

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, June 27, 2018 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of HPC Meeting Minutes
 - a. June 13, 2018 Regular Meeting
3. Voucher Approval
4. HP Programs and Revolving Loan Program
 - a. Grant Voucher Approval
 - b. Revolving Loan Program Voucher Approval
 - c. Revolving Loan – Loan Requests – **Exhibit A**
 - i. James Pontius – 118 Charles – Life Safety Loan Request
5. Old or General Business
 - a. Main Street Initiative update
 - b. CenturyLink site update on negotiation efforts – Kevin Kuchenbecker
 - c. Soda Fountain Request – Update and proposed timeline – Kevin Kuchenbecker – **Exhibit B**
 - d. 2018 Round 2 Outside of Deadwood Grant Approvals – **Exhibit C**
 - e. Grace Lutheran Church – Not-for-Profit Grant Extension – **Exhibit D**
6. New Matters before the Deadwood Historic District Commission
7. New Matters before the Deadwood Historic Preservation Commission
 - a. PA 180076 – Fuller Bros – Downtown Heights – Construct Drive Way – **Exhibit E**
 - b. PA 180077 – Gordon Mack – 143 Charles Street – Raze Garage – **Exhibit F**
 - c. PA 180079 – Gordon Mack – 143 Charles Street – Front Entry, Side & Rear Decks and Picket Fence – **Exhibit G**
8. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
9. Staff Report (*Items considered but no action will be taken at this time.*)
10. Committee Reports (*Items will be considered but no action will be taken at this time.*)
11. Other Business
12. Adjournment -- **All Applications **MUST** arrive at the City of Deadwood Historic Preservation Office by 5:00 p.m. MST on the 1st or 3^d Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.*

City of Deadwood
HISTORIC PRESERVATION COMMISSION
Wednesday, June 27, 2018

Present Historic Preservation Commission: Michael Johnson, Dale Berg, Beverly Posey, Ann Ochse and Robin Carmody.

Absent Lyman Toews and Thomas Blair

Present City Commission: Dave Ruth Jr.

Present Staff: Kevin Kuchenbecker, Historic Preservation Officer and Bonny Anfinson, Program Coordinator was present.

All motions passed unanimously unless otherwise stated.

A quorum present, Chairman Michael Johnson called the Deadwood Historic Preservation Commission meeting to order Wednesday, June 27, 2018 at 5:00 p.m. in the Commission Room located in City Hall at 108 Sherman Street in Deadwood, SD.

Approval of HPC Minutes:

June 13, 2018 Regular Meeting

It was moved by Ms. Posey and seconded by Ms. Ochse to approve the HPC minutes of Wednesday, June 13, 2018. Aye – All. Motion carried.

Voucher Approval:

It was moved by Ms. Posey and seconded by Ms. Ochse to approve the HP Operating Account in the amount of \$33,719.99. Aye – All. Motion carried.

Revolving Loan Fund and Historic Preservation Programs:

HP Program Grant Funds

It was moved by Ms. Posey and seconded by Ms. Ochse to approve HP Grant Fund disbursements in the amount of \$27,697.42, based on information as presented. Aye - All. Motion carried.

Revolving Loan Program Voucher Approval

It was moved by Mr. Berg and seconded by Ms. Posey to approve HP Revolving Loan Fund disbursements in the amount of \$780.00, based on information as presented. Aye - All. Motion carried.

Revolving Loan Program – Exhibit A

- i. James Pontius – 118 Charles – Life Safety Loan Request

It was moved by Ms. Ochse and seconded by Ms. Posey to grant a Life Safety Loan to James Pontius, 118 Charles. Aye All. Motion Carried.

Old or General Business:

