#### **DEADWOOD HISTORIC PRESERVATION COMMISSION**

Wednesday, February 28, 2018 ~ 4:00 - 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Main Street Initiative's Design Workshop for Public Spaces with TSP

#### **DEADWOOD HISTORIC PRESERVATION COMMISSION**

Wednesday, February 28, 2018 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

- Call meeting to Order
- 2. Approval of HPC Meeting Minutes
  - a. February 14, 2018 Regular Meeting
- 3. Voucher Approval
- 4. HP Programs and Revolving Loan Program
  - a. Grant Voucher Approval
  - b. HP Program Applications Exhibit A
    - i. Ronald Almanza 33 Taylor Avenue -- Siding Program
    - ii. Ronald Almanza 33 Taylor Avenue -- Foundation Program
    - iii. Ronald Almanza 33 Taylor Avenue Wood Windows and Doors Program
  - c. Revolving Loan Program Voucher Approval
  - d. Revolving Loan Program Loan Request
    - i. Bernie Reausaw 336 Williams Extension Request Exhibit B
- 5. Old or General Business
  - a. Main Street Initiative update
  - b. Grace Lutheran Church Not-For-Profit Grant Extension Request Exhibit C
  - c. PA H1803 Mike Gustifson First Gold Grading Continued from 2/14/18 Meeting Exhibit D
- 6. New Matters before the Deadwood Historic District Commission
  - a. COA H1804 City of Deadwood Pavilion Project Exhibit E
- 7. New Matters before the Deadwood Historic Preservation Commission
- 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 1<sup>st</sup> or 3<sup>rd</sup> Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.

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#### **DEADWOOD HISTORIC PRESERVATION COMMISSION**

#### Wednesday, February 14, 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. January 23, 2018 Site Visit
  - b. January 24, 2018 Regular Meeting
- 3. Voucher Approval
- 4. Community Planning Assistance for Wildfire (CPAW) -- Grant Update Mike Runge/Bob Nelson, Jr.
- 5. HP Programs and Revolving Loan Program
  - a. HP Program Applications Exhibit A
    - i. Pauline West 79 Stewart St -- Elderly Resident Program
    - ii. Pauline West 79 Stewart St -- Siding Program
  - b. HP Program Grant Extension Request Exhibit B
    - i. Dave Akrop 98 Charles Elderly Resident Program
    - ii. Shirlene Joseph 771 Main Wood Windows and Doors Program
    - iii. Shirlene Joseph 771 Main Foundation Program
    - iv. Sylvia Trentz 57 Lincoln Foundation Program
    - v. Michael Johnson 8 Van Buren Foundation Program
  - vi. Michael Johnson 8 Van Buren Siding Program
  - vii. Michael Johnson 8 Van Buren Elderly Program
  - viii. Michael Johnson 8 Van Buren Wood Windows and Doors Program
  - c. Revolving Loan Program -- Exhibit C
    - i. Michael Johnson 8 Van Buren Extension Request
    - ii. Blake Haverberg 1, 3, 5 Burnham Extension Request
    - iii. Randy Johnson 95 Stewart Request of Forgive
    - iv. Tim Conrad 52 Lincoln Extension Request
- 6. Old or General Business
  - a. Main Street Initiative update
  - b. 2018 History Conference of the SD State Historical Society Funding Request Exhibit D
  - c. Contract Renewal for Marketing and Media Management Macro Vision, LLC Exhibit E
  - d. Cemetery Headstone Grant Application Exhibit F
  - e. 2018 Outside of Deadwood Grant Round 1 Funding Request Exhibit G
  - f. Mining History Association Mining History Conference Sponsorship Request Exhibit H
  - g. Not-For-Profit Grant Request Masonic Temple Exhibit I
  - h. 610 Main Street Second Floor Restoration Project Wayne Morris Exhibit J
  - i. 2018 City of Deadwood Archives Projects Permission to enter into Agreements Exhibit K
  - j. Pine Street Archway Project Exhibit L
- 7. New Matters before the Deadwood Historic District Commission
- 8. New Matters before the Deadwood Historic Preservation Commission
  - a. PA H1803 Mike Gustifson First Gold Grading Exhibit M
- 9. Items from Citizens not on agenda (Items considered but no action will be taken at this time.)
- 10. Staff Report (Items considered but no action will be taken at this time.)
- 11. Committee Reports (Items will be considered but no action will be taken at this time.)
- Other Business
- 13. Adjournment

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# City of Deadwood HISTORIC PRESERVATION COMMISSION Wednesday, January 24, 2018

<u>Present Historic Preservation Commission</u>: Michael Johnson, Lyman Toews, Ann Ochse, Thomas Blair, Beverly Posey, Lynn Namminga and Dale Berg.

#### Absent:

Present City Commission: Dave Ruth, Jr.

**<u>Present Staff:</u>** Kevin Kuchenbecker, Historic Preservation Officer, Mike Walker, of NeighborWorks-Dakota Home Services, Quentin Riggins, City Legal Counsel, and Meghan Wittmis, Recording Secretary were present.

#### All motions passed unanimously unless otherwise stated.

A quorum present, Chairman Michael Johnson called the Deadwood Historic Preservation Commission meeting to order Wednesday, February 14, 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:**

January 23, 2018 Site Visit

It was moved by Mr. Toews and seconded by Ms. Ochse to approve the HPC minutes of Tuesday, January 23, 2018. Aye — All. Motion carried.

January 24, 2018 Regular Meeting

It was moved by Ms. Posey and seconded by Mr. Toews to approve the HPC minutes of Tuesday, January 23, 2018. Aye — All. Motion carried.

#### **Voucher Approval:**

It was moved by Mr. Toews and seconded by Ms. Posey to approve the HP Operating Account in the amount of \$37,335.54. Aye — All. Motion carried.

Community Planning Assistance for Wildfire (CPAW) – Grant Update – Mike Runge/Bob Nelson, Jr. Mr. Runge stated the City of Deadwood is currently updating its Comprehensive Plan, which is scheduled for completion in summer 2018. CPAW proposes focused assistance to develop recommended wildfire policies for inclusion in the city's next Comprehensive Plan. Throughout this project, CPAW team members will maintain regular communications with the city's CPAW steering group members (Mike Runge and Bob Nelson, Jr.) Specific assistance tasks are: Document review, Stakeholder Meeting, Draft Policy Memo, Steering Group Review and Final Policy Memo. Mr. Runge stated so far in 2018 the Black Hills have had three wildfires. Getting in to this program will help the city protect its current and future assets. Mr. Runge hopes HP and the City Commission looks at this program and moves forward in working to get these new policies in place to help protect the city's assets.

#### **Revolving Loan Fund and Historic Preservation Programs:**

**HP Program Grant Funds** 

It was moved by Ms. Ochse and seconded by Mr. Blair to approve HP Grant Fund disbursements in the amount of \$10,436.90, based on information as presented. Aye - All. Motion carried.

#### **HP Program Applications - Exhibit A**

- i. Pauline West 79 Stewart St -- Elderly Resident Program
- ii. Pauline West 79 Stewart St -- Siding Program

It was moved by Ms. Posey and seconded by Mr. Berg to accept Pauline West, 79 Stewart, into the Elderly Resident and Siding Programs. Aye — All. Motion carried.

#### **HP Program Grant Extension Request – Exhibit B**

- i. Dave Akrop 98 Charles Elderly Resident Program
- ii. Shirlene Joseph 771 Main Wood Windows and Doors Program
- iii. Shirlene Joseph 771 Main Foundation Program
- iv. Sylvia Trentz 57 Lincoln Foundation Program
- v. Michael Johnson 8 Van Buren Foundation Program
- vi. Michael Johnson 8 Van Buren Siding Program
- vii. Michael Johnson 8 Van Buren Elderly Program
- viii. Michael Johnson 8 Van Buren Wood Windows and Doors Program

It was moved by Ms. Ochse and seconded by Ms. Posey to grant six month extensions to Dave Akrop, 98 Charles, Elderly Resident; Sylvia Trentz, 57 Lincoln, Foundation; Michael Johnson, 8 Van Buren, Foundation/Siding/Elderly/Wood Windows and Doors; and grant a three month extension to

Shirlene Joseph, 771 Main, Foundation/Wood Windows and Doors. Mr. Johnson abstained. Aye — All. Motion carried.

#### Revolving Loan Program/Disbursements - Exhibit C

- i. Michael Johnson 8 Van Buren Extension Request
- ii. Blake Haverberg 1, 3, 5 Burnham Extension Request
- iii. Randy Johnson 95 Stewart Request of Forgive
- iv. Tim Conrad 52 Lincoln Extension Request

It was moved by Mr. Blair and seconded by Ms. Posey to approve the extension requests. Aye — All. Motion carried. Mr. Johnson abstained.

It was moved by Ms. Ochse and seconded by Ms. Posey to approve the NeighborWorks contract payment of \$2,466.25. Aye — All. Motion carried.

Mike Walker, of NeighborWorks-Dakota Home Services, presented the delinquency report.

#### **Old or General Business:**

Main Street Initiative Update - Kevin Kuchenbecker - No Exhibit

Mr. Kuchenbecker updated the commission Main Street Initiative Committees:

- The Promotion Committee is planning a craft beer fest and a progressive dinner.
- Design Committee Mr. Toews updated the commission. Working on the bunting across Main Street. They
  have a design and art work now for Octoberfest and Wild Bill days bunting. The committee is looking into
  finding an audio system like museums use to improve the information flow on Main Street. Mr.
  Kuchenbecker stated there will be a request at the next City Commission meeting for the city to water the
  flowers. The flowers will be planted by the Promotion Committee.
- Organization Committee: continuing to get the word out.

#### 2018 History Conference of the SD State Historical Society Funding Request - Exhibit D

Mr. Kuchenbecker stated every year for the past two decades we have supported this conference. This year the conference is in Rapid City. Traditionally we have funded \$1,000.00, recommending the same this year.

It was moved by Mr. Toews and seconded by Ms. Posey to provide funding in the amount of \$1,000.00 to the 2018 SD State Historical Society History Conference. Aye — All. Motion carried.

#### Contract Renewal for Marketing and Media Management - Macro Vision, LLC - Exhibit E

Mr. Kuchenbecker stated this contract is with Grant Welford for videos of preservation moments. One that is in the works now is the restoration of Berg Jewelry. Grant has helped with the Facebook page, but we are looking at doing more of that in house. This contract is for \$50.00 an hour rate not to exceed \$6,000.00 a year. Mr. Toews stated he agrees with the intent of the contract but the contract itself has holes. Mr. Toews would like the contract rewritten. Mr. Riggins will redo the contract. Ms. Ochse would like to see that the city retains all copy rights included in the contract as well.

It was moved by Mr. Toews and seconded by Mr. Berg to approve the expenditure and recommend the City Commission sign the new contract including copy rights. Aye - All. Motion carried.

#### Cemetery Headstone Grant Application - Exhibit F

Mr. Kuchenbecker stated the committee reviewed the application for Rachel Norrid. There is not a lot of information but feels a marker is needed.

It was moved by Mr. Toews and seconded by Ms. Posey to approve the Headstone Grant Application for Rachel Norrid. Aye — All. Motion Carried.

#### 2018 Outside of Deadwood Grant Round 1 Funding Request - Exhibit G

Mr. Kuchenbecker stated we had 24 applications with requests totaling \$415,228.41. The budget for this round is \$75,000.00. The Program Committee met and recommends approval of the following nine grant applications.

Mystic Preservation Alliance	. William Frink Home/Garage	. Mystic	6,000.00
Central City	. Catholic Church Stabilization	. Central City	. 17,000.00
Newell Museum	. Wetz School House	. Newell	4,000.00
Faulk County Historical Society	. Pickler Manson Tower	. Faulkton	4,500.00
Haakon County Courthouse	. Courthouse Windows	. Philip	10,000.00
First Presbyterian Church	. Church Roof	. Groton	15,000.00
Woodlawn Cemetery	. Markers	. Sioux Falls	2,500.00

Verendrye Museum	Trail Markers	Ft. Pierre	1,000.00
United Church of Christ	Stained Glass Windows	Vermillion	15,000.00
TOTAL GRANTS ROUND ONF			\$75,000,00

It was approved by Mr. Toews and seconded by Ms. Posey to recommend to City Commission to approve the nine Outside of Deadwood Grants in the total amount of \$75,000.00. Aye — All. Motion Carried.

Mining History Association - Mining History Conference Sponsorship Request - Exhibit H

Mr. Kuchenbecker stated this is a national conference that will be held here in Deadwood June 6-10, 2018. Dr. David Wolff is the coordinator of this conference. Since this is a national conference the recommended sponsorship is \$1,500.00.

It was moved by Mr. Berg and seconded by Mr. Namminga to sponsor the Mining History Conference in the amount of \$1,500.00. Aye — All. Motion carried.

Not-For-Profit Grant Request - Masonic Temple - Exhibit I

Mr. Kuchenbecker stated on January 1, 2018 cold temperatures caused a water valve to break causing extensive damage to the second floor and part of the first floors of the building. It was over \$13,000.00 just for drying and soaking up water and getting the moisture out. There are additional repairs needed. They do have insurance with a \$5,000.00 deductible but they have bills stacking up. They have \$26,000.00 left out of the \$50,000.00 available in a five year period. Staff is recommending approval of funds up to \$26,000.00 to help with this process. Ms. Posey made a motion to approve. Mr. Toews stated he would like to amend the motion to include if they get insurance money back they will reimburse HP. Mr. Kuchenbecker stated we would be monitoring the costs.

It was moved by Ms. Posey and seconded by Mr. Toews to approve the Not-for Profit Grant to the Masonic Center Association for water damage cleanup not to exceed \$26,000.00.

610 Main Street - Second Floor Restoration Project - Wayne Morris - Exhibit J

Mr. Kuchenbecker stated the Economic Restructuring Committee has been working on a second floor development. One of the projects ideas is a possible actuation for Deadwood with a possible brothel museum. One thing to keep in mind is the tours Ron Russo does. The second floor is utilized, only used for storage. Chamberlain Architects has submitted a proposal. Brad Burns from Chamberlain Architects, Wayne Morris with the ownership group and Ken Geinger from the Economic Restructuring Committee were present. The project total is about \$39,000.00, which is through the construction phase. The early portion of the project is building analysis and design before getting into construction. There is some funding; we do not know the total amount on the façade grant. Mr. Kuchenbecker's suggestion is possibly look at using some of the façade grant to help offset the cost. Mr. Morris stated the upper floor was a brothel that went out of business in 1980. This is a total preservation project they would like to be a joint venture with the City, HP, the Chamber, Deadwood Alive and Deadwood History. Mr. Morris is requesting help with the engineering and architectural stage. Mr. Namminga asked what work would be included for the \$39,000.00. Mr. Burns stated the \$39,000.00 is their proposal to do the renovations. The rooms have no electrical system, no mechanical system and plumbing. They will also check to be sure the area is up to code. Mr. Kuchenbecker stated he's been doing a little research, the brothel opened up in 1902. Ms. Ochse asked if there was a fund for this type of project. Mr. Kuchenbecker stated no there is not a fund, but the applicant does have a façade grant approved up to \$150,000. He does not believe the entire amount will be used for the façade. The applicant would like to use the funds to cover the architectural and design cost not just for the façade but for the building. Mr. Toews would like to see about minimizing the cost but maximizing the value for the building. Mr. Ruth, Jr. stated when the designs come back then decisions on what elements are or are not needed can be made. Ms. Ochse stated at this point in the project we are looking at only \$14,000.00. Mr. Kuchenbecker stated that was correct. There was discussion on the types of tours would be offered along with setting up a business plan down the road.

It was moved by Mr. Toews and seconded by Ms. Posey to approve up to \$14,000.00 of the façade grant to be used for building analysis and design development. Aye — All. Motion carried.

<u>2018 City of Deadwood Archives Projects – Permission to enter into Agreements – Exhibit K</u>
Mr. Kuchenbecker stated this will be a recommendation to City Commission. The City Archives is requesting permission to enter into contracts with the following:

- Oral History Project Dr. Robert Campbell, Spearfish, SD
  - o 10 transcribed oral histories
  - o COST: \$6,750.00
- City of Deadwood's Justice Dockets, (1946 to 1976) Don Toms, Lead, SD

o 20 ledgers

o COST: \$8,000.00

- <u>Development of Traveling Exhibit on James Butler Hickok Collection Siouxland Heritage Center, Sioux</u>
   Falls, SD
  - o seven (7) retractable exhibit banners
  - o COST: \$6,500.00

This will be a traveling exhibit similar to the traveling baseball exhibit and will tour around. We would like to start developing one travel exhibit a year so Deadwood will be out and around the state. This project is a budgeted project. Ms. Ochse would like to see copy rights written into all three contracts.

