

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

October 7, 2009

REGULAR MEETING

The Regular Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson Marie Farrier on Wednesday October 7, 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, Mel Allen, Sheree Green, Larry Ryan and Jim Shedd.

APPROVAL OF MINUTES:

Mr. Ryan moved to approve the minutes of the September 2, 2009 Regular Meeting, as mailed. Mr. Shedd seconded and the motion carried.

All in favor - 5
Opposed - 0

SIGNS: KEITH UMENTHUM, DEADWOOD BUILDING INSPECTOR

AMERICAN FAMILY INSURANCE - REQUEST FOR A 3 SQUARE FOOT SIGN AT 789 MAIN STREET

Mr. Keith Umenthum stated the applicant was requesting permission to install a 36" x 12" or 3 square feet sign at 789 Main Street. Mr. Umenthum stated that it would hang from the right side of the porch facing the building and no variances were required. Staff recommended approval.

Mr. Allen moved to approve the request for a 3 square foot sign of painted aluminum with redwood trim at 789 Main Street. Mr. Shedd seconded and the motion carried.

All in favor - 5
Opposed - 0

LEAD-DEADWOOD REGIONAL HOSPITAL - REQUEST TO MOVE EXISTING FREE STANDING SIGN OUT OF THE DOT RIGHT-OF-WAY AND INCREASE THE HEIGHT OF THE SIGN TO SEVEN (7) FEET AT 61 CHARLES STREET

Mr. Umenthum stated the applicant was requesting permission to relocate the existing conforming sign that encroached into the DOT right-of-way. Mr. Umenthum stated that the applicant also was requesting to increase the height of the sign to seven (7) feet. Staff recommended approval.

Mr. Ryan moved to approve the relocation of the existing freestanding sign and to increase the height of the sign to seven (7) feet at 61 Charles Street. Mr. Shedd seconded and the motion carried.

All in favor - 5
Opposed - 0

LEAD-DEADWOOD REGIONAL HOSPITAL - REQUEST FOR A TEMPORARY BANNER AT 61 CHARLES STREET

Mr. Umenthum stated that the applicant was requesting permission to display a temporary banner under the canopy entitled "October Breast Cancer Awareness Month" and he was also requesting a waiver of the application fee. Staff recommended approval.

Mr. Shedd moved to approve a 3'x5' temporary banner to be placed under the canopy at the front entrance entitled "October Breast Cancer Awareness Month" and waiver of the sign permit fee.

Mr. Ryan questioned why a waiver was being requested for the banner but not the sign. Mr. Umenthum stated that according to the sign ordinance the commission can waive the banner fee for not-for-profit organizations such as the hospital.

Ms. Green seconded and the motion carried.

<u>All in favor</u>	<u>-</u>	<u>5</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

DEADWOOD VOLUNTEER FIRE DEPARTMENT - REQUEST TO DISPLAY TWO (2) BANNERS DURING FIRE PREVENTION WEEK - OCTOBER 4-10, 2009 AND WAIVER OF THE APPLICATION FEE AT 737 MAIN STREET

Mr. Umenthum stated the applicant was requesting permission to display two (2) temporary banners during Fire Prevention Week, October 4 - 10, 2009 at the Fire Department and a waiver of the application fee. Staff recommends approval.

Mr. Shedd moved to approve two (2) temporary banners 10' x 4' during Fire Prevention Week October 4 -10, 2009 and waiver of the sign permit fee. Mr. Ryan seconded and the motion carried.

<u>All in favor</u>	<u>-</u>	<u>5</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

HOMESTAKE-ADAMS RESEARCH AND CULTURAL CENTER - REQUEST FOR APPROVAL OF 32 SQUARE FOOT LAMINATED SIGN BOARD SIGN AND WAIVER OF THE APPLICATION FEE AT 150 SHERMAN STREET

Mr. Umenthum stated the applicant was requesting permission to install an informational fundraising sign at the Homestake-Adams Research & Cultural Center located at 150 Sherman Street. Staff recommended approval of the 32 square foot sign and waiver of the application fee for a non-profit organization.

Mr. Shedd moved to approve the 32 square foot sign at Homestake-Adams Research & Cultural Center located at 150 Sherman Street and waiver of the sign permit fee. Ms. Green seconded and the motion carried.

<u>All in favor</u>	<u>-</u>	<u>5</u>
<u>Opposed</u>	<u>-</u>	<u>0</u>

OPEN:

Ms. William noted that Mr. Michael Willey from Rosenbaum Signs was present to explain the concept of proposed signage at the Lodge of Deadwood.

Mr. Willey stated the applicant was proposing a reverse channel letter, which is a solid metal letter with a lighting element housed within the inside of the letter. It is then mounted on the wall and the internal lights in the letter silhouette the wall. Ms. Farrier questioned if the problem was the internal lighting. Mr. Willey stated that was correct and the lights would create a halo effect on the signage.

Mr. Umenthum stated the current sign ordinance did not address this type of lighting; the closest would be that neon that was allowed to frame the interior window provided that it was completely shielded from view. Mr. Umenthum felt the uses were comparable, but, not directly addressed. Mr. Willey stated that either neon or LED lighting could be used. Mr. Umenthum

pointed out that when the sign ordinance was written, this type of signage was not available. Ms. Farrier questioned if a variance would be needed to approve the signage. Mr. Umenthum stated that a variance was possible; however, he would like to consult with Mr. Jason Campbell, City Attorney, regarding an amendment to the sign ordinance to address this issue and the location. Ms. Farrier questioned if an amendment could cause issues in the downtown district. Mr. Umenthum stated that would need to be addressed with Mr. Campbell regarding the Historic District and whether they could be treated differently than the rest of the city. Ms. Farrier questioned the process of amending the sign ordinance. Ms. Williams stated a public hearing would be required and a First and Second Reading of the ordinance and then 20 days after publication, the amendment would become legal. Ms. Farrier pointed out that was a lengthy process and could take some time.

Mr. Umenthum questioned Mr. Willey if they would be using this concept for signage along the 4-lane highway. Mr. Willey stated that due to the time constraints, they had not addressed the signage on the frontage of the highway and that signage would more than likely not be used for the highway signage. Mr. Willey stated that in his opinion the reverse channeling had a better-quality look to it than the standard flood lighting.

Mr. Allen stated that because the building was located outside of the downtown district, he did not have a problem with the proposed signage. Ms. Williams she understood the commission to be saying that if the ordinance was changed to allow this type of signage, with an exception in Unit Four, the historic district, they would not have problem with this type of signage. Ms. Williams stated she would need to consult with the City Attorney; however he only worked on Mondays due to his deployment. Ms. Williams stated that depending on the city attorney's opinion, the application could come forth to the Commission at the October 21, 2009 meeting.

Mr. Willey stated that with time constraints of the opening of the Lodge, he questioned if he could proceed with the construction of the lettering. Mr. Umenthum stated he did not have a problem with the sign lettering and the application; however, he needed to consult with Mr. Campbell. After discussion, Ms. Williams and Mr. Umenthum would consult with Mr. Campbell on Tuesday October 13, 2009 and contact Mr. Willey about the outcome of their discussion with the attorney.

Ms. Williams informed the Commission of a nightly rental violation on Denver Street and the status of the case.

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 - 5
Opposed - 0

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

ATTEST:

Ms. Marie Farrier
Chairman (Acting)
Planning and Zoning

Ms. Sheree Green
Secretary (Acting)
Planning and Zoning