Main Street Initiative Update – Kevin Kuchenbecker – No Exhibit

Mr. Kuchenbecker stated the Promotion Committee is working on the Frisky Whisky and Little Black Dress events. The flower planters are looking great. The Design Committee had the bunting up for Wild Bill Days. They are looking at making it bigger and add more weight or different material. The concept works it just needs fine-tuned. The Economic Restructuring Committee is working on the upper floor projects. The Deadwood-Lead Economic Development Corporation hosted meetings with investors for single and multi-family home projects as well as upper floor development. Mr. Kuchenbecker will be giving them an overview of the Deadwood sites that have been identified on Thursday. This firm is from Springfield, Missouri. They have experience with Historic Tax Credits, conservation easements, and New Market Tax Credits, housing tax credits and syndicating of these financial incentives. The Main Street Initiative is requesting a follow up meeting with the Governor. On Monday's City Commission agenda is the property trade of the pavilion and the Franklin hotel. The proposal is to trade straight across plus \$416,000 investment the city has done on the parking lot. Mr. Berg asked how that is doing. Mr. Kuchenbecker stated it will take three votes to pass. Mr. Ruth will have a conflict of interest so he will not be able to vote. Economic Development and Main Street Initiative has sent letters to the Governor's office requesting a follow up meeting to match the \$2,000,000. The Governor's Office of Economic Development has sent a letter requesting information. As requested, Mr. Kuchenbecker has helped to put together the response. The Silverado/Franklin is looking at a rehabilitation project on the 68 room hotel at a cost of \$5,800,000. The Historic Preservation has committed to assist that project through the façade easement program. There is interest in purchasing the Midnight Star. In its hey day it employed 80-100 people. A business is interested in purchasing the Midnight Star. This would give Deadwood additional leverage with State. Mr. Johnson asked if the Governor's office is responding positively to the request. Mr. Kuchenbecker stated there have been a variety of conversations amongst a variety of individuals

from the Governor's and Economic Development Office. The Governor has indicated he is looking forward to meeting with us again.

CenturyLink site update on negotiation efforts – Kevin Kuchenbecker

Mr. Kuchenbecker stated CenturyLink is still willing to donate the building but is requesting approximately \$4 Million to move the switching station. They are open to our expressed interest in façade improvements to make the building more compatible and housing public restrooms. They were doubtful it would be funded in 2019 but will put in a budget request hoping it could be funded in the future. If this area does not become a square the HP Commission needs to decide how important it is to make this building more compatible to the district. We would have to hire a design professional to come up with a concept and cost estimate for the façade. If this is something the Commission wants to explore we can meet with architects to come up with cost estimates. Another item to explore is a lease agreement to house public restrooms. They said they would be open to that. Ms. Posey asked if they would be eligible for the Façade Program. Mr. Kuchenbecker stated no because it is a non-contributing structure. Mr. Berg stated he believes green space should be a priority. There is no gathering space and a place for children. We need to move forward for the future of Deadwood. Ms. Ochse stated if we can move ahead with the square across from the Franklin then maybe CenturyLink will take another look at it and see that they are not the only game in town and rethink the prices they have been quoting us. Mr. Kuchenbecker suggested holding off a year before proceeding further and maybe budget for a façade enhancement. Mr. Ruth Jr. suggested not forcing a decision that will close a door with CenturyLink. It's important to keep the option viable and available to us going forward. Ms. Carmody stated to redo the shell and condense the inside so that maybe bathrooms could be added. Mr. Kuchenbecker stated they are probably only using 20% of the space because the overall size of the switches has changed.

Soda Fountain Request – Update and proposed timeline – Kevin Kuchenbecker – Exhibit B

Mr. Kuchenbecker stated the Big Dipper on Main Street is interested in leasing the Soda Fountain. Staff has been working with legal counsel on a Use and Lease Agreement. First the City Commission will approve a Resolution of Intent to lease the Fountain, set public hearing date for the lease of the public property; hold public hearing on the lease of the property and by August we would have an approved lease agreement for the soda fountain. Items for the agreement were reviewed. Ms. Ochse asked who insures it. Mr. Kuchenbecker stated they would. Ms. Carmody asked who pays for it to be moved or is that part of the lease. Mr. Kuchenbecker stated the city would have it pretty much in good working order for their installation and the lessor would maintain it and keep it that way. Mr. Berg asked if it would be a monthly lease. Mr. Kuchenbecker stated it could be as little as a \$1 a year lease. Ms. Ochse stated the public would be able to view it. Ms. Carmody suggested adding insurance requirements. Mr. Kuchenbecker stated there also needs to be interpretation for the public to view. Ms. Carmody asked how the soda fountain will be inspected. Will there be a schedule in place? How will it get fixed if anything will be broken? Mr. Kuchenbecker will make the suggestion to the attorney to add to the lease agreement. Ms. Carmody asked if there will be a check list of all items. Mr. Kuchenbecker stated there is a complete inventory of all items. Ms. Carmody asked if the lessee will sign off on all items. Mr. Kuchenbecker stated we will do that as this is part of our historic collection. Ms. Carmody asked if costs would be associated with the inventory or check list. Mr. Kuchenbecker stated the items would be appraised. It would be hard to put a replacement cost on such items. Mr. Ruth Jr. stated he is pretty sure the attorney will have this information in the lease agreement in the event something is damaged, destroyed or missing. The lessee will have to replace as part of working order. You don't want to list a price as the value may go up depending on the number of years it is leased. Ms. Carmody stated there needs to be a definition of what "good working order" means. ***It was moved by Ms. Ochse and seconded by Ms. Posey to recommend to the City Commission to approve the resolution for intent to lease the Soda Fountain. Aye – All. Motion Carried.***