It was moved by Mr. Berg and Seconded by Ms. Posey to recommend the City Commission to sign the three contracts not to exceed \$22,000.00 combined. Aye — All. Motion carried.

#### Pine Street Archway Project - Exhibit L

Mr. Kuchenbecker stated this for an archway on Pine Street. There has been a preliminary conversation with the Silverado. This cost is for design development. We are also looking at design alternatives due to restraints. The original fees were more but have been negotiated down. This project is budgeted out of Bed and Booze. This is a recommendation to City Commission.

It was moved by Mr. Toews and seconded by Ms. Posey to recommend to City Commission to approve this project. Aye — All. Motion carried.

#### **New Matters before the Deadwood Historic District Commission**

#### **New Matters before the Deadwood Historic Preservation Commission**

PA H1803 - Mike Gustafson - First Gold - Grading - Exhibit M

Mr. Kuchenbecker stated they have had a site visit and several discussions with no formal application until this meeting for action to be taken on this matter. We now have the formal application request. The applicant is requesting permission to clear a 16 foot wide path behind the building and remove approximately 10,400 cubic yards of material from the hill side. The owner has committed to hydro-seeding 3,900 square yards of the open face wall. The applicant has completed an archaeological investigation of the area surrounding the project which has been submitted to this office. At this time, there appears to be no archaeological features to be impacted by the project. It is staff's opinion, based on the Guidelines for Undertakings in the City of Deadwood National Historic Landmark District, the grading work proposed will continue to encroach upon and damage the historic districts thus the proposed grading work continues to have an adverse effect on the historic character of the State and National Register Historic Districts and the Deadwood National Historic Landmark District. Mr. Kuchenbecker stated Deadwood was built on cuts and fills over the last 140 plus years, but we have not had a visible cut of this size. Other large cuts have been made with projects such as the Deadwood Mountain Grand and Cadillac Jack's, both used other design alternatives such as shotcrete which allowed for smaller impacts. These examples also involve the cuts covered with buildings which hide the scar on the environment. The applicants and engineer are here for questions. Mr. Blair stated we sometimes have no choices in Deadwood in the commercial district in particular, built on cutting and filling, as long as they are appropriate in nature he doesn't have a problem. Mr. Toews stated in his perspective nothing has changed since the last discussion. Mr. Toews and the commission believe First Gold does have a problem with water and debris but he would like to see the problem fixed with as little disturbance to the hill as possible. Mr. Toews believes hydro-seeding the hill is going to be very difficult and he is skeptical it will work. Mr. Towey stated he has spoken with 3 Sons Landscaping and they are confident the hydro-seeding will take and work.

Mr. Toews presented the Criteria for issuance of certificate of appropriateness or project approvals section from the City Ordinance and stated this document tells them what they need to follow when making an assessment. He cited the following sections he felt applied most to this project.

#### 17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.

The historic district and historic preservation commissions shall use the following criteria and established design review guidelines in granting or denying certificates of appropriateness and project approvals:

- A. General Factors.
  - 3. General appearance of the resource;
  - 6. Size of the resource;
  - 7. The relationship of the above factors to, and their effect upon the immediate surroundings and upon the district as a whole and its architectural and historical character and integrity; and
  - 8. The location and visibility of the alteration and resource.

#### B. New Construction.

- 2. The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related,
- 4. The landscape plan shall be compatible with the resource, and it shall be visually compatible with the environment with which it is visually related. Landscaping shall also not prove detrimental to the fabric of a resource, or adjacent public or private improvements like sidewalks and walls.

#### C. Exterior Alteration.

- 1. All exterior alterations to a building, structure, object, site or landscape feature shall be compatible with the resource itself and other resources with which it is related. The original design of a building, structure, object or landscape feature shall be considered in applying these standards.
- 2. Exterior alterations shall not affect the architectural character or historic quality of a resource and shall not destroy the significance of resource sites.

Mr. Toews stated some individuals have stated landscape is not part of the commission's jurisdiction, he would like to clarify these are the rules.

In addition Mr. Toews looked at the Department of Interior Standards. They have a list of ten items to look at and he believes number ten applies to us.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Mr. Toews stated he agrees with Mr. Blair that this is a tough valley to work in but he believes there are alternatives that can be used that do not take as much of this slope down that are less intrusive and take less time. Mr. Toews is not in favor of this project but is open to other suggestions. Mr. Towey stated this is the only suggestion on the table, there needs to be a path behind the building to protect it and the staff at First Gold has done everything you have asked.

Ms. Morrison of First Gold stated they want a peaceful resolution to this problem. Her question that she is having trouble understanding is why Cadillac Jacks was able to move houses and more hill then First Gold is requesting and it did not encroach on Deadwood's history but when they request to move some dirt that needs to be moved for maintenance on the building and are going to comply with making it look better why is it an issue. Mr. Toews stated that the request has been water damage, slumping off the hill, and that building has been there for 10 or 20 years so these problems have been there for a long of time. The issues being addressed do not talk about an expansion or anything besides addressing just those issues. To Mr. Toews these issues can be resolved with much less damage to the slope. Ms. Morrison stated her office is back there and she is getting hit with rocks all the time. A tree almost knocked out her window the other day. She does not think this is an unreasonable request and she believes the whole history of Deadwood has been compromised.

Ms. Ochse asked if Ms. Morrison's office is in the shed. No Ms. Morrison's office is not in the shed, it is the windows behind the building. Ms. Ochse does not remember that shed being part of the original building plans. The shed was put up two years ago. Ms. Ochse asked if it was permitted. Ms. Morrison said yes it was. Ms. Ochse asked if there was a building permit for the shed as we require one. No one knew for sure if there was a building permit. Ms. Ochse stated if the shed wasn't there you would have a bigger space behind the building. Mr. Towey stated the problem is on the other side and the shed being there doesn't matter, there's no room to get past the bump out on the building. Mr. Toews stated his frustration is he likes to be told what exactly the problem is and the problem keeps changing, first it was water and debris problem, now you're saying it's a safety issue which has never been discussed before. Which one is it? First Gold stated they think the problem is both.

Mr. Towey stated the majority of their work will be hidden behind the building like Cadillac Jacks. Ms. Morrison stated she threw flower seed on the hill side 10 years ago and it didn't help much, mostly just slid down the hill. Mr. Toews stated his problem is when he first looked at this it was the water issue and rocks coming down, the building has been sitting there for 30 years. When Mr. Toews was there for the site visit he looked at the problems and looked at the solution presented, he thought this solution is bigger than the problem. You could do a lot less damage hand mucking what you have. If you are saying the problem is bigger than that, maybe there are other solutions. Ms. Morrison stated she did not want the hill side coming in on her. Mr. Toews stated it has been there for close to 30 years. Ms. Morrison stated that her office has only been there for eight years when the addition was built. Mr. Toews asked if hydro-seeding would help. Ms. Morrison stated they had the hill hydro-seeded at one time but lost it in the rain. Mr. Towey stated the problem is the fractured material up there. If they can clear that material out the problem would go away. Ms. Posey asked if First Gold thought that if they flatten all that out it's

going to stop sloughing. Mr. Towey stated it would reduce it like it has on what they can maintain now. Mr. Johnson stated he feels like this conversation will just keep going around and around. Mr. Toews is still not comfortable with this project; suddenly there is a safety issue involved the commission was not aware of.

Ms. Ochse stated the bottom line is the commission is charged with making sure Deadwood can maintain its Historic Landmark status. This is important not just for First Gold, but for all the casinos and residents in Deadwood. Because of this there are national and state guidelines set we have to follow. Ms. Ochse stated based upon all the evidence presented, she moves to make a finding that this project DOES encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places. Mr. Toews seconded the motion. Mr. Blair made a second motion to have Mr. Toews sit down with First Gold and find a solution both parties are comfortable with then bring it back to the commission. Mr. Berg stated he feels the pain First Gold is going through but that hill is the first thing our guests see when they come into Deadwood and it has been poorly abused with the previous cut. Mr. Berg would like to see a little beauty brought back to the hill. First Gold stated they wanted to see the hill beautified as well. Mr. Ruth, Jr. stated the motion Ms. Ochse made does not approve or deny the project, it is finding whether it does or does not have an adverse effect. Therefore the commission has to address the first motion and then make the second motion.

It was moved by Ms. Ochse and seconded by Mr. Toews that based upon all the evidence presented, this project DOES encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places. Ave — All. Motion carried.

Mr. Blair would like the chairman to appoint Mr. Toews to sit down with the facility and staff and then come back to the commission with a recommendation or denial when the commission meets in two weeks. Ms. Posey seconded the motion. Mr. Toews would like to have someone other than himself, someone who is not bias, a third party person to come in and look at the project and present their solution. Ms. Morrison asked if Mr. Toews was thinking legal representation. Mr. Toews stated no that would be the last resort. Mr. Toews is thinking of a different engineering company who isn't paid by the owner and not sitting on the commission. Ms. Morrison believes the only solution is legal because everyone has an opinion. Mr. Toews stated there is another solution if you don't like that, there is arbitration. Mr. Anderson stated you can't put people behind that wall to muck it out by hand. Mr. Toews stated there are people who would get back there and muck it out by hand. Ms. Morrison stated Cadillac Jacks didn't have to muck and they went back she's quessing 30 feet. She isn't seeing the compromise here. Mr. Johnson stated there is still a motion on the floor. Mr. Blair stated he would like to see Mr. Toews and an independent engineering firm go look at the project then Mr. Toews would come back with a report. Mr. Blair feels right now it is not about beauty, it is about functionality and safety. Mr. Blair will not vote for this unless someone with credentials says it is the only way. Ms. Ochse agrees with Mr. Toews, she also doesn't believe cutting 16 feet back into the hill is the only way; all this will do is create more problems. Ms. Ochse believes someone can go behind, take out all the debris and re-seed the hill. Ms. Ochse stated back in about 2001 there was a promise from First Gold to re-seed the hill to make it look just like it did before they stared shaving it off, this was never done. First Gold stated it was done, but it didn't take. Ms. Ochse stated if you have a problem once you don't just walk away and say you're done, you continue to try and do what you promised would be done. Unfortunately we did not have performance bonds then. Mr. Anderson stated he does not understand the performance bonds and he wants to know why they are being singled out. Mr. Kuchenbecker stated the performance bond was passed about six months ago by the City Commission. Mr. Kuchenbecker and Mr. Riggins both believe there would be some type of development agreement for this project. Ms. Ochse asked if the performance bond would apply to this project. Mr. Riggins stated there would be a development agreement. Mr. Johnson asked to table this discussion as him and Mr. Blair need to leave. Mr. Kuchenbecker's suggestion is if there isn't going to be a decision made, continue the discussion until a future date. Mr. Johnson asked for Mr. Blair to repeat his motion. Mr. Blair stated his previous motion but that it might not be the best solution. Mr. Toews stated he would rather Mr. Blair amend his motion to have an engineering firm come in. Mr. Blair amended his motion to table the discussion.

It was moved by Mr. Blair and seconded by Ms. Ochse to continue the discussion of the First Gold grading project to the next HP Commission meeting. Aye — All. Motion carried.

Mr. Johnson turned the meeting over to Ms. Ochse. Mr. Johnson and Mr. Blair left the meeting.

#### **Items from Citizens not on Agenda**

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

Mr. Kuchenbecker stated Susan would like to invite everyone to the 20<sup>th</sup> Anniversary of Black Hills Vacations on Friday at 10:00 a.m. True West magazine has been a friend to Deadwood for quite some time. They just came out with the Ultimate Travel guide with Deadwood on the front cover. There is a copy for each commissioner. There is a report from Mike in your packet. There will be an archeology camp in Gordon Park this summer before the new playground equipment and dog park go in. There was a comp plan meeting and we are doing some visioning,

there will be public meetings in March. Mr. Kuchenbecker presented a copy of the Deadwood Scottish Rite Scenery Collection, Deadwood is rated number five.

#### **Committee Reports:**

Mr. Toews asked when the pavilion project would be before the commission for approval. Mr. Kuchenbecker stated it would probably be presented at the next meeting.

The Historic Preservation Commission Meeting adjourned at 6:21 p.m.

ATTEST:

Chairman, Historic Preservation Commission

Meghan Wittmis, Historic Preservation Office/Recording Secretary

OFFICE OF
PLANNING, ZONING AND HISTORIC
PRESERVATION
108 Sherman Street
Telephone (605) 578-2082

Fax (605) 578-2084



#### Kevin Kuchenbecker

Historic Preservation Officer Telephone (605) 578-2082 Kevin@cityofdeadwood.com

# EXHIBITA

## MEMORANDUM

Date:

February 23, 2018

To:

Deadwood Historic Preservation Commission

From:

Kevin Kuchenbecker, Historic Preservation Officer

Re:

Historic Preservation Program Applications

The following Historic Preservation Program applications were received by this office. Staff's recommendation follows the program request.

- Ronald Almanza 33 Taylor Avenue Siding Program
   Staff has determined the project meets the criteria for the Siding Program. Staff will coordinate with the applicant during the proposed project.
- Ronald Almanza 33 Taylor Avenue Foundation Program
   Staff has determined the project meets the criteria for the Foundation Program. Staff will coordinate with the applicant during the proposed project.
- Ronald Almanza 33 Taylor Avenue Wood Windows and Doors Program
   Staff has determined the project meets the criteria for the Wood Windows and Doors Program.

   Staff will coordinate with the applicant during the proposed project.



# **Siding Program Application**

Please read the attached Policy Guidelines and provide the requested information.

riease read the attached Policy Guidelines	and provide the requested information.
1. Address of Property:	3. Applying for: ☐ Grant or ☐ Loan
33 Taylor HUE	Requested Grant or Loan Amount:
2. Applicant's name & mailing address:	\$
Monard J Man 2a	Estimated Total Cost for Entire Project:
120 Voulia	\$
Repel C. Las 50	For Office Use Only:
Telephone: (605) 645 - 7973	Owner Occupied  Non-owner Occupied  Verified through the Lawrence County Office of Equalization  Date: 2/13/18 Initials: BA
E-mail blackhilt dog @g mil. com	Date. <u>2727 10</u> Illitidis. <u>Dr.C.</u>
	Assessed Valuation \$
I certify all information contained in this application and all information obtaining financial assistance in the form of a grant or a loan as true are have read the policy guidelines for the loan or grant included with a contained in the policy guidelines. I agree any contractors which I Deadwood and will require they also agree to and abide by the terms a	nd complete to the best of my knowledge and belief. I acknowledge I nd for this application and agree to all of the terms and conditions hire for this project will hold contactors licenses with the City of
I acknowledge the Deadwood Historic Preservation Commission is mer and neither the Historic Preservation Commission nor the City of Deawork or payment for the same beyond the grant or loan approval by responsible for selecting any contractors hired in connection with the I agree to indemnify and hold harmless the Deadwood Historic Preserdamages, expenses and liabilities of any nature directly or indirectly or Preservation Commission's acceptance, consideration, approval, or digrant or loan.	adwood is or will be responsible for satisfactory performance of the by the Historic Preservation Commission. I acknowledge I am solely project and in requiring satisfactory performance by such contractor. It is required to the City of Deadwood against losses, costs, resulting from or arising out of or relating to the Deadwood Historic
Applicant's signature: Marchel / Homen	Date submitted: $\frac{2}{1/3}$   $\frac{26}{3}$
Owner's signature:	Date submitted: 2/3/201
Please return the completed application along with the Pr	oject Approval OR Certificate of Appropriateness to:
City of Deadwood	
Planning, Zoning & Historic Preservation	

Deadwood, SD 57732

605-578-2082



# **Foundation Program Application**

Please read the attached Policy Guidelines a	nd provide the requested information.
1. Address of Property:	3. Owner of property – (if different from applicant):
33 AYLORAUE	Korald Homanza
2. Applicant's name & mailing address:	
Ronald J Almanza	
1260 Klowlin	Telephone: ()
Kapiel City 50	E-mail black hilk dog @ g mail. con
Telephone: (605) 645-7973	For Office Use Only:
E-mail plack hells dog @ Fmail. com	Owner Occupied     Non-owner Occupied     Verified through the Lawrence County Office of Equalization     Date: 2/13/18 Initials:
4. Complete a City of Deadwood Application for Project Apto this document.	pproval OR Certificate of Appropriateness and attach it
5. Certification	
I certify all information contained in this application and all information obtaining financial assistance in the form of a grant or a loan as true and have read the policy guidelines for the loan or grant included with and contained in the policy guidelines. I agree any contractors which I have Deadwood and will require they also agree to and abide by the terms an	d complete to the best of my knowledge and belief. I acknowledge I d for this application and agree to all of the terms and conditions hire for this project will hold contactors licenses with the City of
I acknowledge the Deadwood Historic Preservation Commission is mere and neither the Historic Preservation Commission nor the City of Deadwork or payment for the same beyond the grant or loan approval by responsible for selecting any contractors hired in connection with the property of	lwood is or will be responsible for satisfactory performance of the the Historic Preservation Commission. I acknowledge I am solely roject and in requiring satisfactory performance by such contractor, vation Commission and the City of Deadwood against losses, costs, isulting from or arising out of or relating to the Deadwood Historic
Applicant's signature: Imall forma	Date submitted: 2 1/3 / 2018
Owner's signature:	Date submitted: 2/13/2018
Please return the completed application along with the Pro	oject Approval OR Certificate of Appropriateness to:
City of Deadwood Planning, Zoning & Historic Preservation	

108 Sherman Street Deadwood, SD 57732 605-578-2082



# **Wood Windows and Doors Application**

Please read the attached Policy Guidelines, Administrative Procedures and provide the requested information.

