

CITY OF DEADWOOD

PLANNING AND ZONING COMMISSION

August 6, 2008

REGULAR MEETING

The Regular Meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson Marie Farrier on Wednesday August 6, 2008 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, Sheree Green, Mel Allen, & Larry Ryan.

ABSENT PLANNING & ZONING: Jim Shedd.

APPROVAL OF MINUTES:

Mr. Ryan moved to approve the minutes of the July 16, 2008 Regular Meeting, as mailed. Mr. Allen seconded and the motion carried.

All in favor - 4

Opposed - 0

FINAL PLAT: Deadwood Resort Lot 1A and Deadwood Resort Lot 2A, Being a replat of Deadwood Resort Lots 1 and 2, City of Deadwood, Lawrence County, South Dakota, All located in the NE ¼ and the SE ¼ of Section 14, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

**STAFF REPORT
PLANNING AND ZONING
August 6, 2008**

APPLICANT: Deadwood Resorts, LLC

PURPOSE: For transfer purposes and creation of lot for the City Convention Center.

GENERAL LOCATION: 100 Pine Crest

LEGAL DESCRIPTION: Deadwood Resort Lot 1A and Deadwood Resort Lot 2A, being a replat of Deadwood Resort Lots 1 and 2, City of Deadwood, Lawrence County, South Dakota, All located in the NE ¼ and the SE ¼ of Section 14, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

CITIZENS RESPONSE: FOR: NA AGAINST: NA

STAFF FINDINGS:

Surrounding Zoning:

North: CH – Commercial Highway
South: PF – Park Forest District
East: R1 – Residential District
West: PF – Park Forest District

Surrounding Land Uses

Tatanka
Vacant land
Single –family Residences
US Forest Service/Costner

SUMMARY OF REQUEST

The petitioners are subdividing the land in order to transfer land, which the Convention Center will set on, to the City of Deadwood. Deadwood Resort Lot 1A will be transferred to the City of Deadwood. Deadwood Resort Lot 2A will be used for the Lodge, gaming and private water park.

FACTUAL INFORMATION

1. The property is currently zoned CH – Commercial Highway District.
2. Deadwood Resort Lot 1A contains 1.88 acres. Deadwood Resort Lot 2A contains 18.52 acres.

3. The subject property gains access from Highway 85.
4. The subject property is located within a Tourist Service designation in the Comprehensive Plan. Areas designated as tourist service are intended to contain uses that primarily support the Deadwood tourist industry.
5. The subject properties are located outside of the area of study regarding flood areas.
6. Public facilities are available to serve the property.
7. The area is characterized by open space, vacant lands and Tatanka.

COMPLIANCE:

- Scale of drawing is shown
- Acknowledgements are shown
- Certification for City and County are shown.
- Legal Description and drawing depict the platted area.

All requirements have been met to process the subject plat.

Ms. Williams pointed out the city convention center area had been moved on the plat.

Ms. Green moved to approve the Final Plat for Deadwood Resort Lot 1A and Deadwood Resort Lot 2A, Being a replat of Deadwood Resort Lots 1 and 2, City of Deadwood, Lawrence County, South Dakota, All located in the NE 1/4 and the SE 1/4 of Section 14, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Mr. Ryan seconded and the motion carried.

All in favor - 4
Opposed - 0

SIGN PERMITS:

The Mint - 638 Main Street - Replace existing sign

Mr. Umenthum, Deadwood Building Inspector, stated the applicant had requested permission to replace the existing sign with a new sign. The sign meets all of the criteria and he recommended approval. Mr. Ryan questioned if the sign was already in place. Ms. Farrier stated that it was in place.

Mr. Ryan moved to approve the sign at the Mint at 638 Main Street. Mr. Allen seconded and the motion carried.

All in favor - 4
Opposed - 0

Real Estate Center - Lower Main Street

Mr. Umenthum, Deadwood Building Inspector, stated the applicant had requested permission to place a sandwich board sign at the Real Estate Center. Mr. Umenthum noted that the sign was out of compliance with the Sign Ordinance because it is plastic which is prohibited and was placed in the DOT right-of-way. The ordinance required placement of the sign must be three feet from their lot line. Mr. Umenthum recommended that the sign permit be denied and recommended that the business take advantage of the banner permits for civic events.

Mr. Allen moved to deny the sandwich board sign for Real Estate Center. Mr. Ryan seconded and the motion carried.

All in favor - 4
Opposed - 0

Ms. Farrier question if the sign was in place. Mr. Umenthum stated it was but it had been removed from the right-of-way and he would notify them to remove the sign.

Ms. Farrier questioned the sign on Main Street for Dakota Travel. Mr. Umenthum stated he would talk to the owners.

APPROVAL FOR VENDING DURING THE STURGIS RALLY

Ms. William explained that according to the new Vending Ordinance; approval was required from the Planning & Zoning Commission to insure that these vendors were all located in Commercial Districts. Ms. William explained that all were in Commercial Districts.

Kimberly Bertelson - The Massage Nook - Located at Holiday Inn Express - 22 Lee Street

Mr. Allen moved to approve temporary vending for Kimberly Bertelson - The Massage Nook - Located at Holiday inn Express - 22 Lee Street. Mr. Ryan seconded and the motion carried.

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

High Country Graphics - 27 Deadwood Street - Iron Horse Deadwood Kool Nites

Ms. Williams noted they would be vending during Kool Deadwood Nites not the Sturgis Rally.

Mr. Ryan moved to approve temporary vending for High Country Graphics -Located at the Iron Horse - 27 Deadwood Street contingent on sales tax number. Mr. Allen seconded and the motion carried.

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

Darwin Richardson, "Tats" - 652 Main Street - Buffalo/Bodega

Ms. Green moved to approve a temporary vending permit for Darwin Richardson, "Tats"- located in the Buffalo/Bodega- 652 Main Street. Mr. Ryan seconded and the motion carried.

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

Dave & Alayna Kidd - Spur Ranch Jewelry - 604 Main Street - Lucky Nugget.

Mr. Ryan moved to approve a temporary vending permit for Dave & Alayna Kidd - Spur Ranch Jewelry - located in the Lucky Nugget - 604 Main 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>

David Uhl - Uhl Studios - Gold Dust

Mr. Allen moved to approve temporary vending for David Uhl - Uhl Studios - Gold Dust. 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>

Harley Davidson - Fairmont Hotel

Ms. Green moved to approve a temporary vending permit for Harley Davidson located at the Fairmont Hotel. Mr. Ryan seconded and the motion carried.

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

Heather Payden - 601 Main Street, Massage

Mr. Allen moved to approve a temporary vending permit for Heather Payden -located at the Mineral Palace - 601 Main Street. Mr. Ryan seconded and the motion carried.

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

OPEN:

ADJOURNMENT:

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

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

There being no further business, 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