will eventually want to build a new home on these lots. Mr. Ryan questioned if the existing buildings were historical. Ms. Williams stated one was contributing and the other was non-contributing.

Ms. Green moved to approve the Plat of Tract E-1 Revised of Crawford Addition II, Formerly known as Tract E-1 and Tract C of the Crawford Addition II, Located at the NE 1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota Ms. Farrier seconded and the motion carried.

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| <u>All in favor</u> | <u>-</u> | <u>4</u> |
| <u>Opposed</u> | <u>-</u> | <u>0</u> |

DEADWOOD BOARD OF ADJUSTMENT

Mayor Toscana called the Board of Adjustment back to order.

Ms. Griffith questioned if the plat was approved that it does not allow the demolition of the historic structure. Ms. Williams stated it did not.

Ms. Griffith moved to approve the Plat of Tract E-1 recommended by the Planning and Zoning Commission. Ms. Feterl seconded and the motion carried.

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| <u>All in Favor</u> | <u>-</u> | <u>4</u> |
| <u>Opposed</u> | <u>-</u> | <u>0</u> |

Mr. Toscana adjourned the Board of Adjustments and turned the meeting over to the Planning and Zoning Commission.

Mr. Ryan called the Planning and Zoning meeting back to order.

FINDINGS OF FACT

John and Terri Keene - 3 Cemetery Street - Conditional Use Permit for Condominium(s)

Ms. Williams stated that that Findings of Facts were the last step in closing the file to establish the record and a motion was needed to approve the findings.

Ms. Farrier moved to approve the Findings of Fact for 3 Cemetery Street. Mr. Allen seconded and the motion carried.

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| <u>All in Favor</u> | <u>-</u> | <u>4</u> |
| <u>Opposed</u> | <u>-</u> | <u>0</u> |

Floyd Miller - Variance - 7 Emery Street - Variance from Side Lot Line for placement of garage.

Ms. Farrier moved to approve the Findings of Fact for 7 Emery Street. Ms. Green seconded and the motion carried.

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| <u>All in Favor</u> | <u>-</u> | <u>4</u> |
| <u>Opposed</u> | <u>-</u> | <u>0</u> |

Chairman Ryan adjourned the Planning and Zoning Commission and turned the meeting over to the Board of Adjustment.

DEADWOOD BOARD OF ADJUSTMENT

Mayor Toscana called the Board of Adjustment to order.

Ms. Feterl moved to approve the Findings of Fact for 3 Cemetery Street as recommended by the Planning and Zoning Commission. Ms. Griffith seconded and the motion carried.

All in Favor - 4
Opposed - 0

Ms. Griffith moved to approve the Findings of Fact for Findings of Fact for 7 Emery Street as recommended by the Planning and Zoning Commission. Ms. Feterl seconded and the motion carried.

All in Favor - 4
Opposed - 0

Mr. Toscana adjourned the Board of Adjustments and turned the meeting over to the Planning and Zoning Commission.

Mr. Ryan called the Planning and Zoning meeting back to order.

DISCUSSION - PARKING AND TRANSPORTATION RE: PARKING REGULATIONS

Ms. Williams stated that Police Chief Kelly Fuller and Bob Nelson of the Trolley Department were present and would like to address the Planning & Zoning Commission on the current parking ordinance. Mr. Fuller stated that along with being the Police Chief, he was the chairperson of the Parking & Transportation Committee. Mr. Fuller referred to the following letter:

DATE: February 9, 2006

TO: Mayor Toscana, City Commissioners

FROM: Deadwood Parking and Transportation Committee

REF: Off Street Parking and Loading

At our regular meeting on February 9, 2006, the Parking and Transportation Committee discussed possible changes to Ordinance 17.64.060. Following discussion at a February 3rd department head meeting, the consensus was that new construction in Deadwood (outside of unit 4) was negatively impacting parking within the city. Currently, Ordinance 17.64.060 only requires hotels/motels to provide one space per guestroom. It requires restaurants to provide one space per five hundred (500) square feet of gross floor area. Other commercial businesses, such as casinos, are required to provide only one spot per five hundred (500) square feet of gross floor area also.

The Ordinance does not require parking spots for employees, nor does it regulate and provide requirements for "mixed uses". For example, if a building contains a hotel, restaurant and a casino, that business is only required to provide enough parking to meet one requirement of the ordinance. The current ordinance simply does not require enough off-street parking to accommodate all of the users and employees of a particular business. This causes congestion in the effected areas and negatively impacts the city by creating serious public safety issues.

After carefully studying the problem, the Parking and Transportation Committee agreed on the following recommendations:

- * Require hotels to provide one space per guestroom + one (1) spot for every 3 employees on a shift.
- * Require restaurants to provide one spot for each four (4) seats based on maximum seating capacity + one (1) spot for each 2 employees.
- * Require casinos to provide one spot for every four (4) licensed gaming devices + one spot for every 3 employees on a shift.
- * Add stipulation for "mixed use". If a building was constructed for multiple uses, that

business would have to meet the minimum requirements for each use. This stipulation to include the following: "In case of a combination in a single integrated development of two or more of the uses listed here, the city commission may give a special permit under this section to reduce the total number of required stalls but in no case may such a reduction exceed one-fourth of such total". Based on the above wording, it is further recommended that 17.64.020 ("Parking deferral) be omitted from the current ordinance.

It was also agreed upon in our meeting that special attention should be paid to the off-street loading/unloading requirements of our ordinance and that this issue should be addressed when approving new building permits etc... In addition, approval of building permits should be contingent upon approval by Planning and Zoning of a submitted parking plan for each project.

Respectfully Submitted,

Deadwood Parking and Transportation Committee
Kelly Fuller - Chairperson

Mr. Fuller stated he was open for questions.

Ms. Farrier questioned if this was for future use or what was already here. Mr. Fuller stated it would be for future use and would not affect the current uses. Mr. Allen stated everything would be grandfathered in as of right now. Ms. Williams agreed.

After discussion from City Commission, Planning & Zoning, Ms. Rose Speirs, HPC Representative and Mr. Mike McLain, from Cadillac Jack Gaming it was decided by Mayor Toscana to appoint the Planning & Zoning Committee, Mr. Fuller, Mr. Nelson, Mr. McLain and the rest of the Parking & Transportation Committee to review the Ordinance.

ADJOURNMENT

Mr. Allen moved to adjourn the Joint Meeting of the Planning and Zoning Commission. Mr. Thorp seconded and the motion carried.

All in favor - 4
Opposed - 0

There being no further business, Planning & Zoning Commission adjourned at 5:20 p.m.

ATTEST:

Larry Ryan
Chairman (Acting)
Planning and Zoning

Marie Farrier
Secretary (Acting)
Planning and Zoning