

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

September 6, 2006

REGULAR MEETING

The Regular Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Larry Ryan on Wednesday, September 6, 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, Sheree Green, and Mel Allen.

ABSENT: None - Robert Thorp had recently resigned and no replacement had been appointed.

APPROVAL OF MINUTES

Ms. Green moved to approve the minutes of the August 16, 2006 Joint Meeting, as mailed. Ms. Farrier seconded and the motion carried.

All in favor - 4
Opposed - 0

PLAT - CITY OF DEADWOOD - PLAT OF BANK LOT 2; DEDICATED ACCESS EASEMENT AND STREET RIGHT-OF WAY, LOCATED IN A PORTION OF LOT R1, CITY OF DEADWOOD RAILROAD PROPERTY, ALL LOCATED IN THE NW ¼ OF SECTION 26, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

LOCATION: 180 Sherman Street

ZONE: PU - Public Use District

REQUEST FOR PLANNING COMMISSION ACTION
STAFF REPORT
APPROVAL OF FINAL PLAT
September 6, 2006

Summary of Project Proposal:

Approval is requested for transfer purposes of Bank Lot 2, from Deadwood Economic Development, to First Western Bank. The bank would use the property for office spaces. The property is located off of Sherman Street and is located within the Sherman Street Parking Area. The current address of the Engine House is 180 Sherman Street.

Bank Lot 2 is located entirely in the PU – Public Use District; therefore, a change of zoning will be required after the plat is finalized. The proposed subdivision will include the platting of the 40' street and dedicating it to the public. An Access Easement is delineated on the plat. The subject easement will provide free access between the engine house and the existing bank parking lot, located at 152 Sherman Street.

The property is located within Zone X – Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood.

The density of the plat meets the PU – Public Use District standards as well as commercial districts standards. The lot is comprised of .45 acres or 19,602 square feet, plus or minus.

The North Arrow is shown on the plat with a direct reference to the city coordinate mapping system.

Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.

Date is shown on the plat and serves to "fix in time" the data represented on the plat.

Dimensions, angles and bearings are shown along the lot lines.

Scale of the plat is shown and accompanied with a bar scale.

Location of Monuments are shown and described on the final plat.

Existing Engine House is depicted on the plat as "Bike Shop".

The existing drive lane was a part of Lot R1-B, and never legally dedicated to the public. The proposed plat will legally dedicate a street right-of-way to the public to gain legal access from Sherman Street, an existing public right-of-way.

Planning and Zoning approved the plat on September 6, 2006.

Ms. Williams stated the City of Deadwood was platting this lot for a possible transfer of deed to Deadwood Economic Development. She stated First Western Bank would like to purchase the Engine House for office spaces. Ms. Williams stated the area was located in the Public Use (PU) District and would need to be rezoned. She explained the area would be rezoned CE - Commercial Enterprise, a zone that does not allow gaming.

Mr. Ryan questioned the status of Deadwood Bicycle which was currently housed in the Engine House. Ms. Williams stated Deadwood Economic Development and the City were currently looking for an area to relocate the business. Ms. Green reported that she had attended the Deadwood Economic Development Meeting regarding this issue, and First Western's plans to relocate the Insurance branch to the Engine House. She noted the drive-through bank would become the main branch. Ms. Green stated it would create more non-gaming employment in Deadwood.

Mr. Allen felt this was a good idea since the drive-through did get a lot of business. Ms. Williams questioned Mr. Mike Olsen, Historic Preservation Commission representative, if the Historic Preservation Commission had been approached to discuss a façade easement for the Engine House. Mr. Olsen stated the Commission had not been approached at this time but felt it would possibly be on the next meeting agenda.

Ms. Green stated Deadwood Economic Development had already approved the transfer.

Ms. Williams explained that the access easement was to insure access through out the Sherman Street parking lot.

Ms. Green moved to approve the Plat of City of Deadwood, Plat of Bank lot 2; Dedicated access easement and street right-of way, Located in a portion of Lot R1, City of Deadwood Railroad property, All located in the NW 1/4 of section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Ms. Farrier seconded and the motion carried.

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

FINDINGS OF FACT - KENNETH KELLER RE: DENIAL OF VARIANCE REQUEST FOR 9, 11, AND 45 SHERMAN STREET.

Ms. Williams stated she had been notified in a letter from Mr. Stacy Kooistra, Brady Pluimer Law Office, that Mr. Kellar planned to appeal the Commission's action to deny his variance for the parking lot through the court system. Ms. Williams also stated that the parking lot was currently being covered with four inch (4') base course gravel.

Ms. Farrier moved to approve the Findings of Fact and Conclusions for Variance from Section 17.64.050(A) (5) Parking Area Design Standards for Kenneth Kellar, at 9, 11 and 45 Sherman Street. Ms. Green seconded and the motion carried.

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

OPEN

Ms. Williams presented a compilation of the 2006 Housing Study for Owner and Non-occupied Housing in Deadwood. Ms. Williams stated that currently 28% of the homes in Deadwood in Deadwood were not owner-occupied.

ADJOURNMENT

Joint Meeting
September 6, 2006

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

All in favor - 4
Opposed - 0

There being no further business, Planning & Zoning Commission adjourned at 5:30 p.m.

ATTEST:

Larry Ryan
Chairman (Acting)
Planning and Zoning

Marie Farrier
Secretary (Acting)
Planning and Zoning