

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

May 6, 2009

REGULAR MEETING

The Regular Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson Marie Farrier on Wednesday May 6, 2009 at 5:00 p.m. in the Deadwood City Hall Meeting Room located at 102 Sherman Street, Deadwood, SD 57732.

PRESENT PLANNING & ZONING: Marie Farrier, Jim Shedd, Larry Ryan & Mel Allen.

ABSENT PLANNING & ZONING: Sheree Green

APPROVAL OF MINUTES:

Mr. Ryan moved to approve the minutes of the April 15, 2009 Joint Meeting, as mailed. Mr. Shedd seconded and the motion carried.

All in favor - 4

Opposed - 0

SIGNS:

FIRST INTERSTATE BANK - 152 Sherman Street - Request for Signage to allow for change of name and logo from "First Western Bank" to "First Interstate Bank"

Mr. Umenthum stated the applicant was requesting to change the existing signage by replacing the name and logo. Mr. Umenthum explained that First Western Bank was changing to First Interstate Bank; the size, location and number of signs would not change. An existing variance for the vertical distance (height) would continue.

The informational sign "CUSTOMER PARKING ONLY," would have the new name and logo placed on the signage. Mr. Umenthum stated staff recommended approval as presented.

Mr. Ryan moved to approve the sign permit application for name change on signage from "First Western Bank" to "First Interstate Bank at 152 Sherman Street, as presented. Mr. Shedd seconded and the motion carried.

All in favor - 4

Opposed - 0

FIRST INTERSTATE BANK - 696 Main Street - Request to change their business name from "First Western Bank" to "First Interstate Bank"

Mr. Umenthum stated the applicant was requesting to change the existing signage by replacing the name and logo. Mr. Umenthum explained that First Western Bank was changing to First Interstate Bank; the size, location and number of signs would not change and are signs gilded on the glass of the windows and doors.

The applicant is proposing changing the bronze plaques on each side of the entrance to the bank; however these are not subject to the sign ordinance. These will be reviewed by the Historic Preservation Commission.

Mr. Umenthum stated staff recommended approval as presented.

Mr. Allen moved to approve the sign permit application for name change on signage from "First Western Bank" to "First Interstate Bank at 696 Main Street, as presented. Mr. Ryan seconded and the motion carried.

All in favor - 4
Opposed - 0

THRIFTY WHITE DRUG PHARMACY - 71 Charles Street - Request for a 3'x15' or 45 square foot sign. A 1' Variance from Section 15.32.300.1 - Vertical

Mr. Umentum stated the applicant was requesting to install an additional wall sign at 71 Charles Street for Thrifty White Drug Pharmacy. Mr. Umentum explained the location for the sign was above the exit door and the existing "Lead-Deadwood Medical Clinic" sign had been moved to the left of the sign. Mr. Umentum stated that Rosenbaum Sign Company failed to apply for a sign permit before installing the sign. Mr. Umentum stated a variance from the sign ordinance, of one foot for height is necessary, as the sign is 3'x15'.

Mr. Umentum stated staff recommended approval as presented.

Mr. Shedd moved to approve the sign with a one foot variance for the Thrifty White Drug Pharmacy at 71 Charles Street for a total size of 3'x 15'. Mr. Ryan seconded and the motion carried.

All in favor - 4
Opposed - 0

FINDINGS OF FACT:

Richard Grandberg - 822 Main - Denial of Change of Zoning from R1 - Residential District to C1 - Commercial District.

Ms. Williams pointed out this was the last step in closing the file.

Mr. Ryan moved for approval of the Findings of Fact for Richard Grandberg at 822 Main for a Denial of Change of Zoning from R1 - Residential District to C1 - Commercial District. Mr. Allen seconded and the motion carried.

All in favor - 4
Opposed - 0

DISCUSSION ON STAGE RUN CHANGE OF ZONING FOR NEWLY ANNEXED LAND

Ms. Williams stated she provided a map of the adjacent zoning in the Planned Unit Development of Stage Run property. Ms. Williams stated a small portion was annexed at the City Commission meeting on May 4, 2009, into the City of Deadwood. Ms. William explained a zoning recommendation was needed from the Planning & Zoning Commission to begin the Change of Zoning process. Ms. Williams stated a deed restriction was placed on the property that no structure is built on the property. Ms. Williams stated the County had it zoned Park Forest.

Ms. Farrier questioned the status of the plat. Ms. Williams stated the plat had been approved at the County because the property was in the County at that time.

Mr. Allen questioned if the zoning should remain Park Forest as it was in the county. Ms. Williams stated she felt that designation would be appropriate because of the deed restriction. Ms. William stated the property is for the access road.

Mr. Shedd moved to recommend the zoning be changed to City of Deadwood Park Forest. Mr. Allen seconded and the motion carried.

All in favor - 4

Opposed - 0

OPEN:

Ms. Williams stated she was working with Dale and Susan Berg of 874 Main Street. They are proposing a driveway be placed on there property. Ms. Williams stated that zoning deals with the vision triangle which would not be affected by the placement of a driveway. According to the International Building Codes, a six foot setback with the slope of the driveway would be required.

Ms. Williams stated she had spoken with the adjacent landowner Mr. George Milos who had some concerns regarding the driveway. However, Mr. Milo stated later to Ms. Williams he had a conversation with Mr. Berg and his concerns were addressed, in particular that a privacy fence would be placed to block the view into Mr. Milos' home. Mr. Francis Toscana stated he had since talked to Mr. Milos and stated he still was not comfortable with the driveway and did not want to see it placed on the property.

Ms. Williams stated that the building code and Historic Preservation would over see the application regarding a possible retaining wall and excavation permits.

ADJOURNMENT:

**Mr. Ryan moved to adjourn the Regular Meeting of the Planning and Zoning Commission.
Mr. Shedd seconded and the motion carried.**

All in favor - 4
Opposed - 0

There being no further business, Planning & Zoning Commission adjourned at 5:15 p.m.

ATTEST:

Ms. Marie Farrier
Chairman (Acting)
Planning and Zoning

Ms. Sheree Green
Secretary (Acting)
Planning and Zoning