2018 Round 2 Outside of Deadwood Grant Approvals – Exhibit C

Mr. Kuchenbecker stated the Program Committee met and reviewed the 2018 Round 2 Outside of Deadwood Grant requests. There were fifteen applicants requesting a total of \$220,386.50. The committee recommends Black Hills Mining Museum, Archiving Materials, \$7,000; Groton Community Historical Society, Trinity Episcopal Church, Groton, \$17,500; Homestake Opera House, Construction Design, Lead, \$15,000; Methodist Episcopal Church, Reglazing, Stain Glass Windows, Wessington Springs, \$5,000; SD State Historical Society, Digitize Maps, Pierre, \$15,000; United Church of Christ, Stained Glass Windows, Yankton, \$4,000; Verendrye Museum, Structure Repairs, Ft. Pierre, \$4,000; Whitewood Historic District, Street Lamps, Whitewood, \$7,500, ***It was moved by Ms. Posey and seconded by Ms. Ochse to recommend to the City Commission approval of the 2018 Round Two Outside of Deadwood Grants. Aye-All. Motion Carried.***

Grace Lutheran Church – Not-for-Profit Grant Extension – Exhibit D

Mr. Kuchenbecker stated Grace Lutheran Church is requesting a second extension of their Not-for-Profit grant. They are having difficulties securing a contractor for the concrete work. ***It was moved by Ms. Ochs and seconded by Ms. Posey to grant an extension to the Grace Lutheran Church until October 2018. Aye-All. Motion Carried.***

New Matters before the Deadwood Historic Preservation Commission

PA 180076 – Fuller Brothers – Downtown Heights – Construct Drive Way – Exhibit E

Mr. Kuchenbecker stated the applicant is requesting permission to construct a driveway to enter onto their property off of Denver Avenue. An Archaeological investigation and report has been completed prior to the application. Both SHPO and this office are of the opinion the proposed work and changes does not encroach upon, damage or destroy a historic resource nor does it have an adverse effect on the character of the resource or the historic character of the local historic district, the State and National Register of Historic District or the Deadwood National Landmark District.

It was moved by Ms. Ochse and seconded by Ms. Posey based upon all the evidence presented, this project does not encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places, and therefore move to grant a project approval. Aye- All. Motion Carried.