1. Address of Property:	3. Applying for:
33 TAYLOR	Requested Grant or Loan Amount:
2. Applicant/Owner name & mailing address:	\$
Ronald J Almaza	Estimated Total Cost for Entire Project:
1210 Nowlin	\$
RAPID CITY SD 57701	or Office Use Only:  Owner Occupied
Telephone: (605) 645- 7973	D Non-owner Occupied
E-mail black hillsdog@gmail.com	Verified through the Lawrence County Office of Equalization Date: 2/3/18 Initials: 4
	Assessed Valuation \$
4. Complete a City of Deadwood Application for Project App	aroval OP Cortificate of Appropriatoness and attach
4. Complete a City of Deadwood Application for Project App	noval on certificate of Appropriatelless and attach

4. Complete a City of Deadwood Application for Project Approval OR Certificate of Appropriateness and attach it to this document.

I certify all information contained in this application and all information furnished in support of this application is given for the purpose of obtaining financial assistance in the form of a grant or a loan as true and complete to the best of my knowledge and belief. I acknowledge I have read the policy guidelines for the loan or grant included with and for this application and agree to all of the terms and conditions contained in the policy guidelines. I agree any contractors which I hire for this project will hold contactors licenses with the City of Deadwood and will require they also agree to and abide by the terms and conditions of the policy guidelines.

I acknowledge the Deadwood Historic Preservation Commission is merely granting or loaning funds in connection with the work or project and neither the Historic Preservation Commission nor the City of Deadwood is or will be responsible for satisfactory performance of the work or payment for the same beyond the grant or loan approval by the Historic Preservation Commission. I acknowledge I am solely responsible for selecting any contractors hired in connection with the project and in requiring satisfactory performance by such contractor. I agree to indemnify and hold harmless the Deadwood Historic Preservation Commission and the City of Deadwood against losses, costs, damages, expenses and liabilities of any nature directly or indirectly resulting from or arising out of or relating to the Deadwood Historic Preservation Commission's acceptance, consideration, approval, or disapproval of this application and the issuance or non-issuance or a grant or loan.

1	
Applicant's signature: Hondle Ahnan 21 Date submitted: 2 1/3 201	S
Owner's signature: Ranal 1 Alman of Date submitted: 2 1/3 1201	Ç
Please complete Wood Window and Doors Worksheet on page 2 of this application	

# **Wood Windows and Doors Worksheet**

Please fill out below using numbers of windows, storm windows and doors.

Elevations	Repair or Replacement of Existing Window(s)	Installation of New Wood Storm and Screen	Replacement of Inappropriate Window(s)	Repair or Replacement of Existing Primary	Repair or Replacement of Other Exterior Wood Door(s)	Replacement Inappropriate of Existing Wood Door(s)
Front View	2	/ Storm	(		#	brent
Right Side View	3	()00			1	
Left Side View	3					
Rear View	3					Ð,
Total Windows						
1 Storm Doo 1 Front 1 Sidedowr 1 Side Front 1800 8800 10160	Existing wood window(s) qualified for restoration are eligible for a forgivable loan or grant up to \$800 per window.	Window(s) qualified for the purchase and installation of approved wooden storm and screen windows <u>OR</u> qualified for restoration are eligible for a forgivable loan or grant up to \$350 per window.	Window(s) qualified for the purchase and installation of new wood windows are eligible for a forgivable loan or grant up to \$800 per window if existing window is beyond repair.	Primary wood entry door qualified for restoration is eligible for a forgivable loan or grant of \$400 $\overline{\text{OR}}$ for the removal of inappropriate primary door and installing an appropriate qualified door is eligible for a forgivable loan or grant of \$600.	Other exterior door(s) qualified for restoration are eligible for a forgivable loan or grant of \$200 per door <u>OR</u> for the removal of inappropriate door(s) and installing an appropriate qualified door(s) are eligible for a forgivable loan or grant of \$300 per door.	Primary door and additional exterior door(s) qualified for the purchase and installation of new wood door(s) are eligible for a forgivable loan or grant of \$100 per door if existing door is beyond repair.

The forgivable loan or grant is available up to \$20,000.00 maximum.

Please return the completed application along with the Project Approval OR Certificate of Appropriateness to:

City of Deadwood Planning, Zoning & Historic Preservation 108 Sherman Street Deadwood, SD 57732 605-578-2082 795 MAIN STREET DEADWOOD, SD 57732 605-578-1401





## MEMORANDUM

Date:

February 28th, 2018

To:

Deadwood Historic Preservation Commission

From:

Mike Walker, NeighborWorks, DHR

Re:

Historic Preservation Loan Request(s) (1 page)

The following Historic Preservation Loan Requests were reviewed by NeighborWorks and the Historic Preservation Loan Committee. The Loan Committee's recommendation follows each of the loan requests. For further information please review the individual loan requests.

Bernie Reausaw – 336 Williams – Extension Requests

The borrower is requesting an extension of the maturity date for Windows and Siding loans

This loan request was reviewed by Loan Committee: favorable comments were received.

#### To be submitted to Historic Preservation Commission 2/21/18

# Extension Requests Loan # CHPWINREA & CHPSIDREA

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v	М		U	C	

2/28/2018

APPLICANT:

Bernie Reausaw

PROPERTY ADDRESS:

336 Williams

LOAN AMOUNT:

\$20,000 & \$10,000

INTEREST RATE:

0%

PAYMENT AMOUNT:

NA

PURPOSE:

Windows & Siding

SECURITY:

2<sup>nd</sup> mortgage

OTHER HP LOANS:

Loan #

Balance

Rate Term Payment

Maturity

Historic Preservation Commission

**ACTION** 

□ Approved□ Denied

Continued

#### **UNDERWRITER'S REVIEW:**

Matures 03/01/2018 – We are requesting a six month extension of the maturity dates in order to allow time for the borrower complete the Windows and Siding on this home and draw down the loan funds. The loan committee is recommending a FINAL six month extension only. If the funds are not used within that time the loan will be called due and payable including all closing costs.

#### UNDERWRITER'S RECOMMENDATION:

I recommend approving this request as presented.

This request was reviewed by Loan Committee: favorable comments were received





# Grace Lutheran Church

827 Main St Deadwood, SD 57732

Phone: 578 - 2219 Pastor: John Fries

Email: revjfries@gmail.com

Deadwood Historical Committee 108 Sherman St. Deadwood SD 57732

February 13, 2018

Dear Committee Members,

We thank you for your continued support of historical improvements to structures in Deadwood. Grace Lutheran Church would respectfully request an extension on the grant funding for our exterior parsonage projects due to the inability to locate a willing licensed contractor in a timely manner. We have done so now, but with the weather turning bitter and the need to replace 3 exterior doors on the structure and add a handicapped ramp and our cement sidewalk we are behind our proposed schedule significantly. We have purchased the doors and are awaiting a return to above zero temps and no precipitation to install them. Our contractor informed us yesterday he injured his back and was unsure of when he would be able to complete the installation. He was hoping it would be soon but the weather does not seem to be very cooperative. We attempted to enlist members to complete the door project but the capable members had health issues last fall and were unable to assist.

We would sincerely appreciate an extension of the grant funds to the end of June 2018 if at all possible. Thank you for your consideration of our request. Sincerely,

René Larson Church Council Secretary. 605-641-3467.



Date: 2/09/2018

Case No. H1803 Address: 270 MAIN ST

#### Staff Report

The applicant has submitted an application for Project Approval for work at 270 MAIN ST, a NON-CONTRIBUTING structure located in FOUNTAIN CITY Planning Unit in the City of Deadwood.

Applicant:

MIKE GUSTAFSON

Owner:

MIKE GUSTAFSON

Constructed:

1990

#### CRITERIA FOR THE ISSUANCE OF A PROJECT APPROVAL

The Historic Preservation Commission shall use the following criteria in granting or denying the Project Approval:

#### **General Factors:**

- **1. Historic significance of the resource:** This motel cannot contribute to the Deadwood National Historic Landmark District at this time because it currently is less than 50 years old.
- **2.** Architectural design of the resource and proposed alterations: The applicant is requesting permission to clear a 16 foot wide path behind the building per the attached plans. Approximately 10,400 cubic yards of material will be removed from the hill side. The owner has committed to hydro-seeding 3,900 square yards of the open face wall.

Attachments: No

Plans: Yes
Photos: Yes

**Staff Opinion:** The applicant has completed an archaeological investigation of the area surrounding the project which has been submitted to this office. At this time, there appears to be no archaeological features would be impacted by the project.

It is staff's opinion, based on the Guidelines for Undertakings in the City of Deadwood National Historic Landmark District, the grading work proposed will continue to encroach upon and damage the historic districts thus the proposed grading work continues to have an adverse effect on the historic character of the State and National Register Historic Districts and the Deadwood National Historic Landmark District.

The proposed excavation into the hillside will further enlarge an already significant cut and will further alter the landscape of the historic districts in which the project is related. The proposed project furthermore continues to alter the environs and spatial relationships of the gulch in which Deadwood is situated. Staff acknowledges Deadwood was developed with numerous cuts and fills since the original mining camps but not to the scale of the proposed grading project. This project appears to dramatically enlarge the existing cut in this area. The proposed work continues to alter the environment which makes up Deadwood gulch and changes the spatial relationships in a fashion which has an adverse effect and damages the historic district.

The applicant states the proposed excavation into the hillside is required for maintenance of the building which resulted in the original hillside cuts. Furthermore, under a previous project for additional parking desires, in this same historic district, the applicant expanded the cut beyond what was presented and what was approved by the HP Commission. The requested vegetation

efforts have been minimal and unsuccessful. Previous projects have left a large scar in this area and the proposed grading project will further enlarge the scar on the landscape without guarantees to minimize the scar with re-vegetation. Staff questions at what time does the actions of previous work justify additional cuts and at what expense to the site, setting and physical topography that make up the environs and character of the National Historic Landmark District?

While over the past two decades, there have been some large cuts; the cuts are generally screened by buildings. Due to the proposed means and methods to address the maintenance desires of the applicant the proposed excavation will be highly visible and be one of the largest cuts in the historic district.

The project continues to remove natural materials which are distinctive to the gulch in the form of trees, rocks and soils. Staff recognizes previous work has altered a portion of the historic character of this immediate area within the historic district but is concerned on the cumulative effect to the landscape and setting of the historic districts. The hillsides in themselves are significant features of the historic districts and dramatically altering the spatial relationship of the hillside within the districts should be avoided. These environs which make up the district including the hillsides should be retained and preserved.

While the current condition of the hillside contains a minimal amount of vegetation, the growth of the ponderosa pines, oaks and other vegetation along this hillside provides "greenery" which has acquired a feel and atmosphere relating to the spatial relationship to the district. The proposed project will leave a scar and further alters the overall environment of the district through a larger cut into the hillside. The applicant has indicated willingness to hydro-seed the hillside with native grasses; however, the time for the vegetation to mature and trees to repopulate the project area could be several decades with no guarantee the project site will mature to a state which will replace the missing features or materials.

Staff is not convinced the proposed means and methods of addressing the applicants concerns regarding maintenance of the building is the most economic or gentlest means possible. It is staff's opinion; the applicant has not provided the commission consideration of other options or alternative methods to address the maintenance issues borne by previous cuts. Are there design alternatives which would minimize the damage, destruction and encroachment on the historic character of the district and preserve the relationship of the landscape and the environment; therefore, have all reasonable or prudent alternatives been explored or presented to the Historic Preservation Commission?

#### Motions available for commission action:

A: If you, as a commissioner, have determined the Project DOES NOT Encroach Upon, Damage or Destroy a historic property then:

Based upon all the evidence presented, I find that 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.

If you, as a commissioner, have determined the Project will Encroach Upon, Damage or Destroy a historic property then:

#### **B**: First Motion:

Based upon all the evidence presented, I move to make a finding that this project **DOES** encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places. [If this, move on to 2nd Motion and choose an option.]

#### C: Second Motion:

<u>Option 1:</u> Based upon the guidance in the U.S. Department of the Interior standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A & 1-19B, et seq, I find that the project is **NOT ADVERSE** to Deadwood and move to **APPROVE** the project as presented.

OR

Option 2: Based upon the guidance in the U.S. Department of the Interior standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A & 1-19B, et seq, I find that the project is ADVERSE to Deadwood and move to **DENY** the project as presented.

OR

Option 3: Based upon the guidance in the U.S. Department of the Interior standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A & 1-19B, et seq, I find that the project is ADVERSE to Deadwood, but the applicant has explored ALL REASONABLE AND PRUDENT ALTERNATIVES, and so I move to APPROVE the project as presented.

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street

108 Sherman Street Telephone (605) 578-2082 Fax (605) 578-2084



FOR OFFICE USE ONLY

Case No. #1803

Project Approval

Certificate of Appropriateness

Date Received 2/1/18

Date of Hearing 2/14/18

# City of Deadwood Application for Project Approval OR Certificate of Appropriateness

The Deadwood Historic Preservation Commission reviews all applications. Approval is issued for proposed work in keeping with City of Deadwood Ordinances & Guidelines, South Dakota State Administrative Rules and the Secretary of the Interior's Standards for Rehabilitation.

This application must be typed or printed in ink and submitted to:

City of Deadwood Deadwood Historic Preservation Office 108 Sherman Street Deadwood, SD 57732

FOR INFORMATION REGARDING THIS FORM, CALL 605-578-2082

PROPERTY	/ INFORMATION
Property Address: 270 Main St.	
Historic Name of Property (if known):	
APPLICANT IN	
Applicant is: ☐ owner ☐ contractor ☐ architect ☐ con:	sultant 🗆 other
Owner's Name: Mike Sustafan	Architect's Name:
Address: 270 Main St.	Address:
City: Peadus o State: 51 Zip: 57732	City: State: Zip:
Telephone: <u>178-977</u> Fax:	Telephone: Fax:
E-mail:	E-mail:
Contractor's Name: Cardner Const.  Address: PD Box 742  City: Lead State: 5.0. Zip: 57754	Agent's Name: Michael Towey  Address: 528 Kansas City St.  City: Papid City State: 50 Zip: 57701
Telephone: 920-81/9 Fax:	Telephone: 791-58 46.
E-mail:	E-mail: michaelt@letmdsi.com
	*
TYPE OF IME	PROVEMENT
General Maintenance ☐ Re-Roofing ☐ Siding ☐	☐ Addition ☐ Accessory Structure ☐ Wood Repair ☐ Exterior Painting ☐ Windows ☐ Sign ☐ Fencing

			ACTIVITY	Y: (CHECK AS APPLICABLE)
Pro	ect Start Date: March	1 2018	Project Comp	pletion Date (anticipated): Sept ZOL8
	ALTERATION	☐ Front	☐ Side(s)	□ Rear
	ADDITION	☐ Front	☐ Side(s)	□ Rear
	NEW CONSTRUCTION	☐ Residentia	I □ Other	
	ROOF	□ New	☐ Re-roofing	g
		☐ Front	☐ Side(s)	□ Rear
	GARAGE	□ New	☐ Rehabilitat	ation
		☐ Front	☐ Side(s)	□ Rear
	FENCE/GATE	□ New	☐ Replaceme	nent
		☐ Front	☐ Side(s)	□ Rear
	Material	St	yle/type	Dimensions
	WINDOWS ☐ STORM	WINDOWS D	DOORS	□ STORM DOORS
		☐ Restoratio		☐ Replacement ☐ New
		☐ Front	☐ Side(s)	□ Rear
_				
	SIGN/AWNING	□ New		on □ Replacement
<b>~</b>	n			ts Site grading
A	OTHER – Describe in de	etail below or u	ise attachment	is She graating
			DESCRIPT	TION OF ACTIVITY
sub con be a wit wo	mit as applicable. Descrinmissioners and staff eva accompanied by measure manufacturer informatick along with general dra	ptive materials aluate the properments of the cition for the new wings and/or properments.	such as photos osed changes. existing window wwindow. Simi photographs as	se attachments if necessary including type of materials to be used) and os and drawings are necessary to illustrate the work and to help the . A request for approval of a window replacement, for example, should w, a picture of the existing window, and a picture or catalogue sheet nilar information should be supplied for each element of the proposed is appropriate.  In delays in processing and denial of the request.
1 011				
-	see atto	chea	plans	and memo
_				
_				
-				

Page 2 of 3

FOR C	FFICE	USE ONLY
Case No.		
Case No		

#### **SIGNATURES**

I HEREBY CERTIFY I understand this application will not be accepted and processed until all the requested information has been supplied. I realize drawings and measurements must be exact and if errors result in a violation of the Commission's approval, then appropriate changes will have to be made. I also understand this application may require a site visit / additional research by staff and a PUBLIC HEARING by the DEADWOOD HISTORIC PRESERVATION COMMISSION.

I understand this application is for a Certificate of Appropriateness or Project Approval only and that a building permit is required for any uses associated with this location prior to any constructions, alterations, etc. All statements are true to the best of my knowledge and belief.

I understand approval is issued for proposed work in keeping with City of Deadwood Ordinances, South Dakota State Administrative Rules and the Secretary of the Interior's Standards for Rehabilitation and copies are available for my review.

/ lune	Jus lag son	2-1
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SIGNATURE O	FOWNER(S), Mid	DATE
	The state of the s	57112
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SIGNATURE OF OWNER(S)	DATE	

SIGNATURE OF AGENT(S)
-----------------------

DATE

SIGNATURE	OF	OWNER(S)

mI

#### SIGNATURE OF AGENT(S)

#### DATE

#### **APPLICATION DEADLINE**

This form and all supporting documentation **MUST** arrive by 5:00 p.m. on the 1<sup>st</sup> or 3<sup>rd</sup> Wednesday of every month to be considered at the next Historic Preservation Commission Meeting. The meeting schedule and filing deadlines are on file with the Historic Preservation Office. Any information not provided to staff in advance of the meeting will not be considered by the Commission during their deliberation. Please call if you have any questions and staff will assist you.

Please use the attached criteria checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information. All submitted materials will be retained by the Historic Preservation Office. Do not submit your only copy of any piece of documentation.

The City of Deadwood Historic Preservation Office has numerous resources available for your assistance upon request.

# Criteria Checklist for Project Approval OR Certificate of Appropriateness

#### **SUBMITTAL CRITERIA CHECKLIST**

The documentation listed below will assist in the submission of the application. *Not all information listed below is* required for each project. In order to save time and effort, please consult with the Historic Preservation Office prior to completing your application.

prior to	completing your application.					
ALL WO	RK:					
	Photograph of house and existing conditions from all relevant sides.					
RENOVA	ATIONS AND ADDITIONS:					
	Elevation and plan drawings to scale indicating proposed alterations or additions, clearly indicating the existing building and what is proposed and including the relationship to adjacent structures. Make sure to include door and window design if altered. Manufacturer's catalog data may be used, if applicable.					
	Exterior material description.					
	Site plan showing dimensions of lot and location of existing building(s) or structure(s) on lot, location of additions, dimensions of existing structure and additions. (Show use of addition and location of windows and doors if applicable.)					
☐ Photograph of existing conditions from all elevations.						
	☐ Color samples and placement on the structure.					
	☐ Historic photographs should accompany any request to return a structure to an earlier historic appearance. (Please note our archives may be of great assistance)					
MATERI	AL CHANGES:					
	Written description of area involved.					
	Color photographs or slides of areas involved and surrounding structures if applicable.					
	Sample or photo of materials involved.					
PAINTIN	NG, SIDING:					
	Color photographs of all areas involved and surrounding structures if applicable.					
	Samples of colors and/or materials to be used.					
	Dimensioned elevation and section to scale, showing design of fence, material, and height in relationship to adjacent structures.					
NEW CC	DNSTRUCTION:					
	Elevation drawings to scale showing all sides and dimensions. Elevation drawings to scale showing relationship to structures immediately adjacent.					
	Photograph of proposed site and adjacent buildings on adjoining properties.					
	Site plan including building footprint and location of off-street parking showing setbacks. Include number of spaces, surface material, screening and all other information required under Parking Areas.					
	Material list including door and window styles, colors and texture samples.					
	Scale model indicating significant detail. (This may be required for major construction. Please consult					
	Historic Preservation Commission staff.)					
	Color photographs of proposed site and structures within vicinity of new building.					





**Date:** January 31, 2018

**To:** Mr. Kevin Kuchenbecker, Historic Preservation Officer

Historic Preservation Commission Members

**From:** Michael Towey, PE,

KTM Design Solutions, Inc.

**RE:** Follow-up to Case H17086

First Gold Additions and New Parking Garage

Deadwood, SD

Dear Mr. Kuchenbecker and Members of the Historic Preservation Committee,

As noted from the November 8<sup>th</sup> 2017 HPC Meeting, we presented a new option for the First Gold Hotel and Gaming property. At this time, the proposed project has been put on hold by the Owner due to other circumstances.

Following the January 23<sup>rd</sup> site visit and January 24<sup>th</sup> HPC Meeting, KTM staff meet with First Gold staff to review the options discussed and presented. Discussions included other potential options in lieu of cutting down the hillside. We also discussed the potential of hydro-seeding the entire face of the exposed surface along Main Street within the subject property.

Attached to this memorandum are stamped engineering plans that show the Owners need and intent to protect his clientele and his investment. This project is truly maintenance related. It has been determined that grading a 16 foot wide path behind the building will provide the most benefit.

The final plans have changed slightly. The work area is still separated into two sites. Volumes of material have changed as our request is to allow a clear zone of 16 feet.

Grading of Site 1 is the primary reason for this request. Behind the casino is a small portion of land, approximately 50 to 60 feet in length that is ungraded, inaccessible, and therefore unmaintainable. From our review, it would appear that this area has not been graded since the inception of this original structure. Over the years, this ungraded area continues to slough and fallen debris piles against the building. This area does not drain properly and therefore runoff and snow melt continue to pond up against the building.

There is also a covered walkway in the northwest corner of the building. Debris and material has sloughed against the concrete wall and is close to overtopping the wall. This area needs to be cleaned up as soon as possible before any damage occurs to the building or covered walkway.

All along the open face of the hillside adjacent to the property, First Gold staff maintains a pathway that is anywhere from 8 to 20 feet in width. This pathway is generally wide enough to catch fallen debris or slough areas as to protect their clientele's property and the building.

In order to access Site 1 with equipment large enough to grade this area, it is also necessary to do the grading shown at Site 2. The existing pathway is large enough for the smaller equipment needed to maintain the pathway but not quite wide enough for the larger equipment needed to do the grading. Since this is a much more visible location, additional effort has been made to minimize the grading needs within Site 2.

It is anticipated that this project will remove approximately 10,400 cubic yards of material from the hillside. Material from this project will be properly disposed of as we have previously discussed. It is anticipated that this grading will cause some tree removal along the top of the hillside. Generally most of the trees near the edge appear to need removing anyway.

As requested, construction stakes will be placed along the catch points of the hillside. KTM will notify City staff once construction stakes are set. This will allow everyone to view the approximate limits of change.

Also as requested, the Owner has committed to hydro-seeding the open face wall. As we discussed at the last HPC Meeting, this has been attempted before and failed. Timing of this will be key. It is anticipated that approximately 3,900 square yards of hydro-seeding material will be sprayed on the side hill following the grading portion of the project.

The Owner is trying to comply with all requests by HPC in order to complete the work needed to protect both the building and his clientele. Both KTM and First Gold staff understand the concerns that have been brought forward at previous HPC meetings or by City staff. At this point this is more of a maintenance issue and safety concern rather than the expansion projects than have been previously presented to HPC.

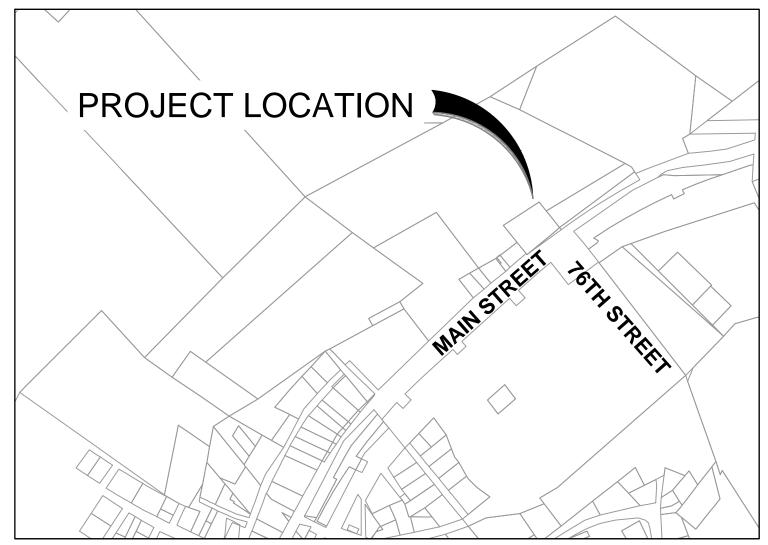
Sincerely,

KTM Design Solutions, Inc.

Michael Towey, PE

# FIRST GOLD HOTEL AND GAMING GRADING PLAN 270 MAIN STREET DEADWOOD, SOUTH DAKOTA

KTM JOB NO 16-0818



DEADWOOD, SOUTH DAKOTA

NOT TO SCALE

# INDEX OF SHEETS

C1-0 - COVER

C1-1 - GENERAL NOTES AND LEGEND

C1-2 - SURVEY

C1-3 - SITE PLAN

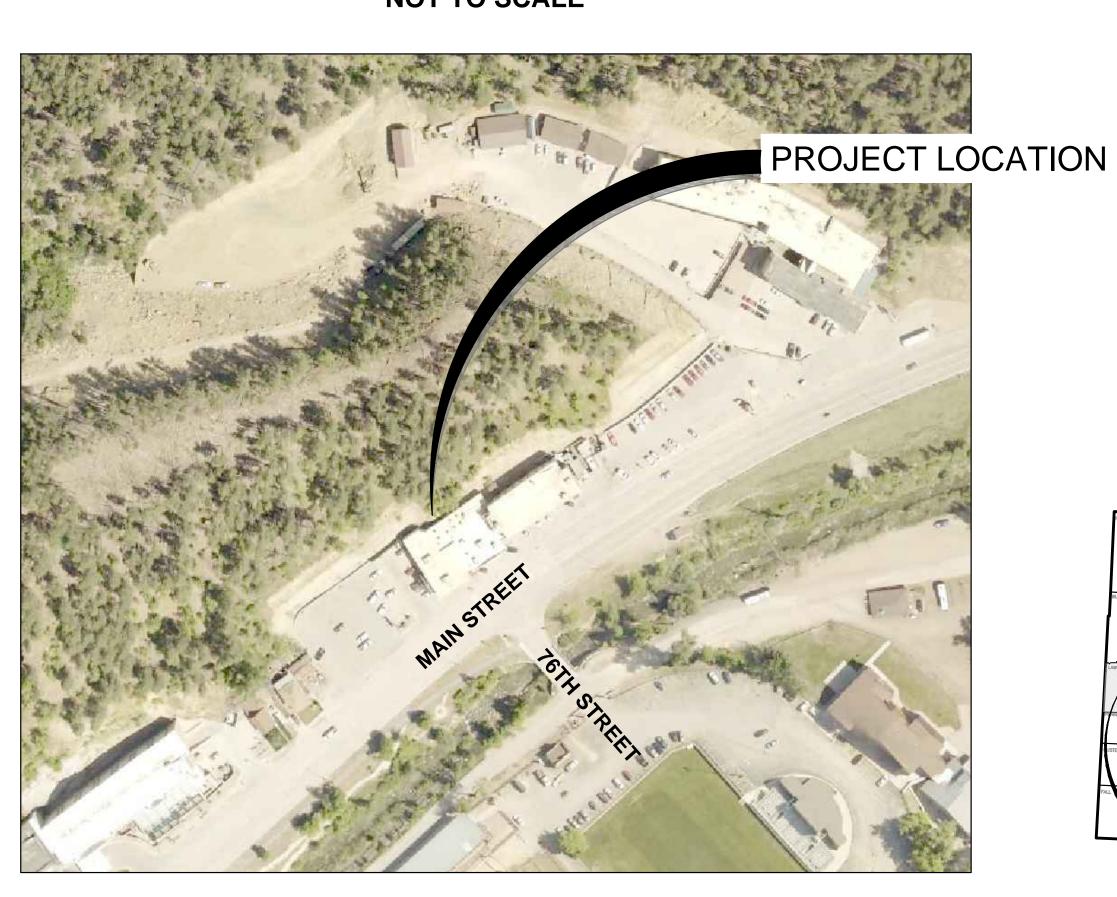
C1-4 - GRADING PLAN SITE 1

C1-5 - GRADING PLAN SITE 2 C1-6 - GRADING CROSS SECTIONS

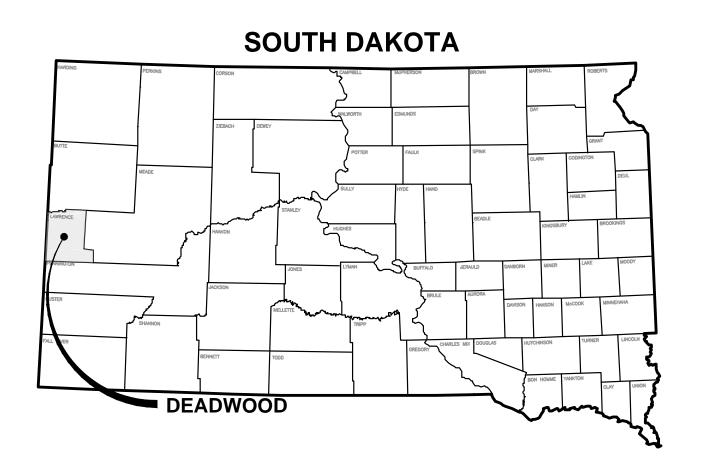
EC-1 - STORM WATER POLLUTION PREVENTION NOTES

EC-2 - EROSION CONTROL PLAN

EC-3 - EROSION CONTROL DETAILS



PROJECT LOCATION MAP
NOT TO SCALE



22" X 34" PLAN SET

ONE CALL
BEFORE DIGGING
1-800-781-7474



..
..
Internal Job No: Designed By: Drawn By

17-0818 MT KM
Surveyed By: Survey Date
PONSEROSA FEB 2017



ktmdesignsolutions.coi



Died Name:

Sheet Name:

COVER

C1-0

#### **SPECIFICATIONS**

Construction Specifications: South Dakota Standard Specifications for Roads and Bridges, 2004 Edition and Required Provisions, Supplemental Specifications and/or Special Provisions as included in the Proposal.

The Contractor shall notify the Engineer of conflicts between the drawings, Standard Specifications and the Supplemental Specifications.

#### PROJECT NOTE

The project involves grading of the existing hillside adjacent to and behind the First Gold Hotel and Gaming. It is anticipated that approximately 10,450 cy of material will be removed from this area. It is anticipated that pedestrian travel and parking patterns will be disrupted during construction activities. The Contractor shall be warned that construction activities will require additional care and responsibility concerning both movement of pedestrian traffic and parking allowances.