PA 180077 – Gordon Mack – 143 Charles Street – Raze Garage – Exhibit F

Mr. Kuchenbecker stated the applicant has submitted an application for Project Approval for work at 143 Charles Street, a contributing structure locating in the Cleveland Planning Unit in the City of Deadwood. The applicant applied to raze the single bay garage last year and was denied. Since then the applicant believes the building has shifted causing cracks in the stucco and separating from the sub structure making it unstable. This will be the third time the applicant has requested permission to raze this contributing structure. Each time the resource has continued to be shown in deteriorated shape and little to no effort has been made to repair or rehabilitate the resource. It is staff's opinion the removal of the garage does encroach upon the existing resource and destroys the contributing resource. As such, the proposed work and changes does encroach upon, damage or destroy a historic resource and has an adverse effect on the character of the building or the historic character of the State and National Register Historic District or the Deadwood national historic Landmark District. Chair Johnson asked how are the timbers under the stucco. Mr. Mack stated the back has water damage but it is not rotted. On the front however the front caps has broken away and never repaired so water was getting in and it is now rotted out. Ms. Ochse stated Mr. Mack has very good reputations as a craftsman. Ms. Ochse asked Mr. Mack what his has done to stabilize this structure since the last time he was before the HP Commission. Mr. Mack stated he has been busy working on the remodel of the house before focusing on the garage. Just in the last year the stucco has really split in the front. When the stucco is peeled off I feel I will run into a lot of issues. Ms. Posey stated this is a real blatant example of intentional demolition by neglect. You have done all this work and you are such a skilled contractor. This garage is a contributing structure and an historic icon. Mr. Mack stated he has only been living in the house for a year but the neglect has been going on far longer. Ms. Ochse stated we are not in the business of tearing down historic buildings. What we are charged with is just the opposite. We are here to protect historic buildings. If you happen to own a historic building then you have the obligation to protect it and stabilize it. Make sure it is there for the next generation. Chair Johnson asked if there is anything you can do in order to preserve the building that would work for you. Mr. Mack asked if he could cut off six to seven feet off the back of the garage. This would allow easier access to the garage in the back of the house. The front of the garage would still have to be repaired. Mr. Kuchenbecker stated it would help preserve the site and curb appeal. Mr. Kuchenbecker stated a new application would have to be submitted with the new plans. Ms. Carmody asked if you could reuse some of the timbers from the back side of the structure. Mr. Mack stated he would not know until he gets behind the sheet rock. Mr. Johnson asked how many feet will come off the back. Ms. Carmody asked how many feet is the garage. Mr. Mack stated 14 to 15 feet. You would be cutting a third off the back. Plans are to do a tongue and groove like some of the eastern covered bridges. ***It was moved by Ms. Ochs and seconded by Ms. Posey, based upon all the evidence presented, I move to make a finding that this project does encroach upon, damage, or destroy a historic property included in the national register of historic places or the state register of historic places and move to deny the request. Aye - All. Motion Carried.***

Mr. Mack stated he will submit in a new project approval to show what he plans to do with the garage.

PA 180079 – Gordon Mack – 143 Charles Street – Front Entry, Side & Rear Decks and Picket Fence – Exhibit G

Mr. Kuchenbecker stated the applicant is requesting permission to replace the stucco on the inside of the front entry porthole with brick and place one row of brick on the face to frame the entry. Applicant would also like to build a 14'x14' deck on the left side of the house and a 14'x19' deck on the rear of the house constructed of wood with spindle railings and a brick platform to match the entryway. Applicant also requests permission to install a 3' white picket fence to border the front yard. The proposed work and changes does not encroach upon, damage or destroy a historic resource but may have a slight adverse effect on the character of the building but does not have an overall adverse effect on the historic character of the local historic district, the State and national Register Historic Districts or the Deadwood National Historic Landmark District. Mr. Mack stated he likes the look of the brick better and with the brick he will have a better seal than with stucco. Ms. Ochse stated she has no objection to the request but when we have an applicant with one pending application we do not allow a second project approval until the pending project has been given permission to move ahead. I feel we should table this until we know where we are on the garage. We have to treat everyone the same. ***It was moved by Mr. Berg and seconded by Ms. Carmody, based upon all the evidence presented, this project does not encroach upon, damage, or destroy any***

historic property included in the national register of historic places or the state register of historic places, and therefore move to grant a project approval contingent upon submission of new plans for the garage. Aye - All. Motion Carried.

Items from Citizens not on Agenda

Staff Report: (*items will be considered but no action will be taken at this time.*)

Mark your calendar for the community picnic on July 15, 2018, 4:00 – 6:00 p.m.

Picnic on the lawn this Friday with Ann Charles.

Bonny Anfinson will be the new city appointed board member for DHI. Mr. Kuchenbecker's term is up.

Committee Reports:

Ms. Posey stated she is glad we put some type of stop on the Mack matter because this is a particular situation. The last really big demolition by neglect that the commission worked on was the Sinclair Station. They kept doing the same thing by putting in requests to demolish and did everything they could to knock the building down and they actually did. If we just let this go we could very well be in the same situation.

Mr. Ruth Jr. stated first of all thank you for taking the time on the Gordon Mack project approvals. I know this decision was not easy to come up with. Gordon Mack is a unique situation. Because he is a resident that is willing to try and come up with a suitable alternative this makes him different from some of the other serious issues in the past. With some work from staff and help and guidance I think he will get there and get it done. This is an opportunity to really show the public that preservation isn't always a yes, yes, yes but when there is a no we are working to find a solution. Mr. Berg stated we need to work to accommodate the issue as it is a valuable structure.

The Historic Preservation Commission Meeting adjourned at 6:00 p.m.

ATTEST:

Chairman, Historic Preservation Commission
Bonny Anfinson, Historic Preservation Office/Recording Secretary