This work is strictly related to maintenance and cleanup of the area directly behind the Casino building.

Similarly, this work is also directly behind the existing hotel and casino building and will require additional care and protection to prevent damage to the existing buildings and associated appurtenances.

The Contractor shall coordinate with the Owner and Engineer to develop a plan that incorporates the safety of pedestrian movement, parking adjustments necessary, and protection of existing building prior to the start of construction.

#### **CONSTRUCTION LIMITS**

In general, the construction limits for this project shall be confined to the Owners property. It is the Contractor's responsibility to restore any damaged areas outside the construction limits to a condition better than equal to the existing condition.

#### **PERMITS**

The Contractor shall be responsible for obtaining all necessary permits for this project prior to beginning work.

#### <u>UTILITIES</u>

All existing utilities may not be shown or the locations may vary from that shown. The Contractor is responsible to have all utilities located prior to beginning work.

The Contractor shall contact the involved utility companies through South Dakota One Call (1-800-781-7474) prior to starting work. It shall be the responsibility of the Contractor to coordinate work with the utility owners to avoid damage to existing facilities.

# **WASTE DISPOSAL**

The Contractor will be responsible for all waste disposal on the project. No waste disposal is allowed within Right-of-Way or easements. Excess material will be hauled offsite to the Hills Material site for reclamation of their site.

# **CONSTRUCTION STAKING**

Construction staking, as necessary to complete the project, will be coordinated through the Contractor.

# **EROSION AND SEDIMENT CONTROL**

The Contractor is responsible to establish and maintain erosion and sediment control measures in accordance with SDDENR rules and regulations for the duration of this project.

TRAFFIC CONTROL Construction signing and traffic control shall conform to Section 984 of the Standard Specifications, the Manual of Uniform Traffic Control Devices (MUTCD) and as directed by

All fixed location signs and applicable traffic control devices shall be installed prior to the start of work or mobilizations of equipment within the traveled way.

All equipment and vehicles entering and exiting closed lanes of traffic shall display flashing amber light visible from all directions a minimum distance of 1/4 mile.

Construction signs that are to be installed shall not block the view of existing applicable traffic signs.

The Contractor is required to maintain traffic control in accordance with the Standard Specifications. All traffic control shall conform to the latest version of the MUTCD.

#### **REMOVALS**

Existing features, including trees, landscaping, pavements, structures, etc. not called out for removals; or remove and reset shall be protected by the Contractor

#### **REMOVAL QUANTITIES**

Estimated removal quantities are provided on the following plan sheets. Quantities provided have been calculated based on the measurement of the removal area. Coordinates are provided for general project location only. The Contractor shall field verify removal quantities if they believe the tabulated information is incorrect.

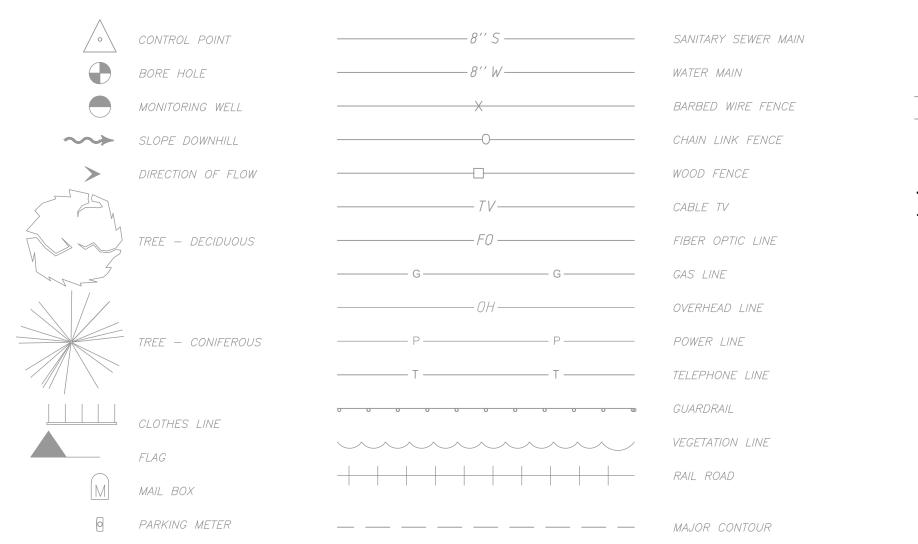
#### PROTECTION OF PEDESTRIANS

Orange safety fence shall be used to protect pedestrian traffic from open excavations, construction activity, or as directed by the Engineer. Open excavations shall be loose lift backfilled for weekends or anytime work will not resume the following morning after PM work shut down. All costs to furnish, install maintain, and remove the orange plastic safety fence shall be incidental to the associated contract items.

HYDROSEEDING

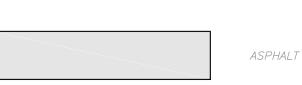
The Contractor will be required to hydroseed not only the area that is being disturbed with this project but also the entire slope face that faces Main Street. The Contractor shall work with the hydroseeder to define the best time of the year to complete this portion of the work. This work is experimental in nature as it has been tried before and failed. City staff should be made aware of the timing of this work. There is a potential 100% coverage may not be achieved. All parties should understand and agree that some coverage is better than what currently exists today.

# LEGEND EXISTING



1	MAIL BOX		TOTAL TOTAL
	PARKING METER		MAJOR CONTOUR
•	POST OR BOLLARD		MINOR CONTOUR
) R	SIGN		EASEMENT LINE
	IRRIGATION VALVE		PROPERTY LINE
<b>F</b>	SPRINKLER HEAD	····	RIGHT OF WAY
	TREE STUMP		SIXTEENTH SECTION
			QUARTER SECTION L
	PAINTED TURN ARROW		SECTION LINE
	PROPERTY CORNER		
	FOUND PROPERTY CORNER		GRAVEL

		CO	NCRETE
		CO	NCRET



# GRADING LEGEND

 CVICTIMO				
<u>EXISTING</u>				
 · — –	MAJOR	CONTOUR	- 25F	T INTERVAL
 	MINOR	CONTOUR	- 5FT	INTERVAL
<u>PROPOSED</u>				

GRADING SLOPE

MAJOR CONTOUR 25FT INTERVAL

MINOR CONTOUR 5 FT INTERVAL



2018.01.29 GRADING PLANS R1 - 2018.02.06 ADDED HYDRO SEEDING NOTE

Internal Job No: Designed By: Drawn By: 17-0818 Survey Date: PONSEROSA FEB 2017

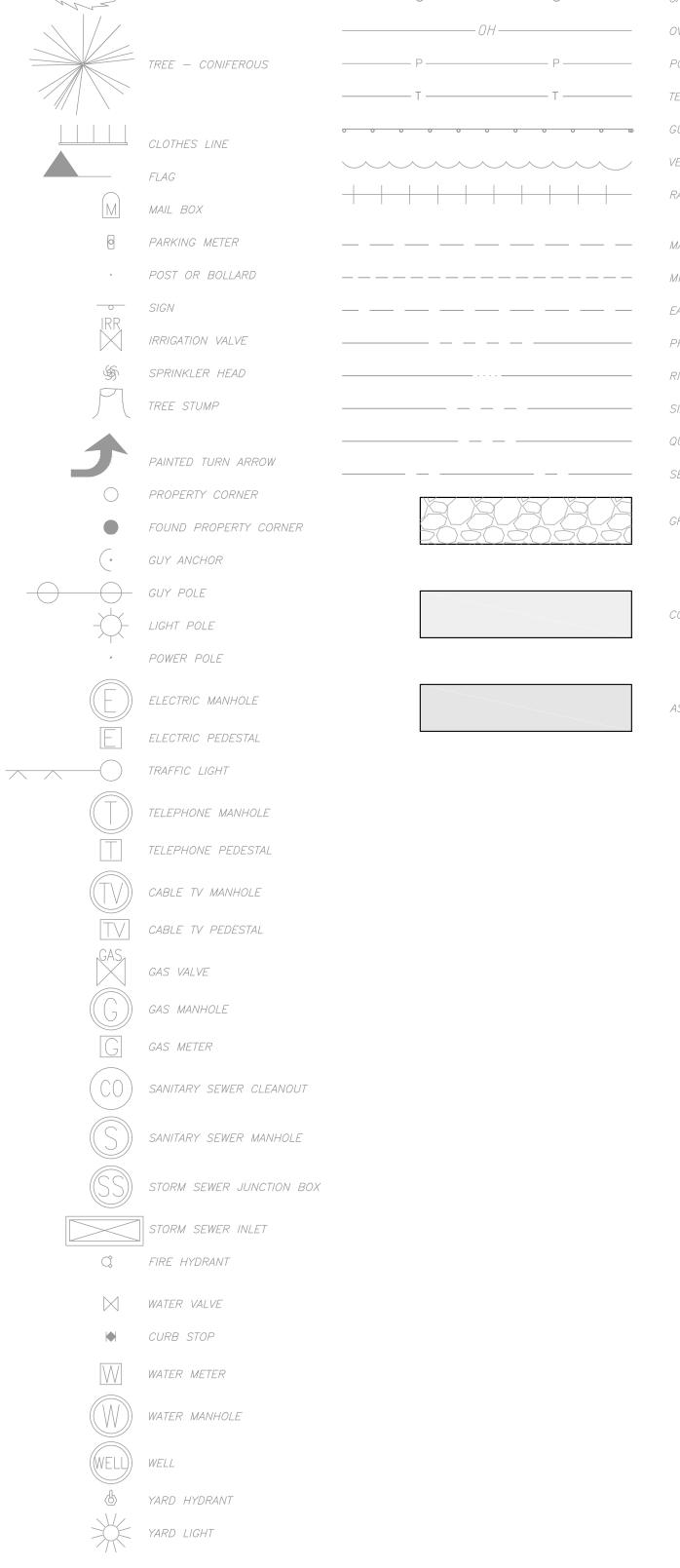
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City, S 605.7

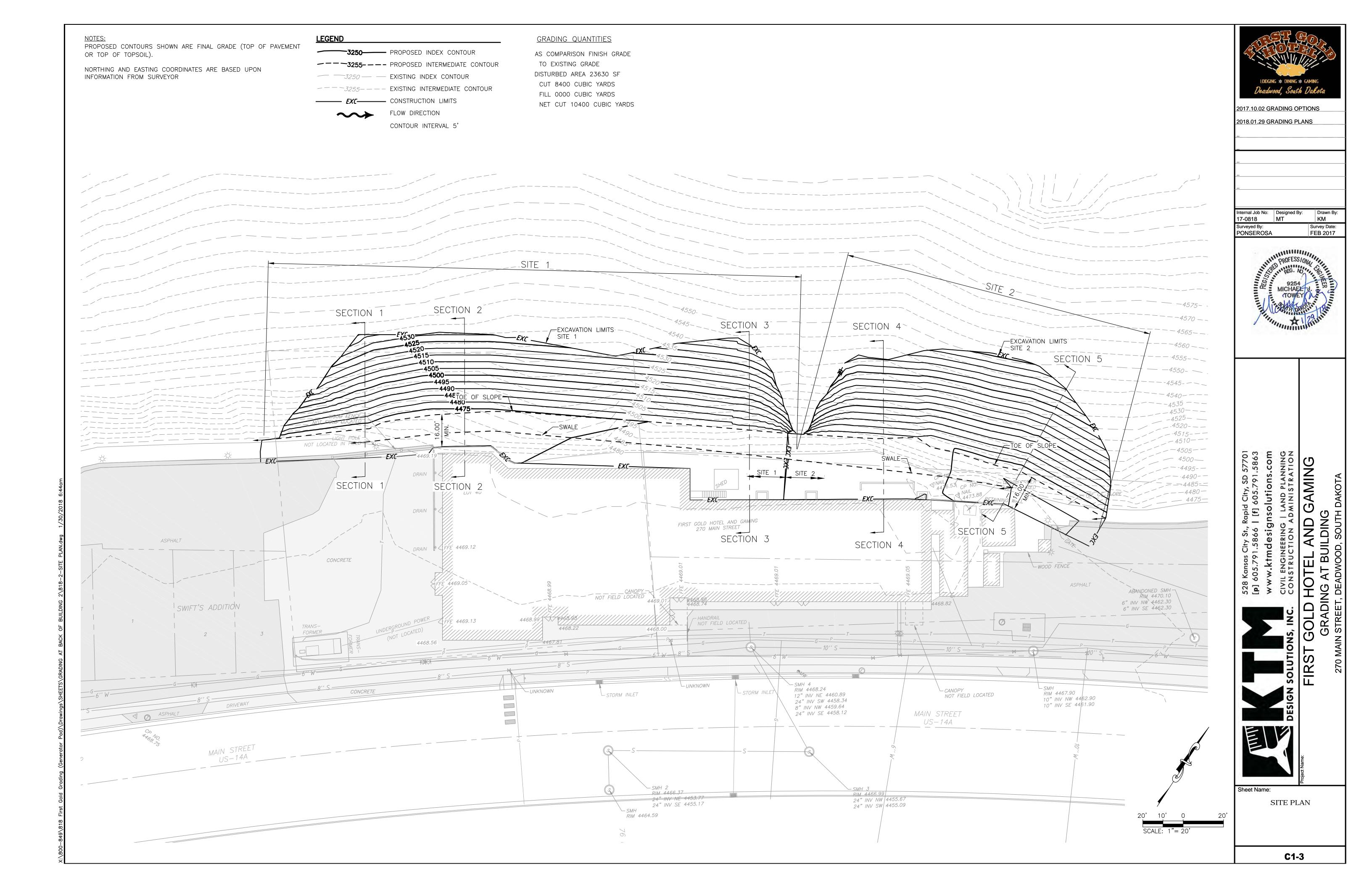


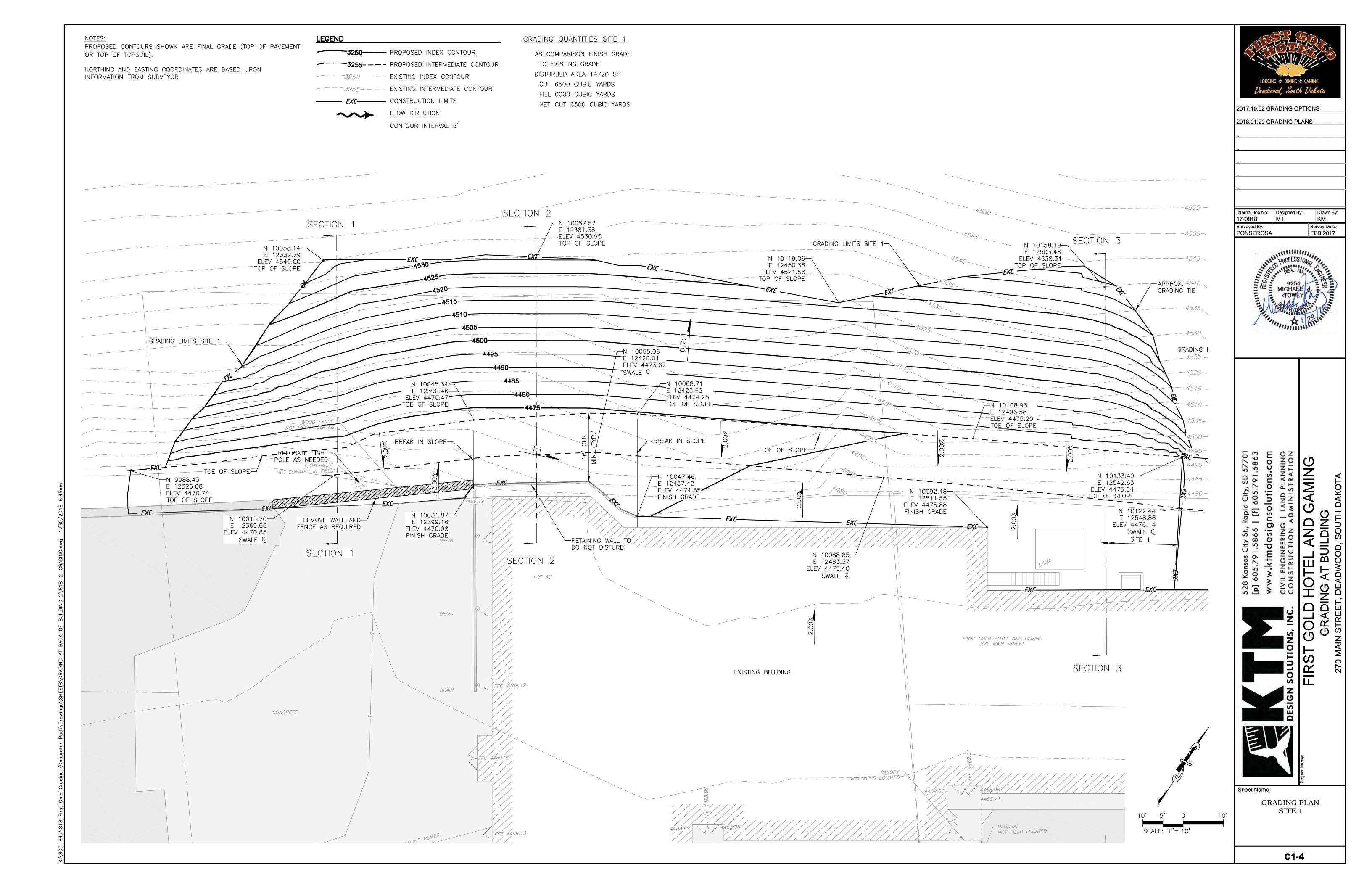
GENERAL NOTES AND LEGEND

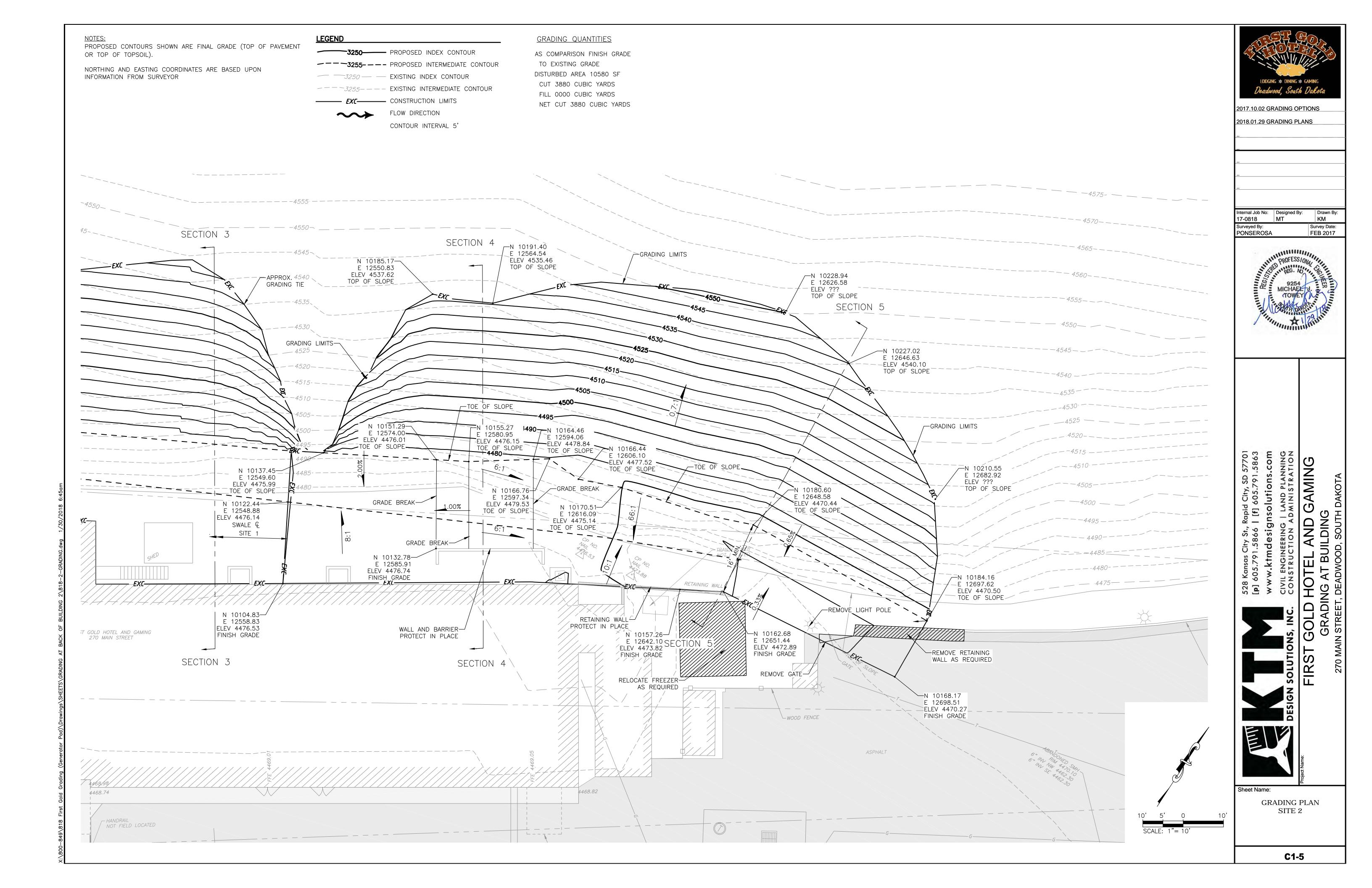
C1-1

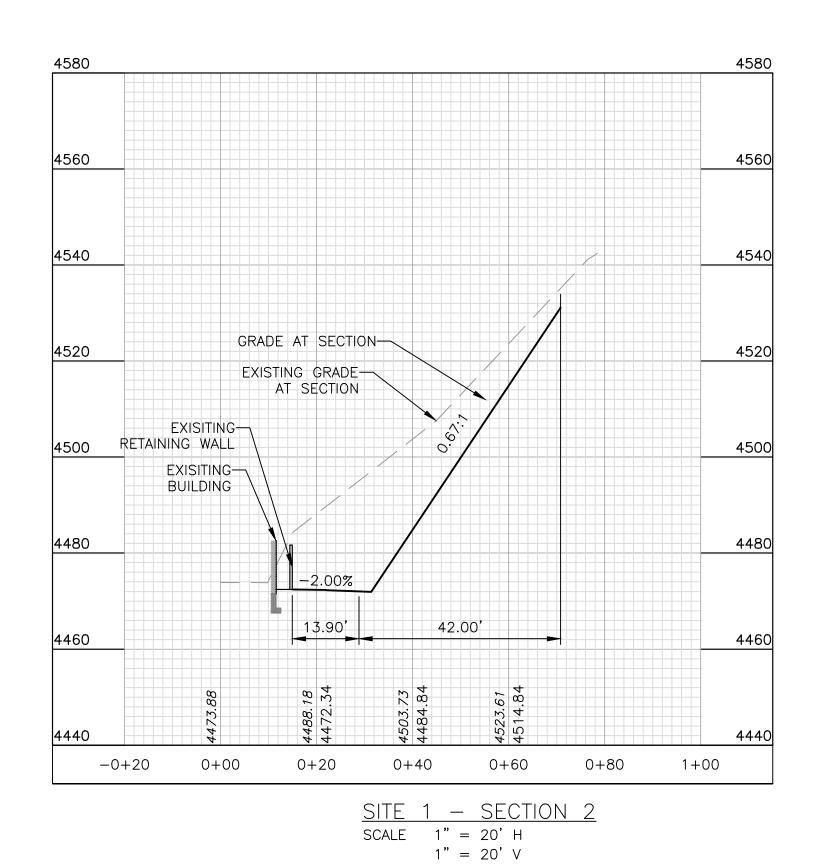


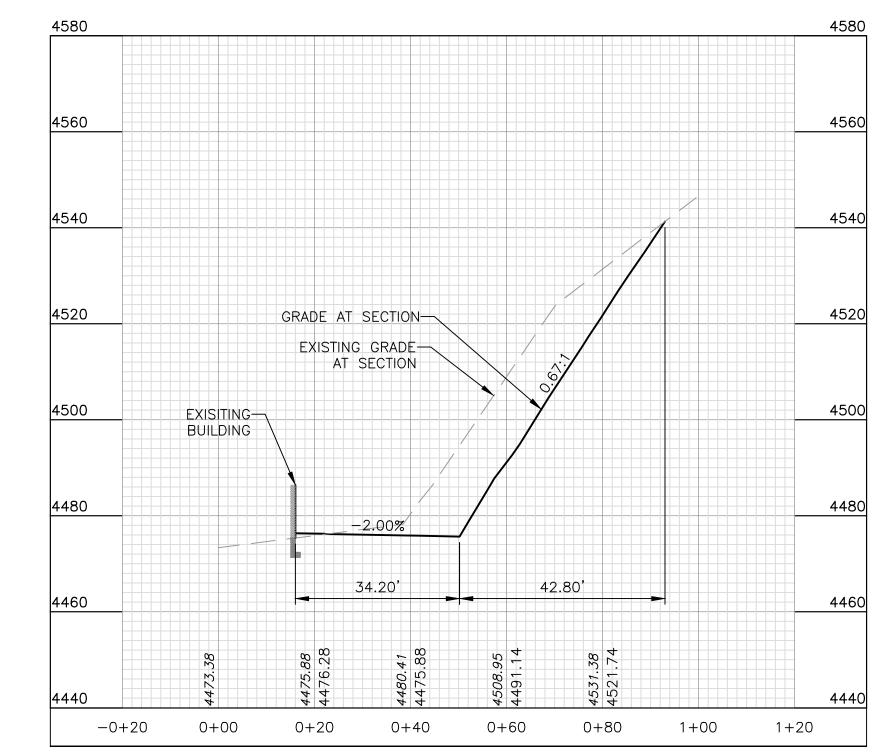








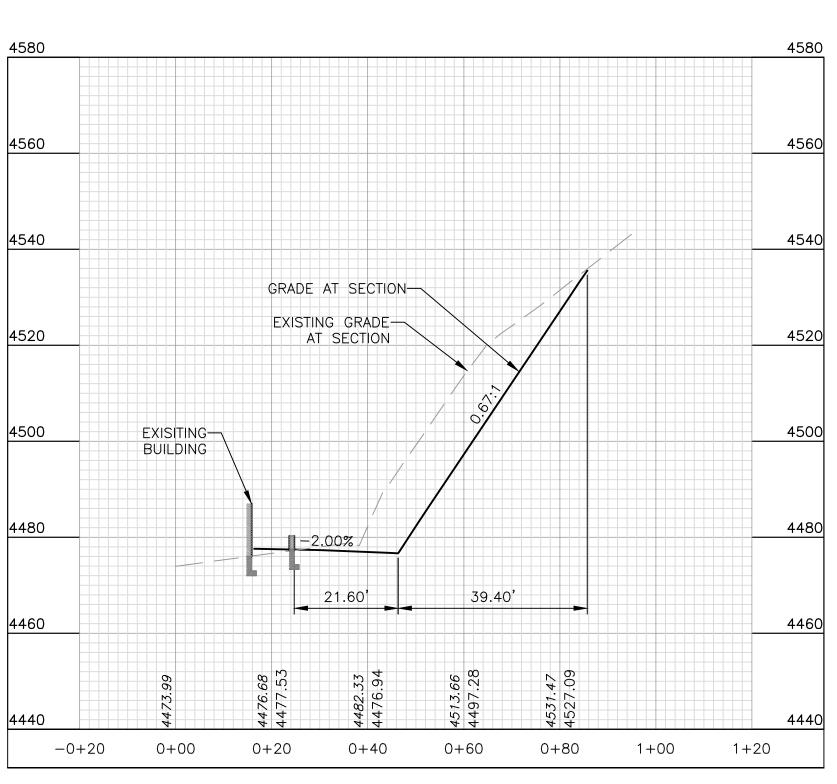


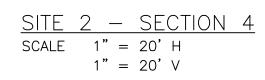


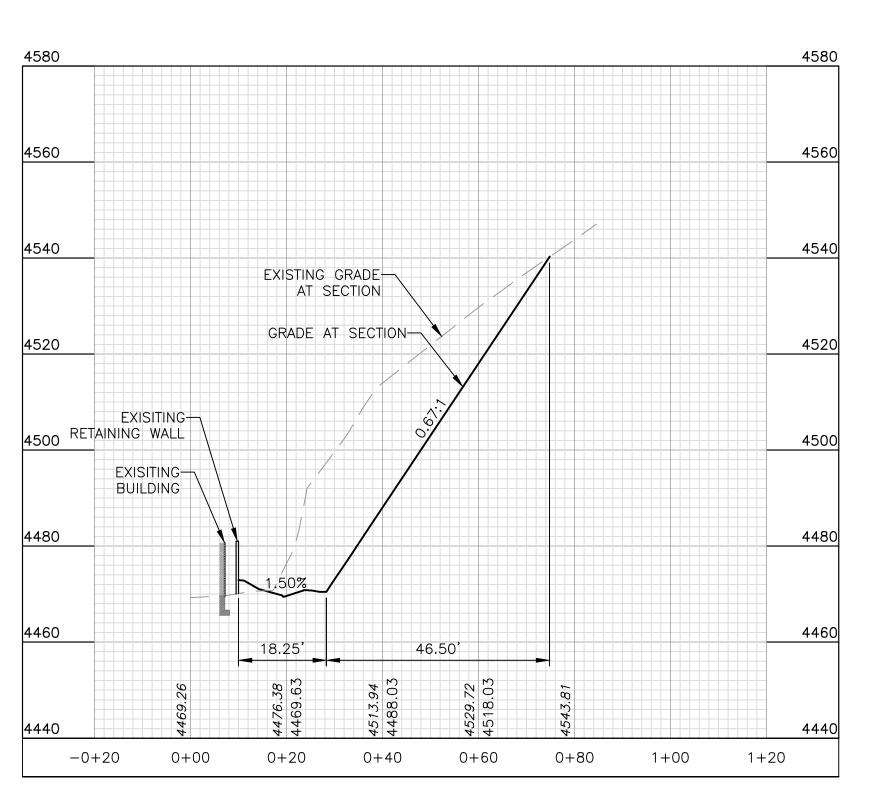
SITE 1 - SECTION 3

SCALE 1" = 20' H

1" = 20' V







SITE 2 — SECTION 5 SCALE 1" = 20' H 1" = 20' V

AND PLANNING AINISTRATION

LODGING \* DINING \* GAMING Deadwood, South Dakota

2017.10.02 GRADING OPTIONS

2018.01.29 GRADING PLANS

Internal Job No: Designed By: 17-0818 MT

Surveyed By: PONSEROSA

Drawn By:

Survey Date: FEB 2017



Sheet Name:

GRADING CROSS SECTIONS

SCALE 1" = 20' H 1" = 20' V

C1-6

#### STORM WATER POLLUTION PREVENTION PLAN CHECKLIST

(The numbers right of the title headings are reference numbers to the GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED **WITH CONSTRUCTION ACTIVITIES** 

#### **SITE DESCRIPTION (4.2 1)**

- Project Limits: See Title Sheet (4.2 1.b)
- Project Description: See Title Sheet (4.2 1.a.)
- > Site Map(s): See Title Sheet and Plans (4.2 1.f. (1)-(6))
- Major Soil Disturbing Activities (check all that apply)
- ⊠Clearing and grubbing
- □Excavation/borrow
- \overline{\text{G}} Grading and shaping
- ☐Filling
- \infty Cutting and filling
   ■ Other (describe):
- > Total Project Area 5 acres (4.2 1.b.)
- > Total Area To Be Disturbed 3.6 acres (4.2 1.b.)
- > Existing Vegetative Cover (%) 35

ORDER OF CONSTRUCTION ACTIVITIES (4.2 1.c.)

> Soil Properties: AASHTO Soil Classification A-1-a, A-1-b, A-6 Very gravelly loam, very gravelly coarse sand (4.2 1. d.)

# > Name of Receiving Water Body/Bodies Whitewood Creek (4.2 1.e.)

(Stabilization measures shall be initiated as soon as possible, but in no case later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Initiation of final or temporary stabilization may exceed the 14-day limit if earth disturbing activities will be resumed within 21 days.)

- Install stabilized construction entrance(s).
- Install perimeter protection where runoff sheets from the site.
- Clearing and grubbing.
- Stabilize disturbed areas. > Install inlet and culvert protection after completing storm drainage and
- other utility installations Complete final grading.
- Reseed areas or surface disturbed by removal activities.

**EROSION AND SEDIMENT CONTROLS (4.2 2.a.(1)(a)-(f))** (Check all that apply)

#### > Stabilization Practices (See Detail Plan Sheets)

- ☐ Temporary or Permanent Seeding
- ☐ Planting (Woody Vegetation for Soil Stabilization)
- Mulching (Grass Hay or Straw)
- Erosion Control Blankets or Mats
- Roughened Surface (e.g. tracking)
- Dust Control ■ ☐ Other:

#### > Structural Temporary Erosion and Sediment Controls

■ Silt Fence ■ Straw Bale Check

SPILL PREVENTION (4.2 2.c.(2))

Material Management

- Temporary Slope Drain

#### ■ Straw Wattles or Rolls

- Housekeeping Only needed products will be stored on-site by the Contractor. Except for bulk materials the contractor will store all materials
  - Products must be stored in original containers and labeled

under cover and in appropriate containers.

- Material mixing will be conducted in accordance with the
- manufacturer's recommendations. When possible, all products will be completely used before properly disposing of the container off-site.
- The manufacturer's directions for disposal of materials and containers will be followed.
- The Contractor's site superintendent will inspect materials storage areas regularly to ensure proper use and disposal.
- Dust generated will be controlled in an environmentally safe
- Vegetation areas not essential to the construction project will be preserved and maintained as noted on the plans.
- Hazardous Materials
- Products will be kept in original containers unless the container
- is not resealable. Original labels and material safety data sheets will be retained
- in a safe place to relay important product information.
- If surplus product must be disposed of, manufacturer's label directions for disposal will be followed.
- Maintenance and repair of all equipment and vehicles involving oil changes, hydraulic system drain down, de-greasing operations, fuel tank drain down and removal, and other activities which may result in the accidental release of contaminants will be conducted on an impervious surface and under cover during wet weather to prevent the release of contaminants onto the ground.
- Wheel wash water will be collected and allowed to settle out suspended solids prior to discharge. Wheel wash water will not be discharged directly into any storm water system or storm water treatment system.
- Potential pH-modifying materials such as: bulk cement, cement kiln dust, fly ash, new concrete washings, concrete pumping, residuals from concrete saw cutting (either wet or dry), and mixer washout waters will be collected on site and managed to prevent contamination of storm water runoff.

# Product Specific Practices (6.8)

# Petroleum Products

All on-site vehicles will be monitored for leaks and receive regular preventive maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers which are clearly labeled.

# Fertilizers

Fertilizers will be applied only in the amounts specified by the SDDOT. Once applied, fertilizers will be worked into the soil to limit the exposure to storm water. Fertilizers will be stored in an enclosed area. The contents of partially used fertilizer bags will be transferred to sealable containers to avoid spills.

# Concrete Trucks

Contractors will provide designated truck washout facilities on the site. These areas must be self-contained and not connected to any storm water outlet of the site. Upon completion of construction, the area at the washout facility will be properly stabilized.

- Turf Reinforcement Mat ■ Rip Rap
- ⊠ Rock Check Dams
- Sediment Traps/Basins ■ Inlet Protection
- Outlet Protection
- Surface Inlet Protection (Area Drain) ■ Curb Inlet Protection
- Stabilized Construction Entrances
- Entrance/Exit Equipment Tire Wash
- Interceptor Ditch
- Work Platform ■ ☐ Temporary Water Barrier
- Temporary Water Crossing
- Other:

## Wetland Avoidance

Will construction and/or erosion and sediment controls impinge on regulated wetlands? Yes 

No 

If yes, the structural and erosion and sediment controls have been included in the total project wetland impacts and have been included in the 404 permit process with the

#### > Storm Water Management (4.2 2.b., (1) and (2))

Storm water management will be handled by temporary controls outlined in "EROSION AND SEDIMENT CONTROLS" above, and any permanent controls needed to meet permanent storm water management needs in the post construction period. Permanent controls will be shown on the plans and noted as permanent.

#### > Other Storm Water Controls (4.2 2.c., (1) and (2))

#### Waste Disposal

All liquid waste materials will be collected and stored in sealed metal containers approved by the project engineer. All trash and construction debris from the site will be deposited in the approved containers. Containers will be serviced as necessary, and the trash will be hauled to an approved disposal site or licensed landfill. All onsite personnel will be instructed in the proper procedures for waste disposal, and notices stating proper practices will be posted in the field office. The general Contractor's representative responsible for the conduct of work on the site will be responsible for seeing waste disposal procedures are followed.

## Hazardous Waste

All hazardous waste materials will be disposed of in a manner specified by local or state regulations or by the manufacturer. Site personnel will be instructed in these practices, and the individual designated as the Contractor's on-site representative will be responsible for seeing that these practices are followed.

#### Sanitary Waste

Portable sanitary facilities will be provided on all construction sites. Sanitary waste will be collected from the portable units in a timely manner by a licensed waste management Contractor or as required by any local regulations.

# > Spill Control Practices (4.2 2 c.(2))

In addition to the previous housekeeping and management practices, the following practices will be followed for spill prevention and cleanup

- For all hazardous materials stored on site, the manufacturer's recommended methods for spill cleanup will be clearly posted. Site personnel will be made aware of the procedures and the locations of the information and cleanup supplies.
- Appropriate cleanup materials and equipment will be maintained by the Contractor in the materials storage area onsite. As appropriate, equipment and materials may include items such as brooms, dust pans, mops, rags, gloves, goggles, kitty litter, sand, sawdust, and plastic and metal trash containers specifically for cleanup purposes.
- All spills will be cleaned immediately after discovery and the materials disposed of properly.
- The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with a hazardous substance.
- After a spill a report will be prepared describing the spill, what caused it, and the cleanup measures taken. The spill prevention plan will be adjusted to include measures to prevent this type of spill from reoccurring, as well as clean up instructions in the event of reoccurrences
- The Contractor's site superintendent, responsible for day-today operations, will be the spill prevention and cleanup coordinator. The Contractor is responsible for ensuring that the site superintendent has had appropriate training for hazardous materials handling, spill management, and cleanup.

# Spill Response (4.2 2 c.(2))

The primary objective in responding to a spill is to quickly contain the material(s) and prevent or minimize migration into storm water runoff and conveyance systems. If the release has impacted on-site storm water, it is critical to contain the released materials on-site and prevent their release into receiving waters. If a spill of pollutants threatens storm water or surface water at the site, the spill response procedures outlined below must be implemented in a timely manner to prevent the release of pollutants.

- The Contractor's site superintendent will be notified immediately when a spill or the threat of a spill is observed. The superintendent will assess the situation and determine the appropriate response.
- If spills represent an imminent threat of escaping erosion and sediment controls and entering receiving waters, personnel will be directed to respond immediately to contain the release and notify the superintendent after the situation has been stabilized.
- Spill kits containing appropriate materials and equipment for spill response and cleanup will be maintained by the Contractor at the site.
- If oil sheen is observed on surface water (e.g. settling ponds, detention ponds, swales), action will be taken immediately to remove the material causing the sheen. The Contractor will use appropriate materials to contain and absorb the spill. The source of the oil sheen will also be identified and removed or repaired as necessary to prevent further releases.
- If a spill occurs the superintendent or the superintendent's designee will be responsible for completing the spill reporting form and for reporting the spill to SD DENR.
- Personnel with primary responsibility for spill response and clean-up will receive training by the Contractor's site superintendent or designee. The training must include

#### **MAINTENANCE AND INSPECTION (4.2 3. and 4.2 4.)**

# > Maintenance and Inspection Practices

- Inspections will be conducted at least one time per week and after
- a storm event of 0.50 inches or greate
- All controls will be maintained in good working order. Necessary repairs will be initiated within 24 hours of the site inspection report. Silt fence will be inspected for depth of sediment and for tears in
- order to ensure the fabric is securely attached to the posts and that the posts are well anchored. Sediment buildup will be removed from the silt fence when it reaches 1/3 of the height of the silt
- Sediment basins and traps will be checked. Sediment will be removed when depth reaches approximately 50 percent of the structure's capacity, and at the conclusion of the construction.
- Check dams will be inspected for stability. Sediment will be removed when depth reaches ½ the height of the dam.
- All seeded areas will be checked for bare spots, washouts, and vigorous growth free of significant weed infestations.
- Inspection and maintenance reports will be prepared on form DOT 298 for each site inspection, this form will also be used to document changes to the SWPPP. A copy of the completed inspection form will be filed with the SWPPP documents.
- The SDDOT Project Engineer and Contractor's Erosion Control Supervisor are responsible for inspections. Maintenance, repair activities are the responsibility of the Contractor. The SDDOT Project Engineer will complete the inspection and maintenance reports and distribute copies per the distribution instructions on

#### **NON-STORM WATER DISCHARGES (3.0)**

The following non-storm water discharges are anticipated during the course

- of this project (check all that apply). Discharges from water line flushing.
- > 

  Pavement wash-water, where no spills or leaks of toxic or hazardous materials have occurred.
- Uncontaminated ground water associated with dewatering activities.

#### **MATERIALS INVENTORY (4.2. 2.c.(2))**

"SPILL PREVENTION" (check all that apply).

The following materials or substances are expected to be present on the site during the construction period. These materials will be handled as noted under the headings "EROSION AND SEDIMENT CONTROLS" and

- ➤ □Detergents
- ➤ □Paints
- ➤ ☐Bituminous Materials ➤ □Petroleum Based Products
- ➤ □Cleaning Solvents ➤ □Wood
- ➤ □Chemical Fertilizers
- ➤ □Other:

## identifying the location of the spill kits and other spill response equipment and the use of spill response materials. Spill response equipment will be inspected and maintained as

necessary to replace any materials used in spill response

#### activities. SPILL NOTIFICATION

or safetv.

The discharge exceeds 25 gallons.

The discharge causes a sheen on surface water.

In the event of a spill, the Contractor's site superintendent will make the appropriate notification(s), consistent with the following procedures

- > A release or spill of a regulated substance (includes petroleum and petroleum products) must be reported to DENR immediately if any one of the following conditions exists:
  - The discharge threatens or is in a position to threaten the
  - waters of the state (surface water or ground water). The discharge causes an immediate danger to human health
  - The discharge of any substance that exceeds the ground water quality standards of ARSD (Administrative Rules of South
  - Dakota) chapter 74:51:01. The discharge of any substance that exceeds the surface water quality standards of ARSD chapter 74:51:01.

The discharge of any substance that harms or threatens to

harm wildlife or aquatic life. The discharge of crude oil in field activities under SDCL (South Dakota Codified Laws) chapter 45-9 is greater than 1 barrel

(42 gallons). To report a release or spill, call DENR at 605-773-3296 during regular office hours (8 a.m. to 5 p.m. Central time). To report the release after hours, on weekends or holidays, call State Radio Communications at 605-773-3231. Reporting the release to DENR does not meet any obligation for reporting to other state, local, or federal agencies. Therefore, the responsible person must also contact local authorities to determine the local reporting requirements for releases. DENR recommends that spills also be reported to the National Response Center at (800) 424-8802.

# CONSTRUCTION CHANGES (4.4)

When changes are made to the construction project that will require alterations in the temporary erosion controls of the site, the Storm Water Pollution Prevention Plan (SWPPP) will be amended to provide appropriate protection to disturbed areas, all storm water structures, and adjacent waters. The SDDOT Project Engineer will modify the SWPPP plan (DOT 298) and drawings to reflect the needed changes. Copies of changes will be routed per DOT 298. Copies of forms and the SWPPP will be retained in a designated place for review over the course of the project.

## **CERTIFICATIONS**

#### > Certification of Compliance with Federal, State, and Local Regulations

The Storm Water Pollution Prevention Plan (SWPPP) for this project reflects the requirements of all local municipal jurisdictions for storm water management and sediment and erosion control as established by ordinance, as well as other state and federal requirements for sediment and erosion control plans, permits, notices or documentation as appropriate.

#### > KTM DESIGN SOLUTIONS, INC.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Signature (See the General Permit, Section 6.9.1.C.)

#### > Prime Contractor

This section is to be executed by the General Contractor after the award of the contract. This section may be executed any time there is a change in the Prime Contractor of the project.

I certify under penalty of law that this document and all attachments will be revised or maintained under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

## **Authorized Signature**

#### **CONTACT INFORMATION**

# > Contractor Information:

- Prime Contractor Name:
- Contractor Contact Name:
- Address

Office Phone:

Cell Phone:

- Address:
- City: Zip:

Field:

- > Erosion Control Supervisor
- Name:
- Address: Address:
- City: Zip:
- Office Phone: Cell Phone:

## SDDOT Project Engineer

- Name: KTM DESIGN SOLUTIONS, INC.
- Business Address: 528 KANSAS CITY STREET, SUITE 1
- Job Office Location: N/A
- City: RAPID CITY, SD State: SD Zip: **57701**

Field: N/A

- Cell Phone: N/A Fax: 605.791.5863 > SD DENR Contact Spill Reporting
- Business Hours Monday-Friday (605) 773-3296 Nights and Weekends (605) 773-3231
- > SD DENR Contact for Hazardous Materials. **(605)** 773-3153

> National Response Center Hotline

**•** (800) 424-8802.

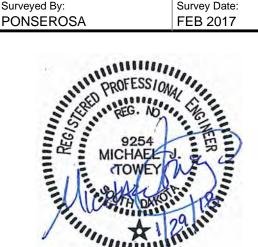
Office Phone: 605.791.5866

- LODGING \* DINING \* GAMING adwood, South Dakoti

2017.10.02 GRADING OPTIONS

2018.01.29 GRADING PLANS

Internal Job No: Designed By: Drawn Bv: 17-0818 MT KM



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City, \$

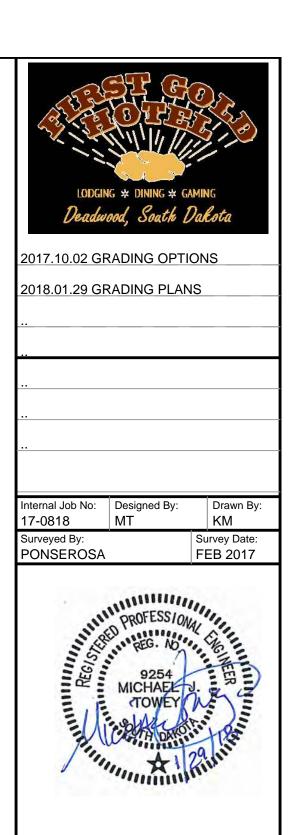
STORM WATER POLLUTION

Sheet Name:

PREVENTION NOTES

EC-1

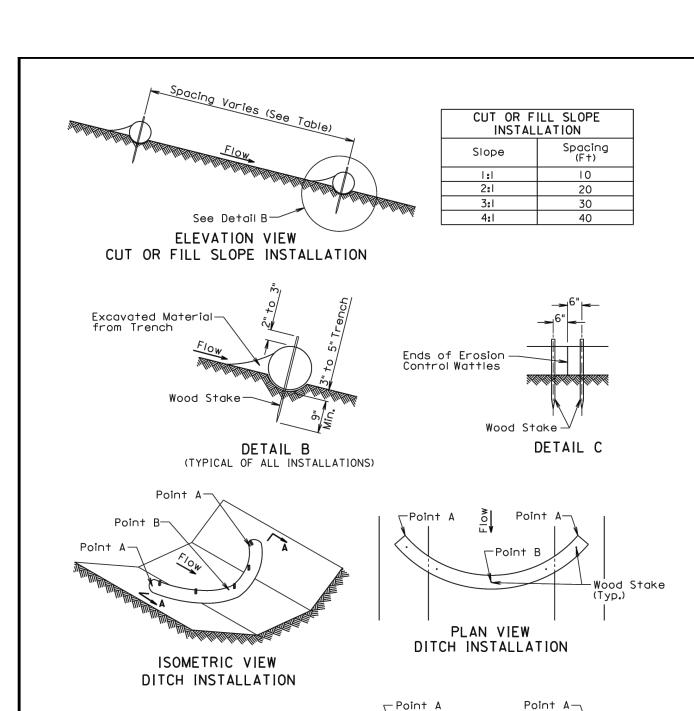




d City, SD 57701 605.791.5863 Slutions.com AND PLANNING AINISTRATION

EROSION CONTROL PLAN

EC-2



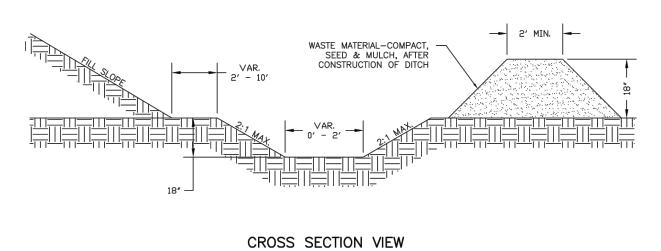
STRAW COMPOST WATTLE NOT TO SCALE

Wood Stake→

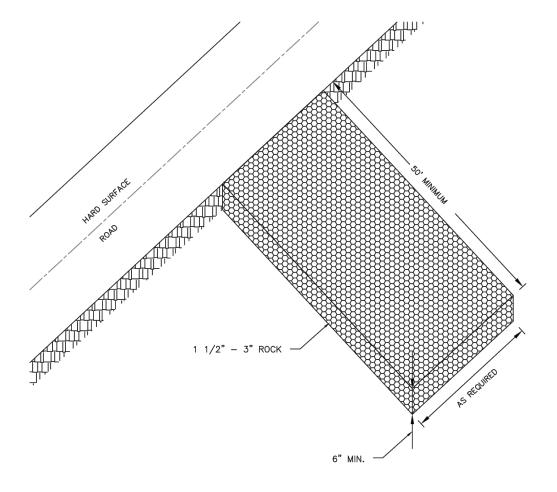
SECTION A-A

DITCH INSTALLATION

Spacing (F†)



TEMPORARY EARTH BERM NOT TO SCALE



VEHICLE TRACKING CONTROL NOT TO SCALE



DESIGN SOLUTIONS, INC.

FIRST GOLD HOTEL ANE GRADING AT BUILDIN

Sheet Name:

EROSION CONTROL
DETAILS

EC-3



Date: February 23, 2018

Case No. H1804

Address: 767 Main Street

#### **Staff Report**

The applicant has submitted an application for a Certificate of Appropriateness for work at 767 Main Street a non-contributing structure located in the Deadwood City Planning Unit in the City of Deadwood.

Applicant:

City of Deadwood

Owner:

Same

Constructed: ca. 1950

# CRITERIA FOR THE ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS

The Historic District Commission shall use the following criteria in granting or denying the Certificate of Appropriateness:

#### General Factors:

- 1. Historic significance of the resource: The Deadwood Pavilion is the former National Guard Armory which has reached 50 years of age or older and while outside the period of significance for the National Historic Landmark District it is significant individually for its relationship with the National Guard and it association with the cold war era.
- 2. Architectural design of the resource and proposed alterations: The applicant requests permission to remove the building, foundations, and entire surfacing of the property at 767 Main Street. Upon removal the City would like to construct a code compliant municipal parking lot. The parking lot will be comprised of approximately 75 parking spaces, landscape areas, fencing on the Main Street and Armory Street sides, a stone veneered concrete wall between the residential property to the southwest and the parking lot, and amenities such as an interpretive panel providing the history of the location, a seating area and a potential trolley stop. The parking surface is planned to be asphalt with concrete curbing and the property is planned to be lit with LED parking lot lights. Utilities will be capped off at the sidewalk on Main Street.

Attachments: Yes

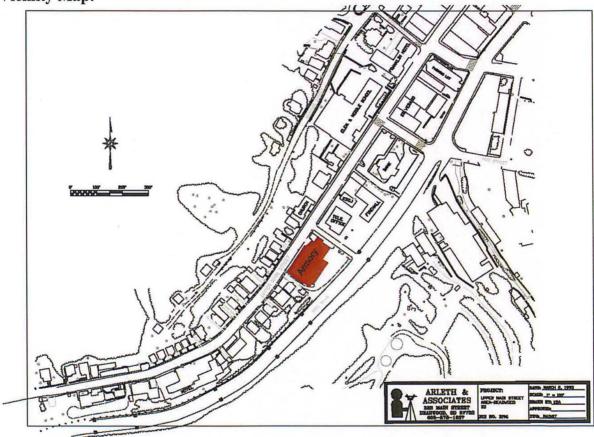
Plans: Yes

Photos: Yes

Historic Listing of Resource: The period of significance of the Deadwood National Historic Landmark is from 1876 to 1936. The period of significance for the Deadwood National Register Historic District, extends from 1875, the beginning date of settlement in Deadwood, to 1939. The date of construction of the Deadwood National Guard Armory (1955) is outside of the period of significance for both the National Historic Landmark District and the National Historic Register District. The Resource was listed as an "Intrusion" to the fabric of the Historic Landmark District in the 1988 Architectural Survey. The resource was not included in the 1993 Architectural Survey; however, the period of significance for both historic designations remains the same.

The Deadwood Historic Preservation Office made a preliminary determination that the Deadwood National Guard Armory <u>may</u> be eligible as an individual listing to the National Register of Historic Places for its association with the South Dakota National Guard and its timing with the United States "Cold War" era approximately eight years ago. This undocumented determination was used to allow the City of Deadwood to utilize historic preservation funds in making repairs and rehabilitation of the structure. At this time, neither the State Historic Preservation Office nor the National Park Service has made an official determination of the eligibility of the resource; therefore, the official listing is a non-contributing structure to all designations of historic districts within Deadwood. In recent informal discussions, the State Historic Preservation Office has indicated they believe it is not eligible for the National Register of Historic Places.

Vicinity Map:

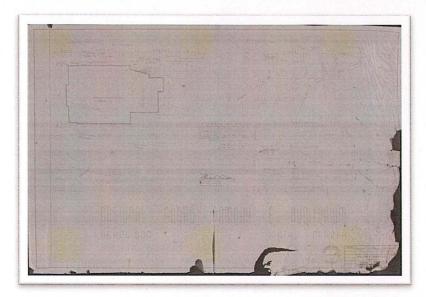


#### **Neighborhood Context:**

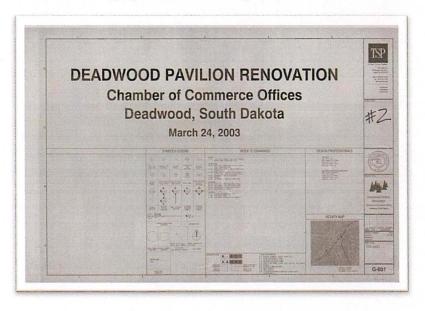
The Deadwood Pavilion is located in the Deadwood City Planning Unit of the National Historic Landmark District. This particular structure within the planning unit could be viewed as a transition between traditional commercial/commercial highway architecture and residential scale housing while acknowledging there are a few additional commercial scaled structures beyond this site (i.e. Gold Country Inn, Neighborhood Housing and Penny Hotel).

#### **Architectural Plans:**

The Deadwood Historic Preservation Office has the original 1955 architectural drawings for the structure developed by Architect Walter J. Dixon of Mitchell, South Dakota for the National Guard Armory & Auditorium. These plans contain 16 pages and are available in both hard copy and in a pdf format for use in exploring the options available for the future use of the armory or its site. (See cover page below of 1955 plans)



In addition to the original drawings by Dixon, the Deadwood Historic Preservation Office also has the complete set of architectural plans developed by TSP Three, Inc. in Rapid City, South Dakota for Deadwood Pavilion Renovation for Chamber of Commerce Offices in 2003. These plans consist of 14 pages and are also available in both hard copy and in a pdf format for use in exploring the options available for the future use of the armory or its site. (See cover page below of 2003 plans)

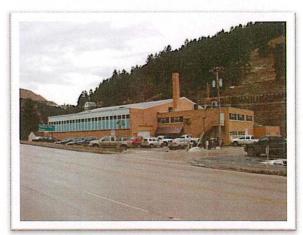


**Staff Opinion:** Based on the fact the structure is outside the period of significance of Deadwood's Historic Districts, it is staff's opinion the proposed work and changes do not encroach upon, damage or destroy a historic resource or have an adverse

effect on the character of the building or the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District.







#### Motions available for commission action:

Based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness.

Based upon the guidance found in DCO 17.68.050, I find that the exterior alteration proposed is incongruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to deny Certification of Appropriateness.

OFFICE OF PLANNING, ZONING AND HISTORIC PRESERVATION 108 Sherman Street Telephone (605) 578-2082 Fax (605) 578-2084



FOR OFFICE USE ONLY Case No. #1804 ☐ Project Approval ☑ Certificate of Appropriateness Date Received 2120 18 Date of Hearing 2 128/18

# City of Deadwood Application for **Project Approval OR Certificate of Appropriateness**

The Deadwood Historic Preservation Commission reviews all applications. Approval is issued for proposed work in keeping with City of Deadwood Ordinances & Guidelines, South Dakota State Administrative Rules and the Secretary of the Interior's Standards for Rehabilitation.

This application must be typed or printed in ink and submitted to:

City of Deadwood Deadwood Historic Preservation Office 108 Sherman Street Deadwood, SD 57732

FOR INFORMATION REGARDIN	NG THIS FORM, CALL 605-578-2082						
PROPER	TY INFORMATION						
Property Address: 767 Main Street							
Historic Name of Property (if known): Deadwood Natio	onal Guard Armory						
APPLICANT	INFORMATION						
Applicant is: ☑ owner ☐ contractor ☐ architect ☐ cons	sultant  other						
Owner's Name: City of Deadwood	Architect's Name: Leah Berg						
Address: 102 Sherman Street	Address: 324 Saint Joseph Street Suite 200  City: State: SD Zip: 57701						
City: Deadwood State: SD Zip: 57732							
Telephone: 578-2082 Fax: 578-2084	Telephone: 545-1120 Fax: 716-1144						
E-mail: bobjr@cityofdeadwood.com	E-mail: lberg@proacesinc.com						
Contractor's Name: TBD	Agent's Name:						
Address:	Address:						
City:State:Zip:	City: State: Zip:						
Telephone: Fax:	Telephone: Fax:						
E-mail:	E-mail:						
TYPE OF IN	MPROVEMENT						
☐ Alteration (change to exterior)	<u> </u>						
☐ New Construction ☐ New Building ☐ General Maintenance ☐ Re-Roofing							
□ Siding	☐ Windows						
Other Demo / Parking Lot Awning Sign Fencing							

FOR OFFICE USE O	NLY
Case No	

	ACTIVITY: (CHECK AS APPLICABLE)						
Proj	ect Start Date: 04/0	1/2	018 Pro	ject Completion	Date	e (anticipated): 06/01/2018	
	ALTERATION		Front $\square$	Side(s)		Rear	
	ADDITION		Front	Side(s)		Rear	
<b></b>	NEW CONSTRUCTIO	N	☐ Resident	ial		Other Parking Lot	
	ROOF		New 🔲	Re-roofing			
			Front $\square$	Side(s)		Rear	
	GARAGE		New 🗆	Rehabilitation			
			Front	Side(s)		Rear	
	FENCE/GATE		New 🗆	Replacement			
			Front	Side(s)		Rear	
	Material		Style/t	уре		Dimensions	
	WINDOWS		STORM WINDOW	□ DO0	RS	☐ STORM DOORS	
			Restoration	Replacement		New	
			Front	Side(s)		Rear	
	Material		Style/t	уре			
	SIGN/AWNING		New 🔲	Restoration		Replacement	
	Material		Style/t	уре		Dimensions	
Ø	☑ OTHER – Describe in detail below or use attachments						

#### **DESCRIPTION OF ACTIVITY**

Describe, as specifically as possible, the above activity (use attachments if necessary including type of materials to be used) and submit as applicable. Descriptive materials such as photos and drawings are necessary to illustrate the work and to help the commissioners and staff evaluate the proposed changes. A request for approval of a window replacement, for example, should be accompanied by measurements of the existing window, a picture of the existing window, and a picture or catalogue sheet with manufacturer information for the new window. Similar information should be supplied for each element of the proposed work along with general drawings and/or photographs as appropriate.

Failure to supply adequate documentation could result in delays in processing and denial of the request.

Page 2 of 3

#### **Description of Activity**

The City of Deadwood would like to remove the building, foundations, and entire surfacing of the property at 767 Main Street. Upon removal the City would like to construct a code compliant municipal parking lot. The parking lot will be comprised of approximately 75 parking spaces, landscape areas, fencing on the Main Street and Armory Street sides, a stone veneered concrete wall between the residential property to the southwest and the parking lot, and amenities such as an interpretive panel providing the history of the location, a seating area and a potential trolley stop. The parking surface is planned to be asphalt with concrete curbing and the property is planned to be lit with LED parking lot lights. Utilities such as water and sewer will be capped off at the sidewalk on Main Street. Attached you will find a complete set of plans for your review.

FOR OFFICE USE	ONLY
Case No	

#### **SIGNATURES**

I HEREBY CERTIFY I understand this application will not be accepted and processed until all the requested information has been supplied. I realize drawings and measurements must be exact and if errors result in a violation of the Commission's approval, then appropriate changes will have to be made. I also understand this application may require a site visit / additional research by staff and a PUBLIC HEARING by the DEADWOOD HISTORIC PRESERVATION COMMISSION.

I understand this application is for a Certificate of Appropriateness or Project Approval only and that a building permit is required for any uses associated with this location prior to any constructions, alterations, etc. All statements are true to the best of my knowledge and belief.

I understand approval is issued for proposed work in keeping with City of Deadwood Ordinances, South Dakota State Administrative Rules and the Secretary of the Interior's Standards for Rehabilitation and copies are available for my review.

SIGNATURE OF OWNER(S)	DATE DATE	SIGNATURE OF AGENT(S)	DATE
SIGNATURE OF OWNER(S)	DATE	SIGNATURE OF AGENT(S)	DATE
SIGNATURE OF OWNER(S)	DATE	SIGNATURE OF AGENT(S)	DATE

#### APPLICATION DEADLINE

This form and all supporting documentation **MUST** arrive by 5:00 p.m. on the 1<sup>st</sup> or 3<sup>rd</sup> Wednesday of every month to be considered at the next Historic Preservation Commission Meeting. The meeting schedule and filing deadlines are on file with the Historic Preservation Office. Any information not provided to staff in advance of the meeting will not be considered by the Commission during their deliberation. Please call if you have any questions and staff will assist you.

Please use the attached criteria checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information. All submitted materials will be retained by the Historic Preservation Office. Do not submit your only copy of any piece of documentation.

The City of Deadwood Historic Preservation Office has numerous resources available for your assistance upon request.

Page 3 of 3 Updated July 6, 2015

# Criteria Checklist for Project Approval OR Certificate of Appropriateness

#### SUBMITTAL CRITERIA CHECKLIST

The documentation listed below will assist in the submission of the application. **Not all information listed below is** required for each project. In order to save time and effort, please consult with the Historic Preservation Office prior to completing your application.

prior to	completing your application.
ALL WO	RK:
	Photograph of house and existing conditions from all relevant sides.
RENOVA	ATIONS AND ADDITIONS:
	Elevation and plan drawings to scale indicating proposed alterations or additions, clearly indicating the existing building and what is proposed and including the relationship to adjacent structures. Make sure to include door and window design if altered. Manufacturer's catalog data may be used, if applicable.
	Exterior material description.
	Site plan showing dimensions of lot and location of existing building(s) or structure(s) on lot, location of additions, dimensions of existing structure and additions. (Show use of addition and location of windows and doors if applicable.)
	Photograph of existing conditions from all elevations.
	Color samples and placement on the structure.
	Historic photographs should accompany any request to return a structure to an earlier historic appearance. (Please note our archives may be of great assistance)
MATER	IAL CHANGES:
	Written description of area involved.
	Color photographs or slides of areas involved and surrounding structures if applicable.
	Sample or photo of materials involved.
PAINTIN	NG, SIDING:
	Color photographs of all areas involved and surrounding structures if applicable.
	Samples of colors and/or materials to be used.
	Dimensioned elevation and section to scale, showing design of fence, material, and height in relationship to adjacent structures.
NEW CO	ONSTRUCTION:
_	Elevation drawings to scale showing all sides and dimensions. Elevation drawings to scale showing relationship to structures immediately adjacent.
	Photograph of proposed site and adjacent buildings on adjoining properties.  Site plan including building footprint and location of off-street parking showing setbacks. Include number
	of spaces, surface material, screening and all other information required under Parking Areas.  Material list including door and window styles, colors and texture samples.  Scale model indicating significant detail. (This may be required for major construction. Please consult
п	Historic Preservation Commission staff.)

