

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, October 8, 2014 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of Minutes
 - a. Approval of Minutes from September 24, 2014
3. Voucher Approval
4. Old or General Business
 - a. Request for Off Season Deadwood Alive Programming
 - b. South Dakota Main Street Summit Meeting in Rapid City - SHPO
 - c. Chapter 17.68 – Ordinance update and recommendation to City Commission
 - d. PA – Case #14057 – 2 Freemont St – Demolition – Jeff Snedeker
 - e. GRAPE Recommendation - St. John's Episcopal Church project
5. New Matters before the Deadwood Historic District Commission
 - a. CoA – Case #14063 – Across from 555 Main St – Alter foundation/Retaining Wall – Donnie Patton
6. New Matters before the Deadwood Historic Preservation Commission
 - a. PA – Case # 14064 – 19 Centennial Ave – Siding – Greg Vecchi
7. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - b. Revolving loan Program/Disbursements
 - Pete Kirchhevel – 316 Williams
 - John Hopkins – 308 Williams
 - Estate of Mary Ellen Casey – 61 Forest
 - Pineview – 21 Lee Street
 - c. Retaining Wall Program / Disbursements
8. Items from Citizens not on agenda (*Items considered but no action will be taken at this time.*)
9. Staff Report (*Items considered but no action will be taken at this time.*)
10. Committee Reports (*Items will be considered but no action will be taken at this time.*)
11. Other Business
12. Adjournment

All Applications **MUST arrive at the City of Deadwood Historic Preservation Office by 5:00 p.m. MST on the 1st or 3^d Wednesday of every month in order to be considered at the next Historic Preservation Commission Meeting.*

DEADWOOD HISTORIC PRESERVATION COMMISSION

Wednesday, September 24, 2014 ~ 5:00 p.m.

City Hall, 108 Sherman Street, Deadwood, South Dakota

1. Call meeting to Order
2. Approval of Minutes
 - a. Approval of Minutes from September 10, 2014
3. Voucher Approval
4. Old or General Business
 - a. Mary Kopco – DHI Update
 - b. SHSHS Budget review and recommendations
 - c. Chapter 17.68 – Ordinance update and recommendation to City Commission
 - d. Gold Mountain Mine Project recognition
 - e. GRAPE Recommendations
 - i. St. Johns Episcopal Church project
 - ii. Masonic Temple Sign & Historic Interpretive Panel
 - iii. Wall of Fame Recommendations
 - f. PA – Case #14056 – 270 Lower Main St – Covered Parking Area – Mike Gustafson/First Gold
 - g. PA – Case #14057 – 2 Freemont St – Demolition – Jeff Snedeker
5. New Matters before the Deadwood Historic District Commission
 - a. CoA – Case # 14061 – 688 Main Street – Smoking Lounge – Jeff Lamont/Gold Dust
6. New Matters before the Deadwood Historic Preservation Commission
 - a. PA – Case # 14061 – 60 Terrace Street – Deck/walkway off garage – Gerald Pokorney
7. Revolving Loan Fund/Retaining Wall Program Update
 - a. Retaining Wall Applications
 - b. Revolving loan Program/Disbursements
 - i. Floyd Miller – 7 Emery
 - ii. Gregory Vecchi – 19 Centennial
 - c. Retaining Wall Program / Disbursements
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.*)
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**CITY OF DEADWOOD
HISTORIC PRESERVATION COMMISSION**

Wednesday, September 24, 2014

Present Historic Preservation Commission: Chair Laura Floyd, Michael Johnson, Lynn Namminga, Lyman Toews, Thomas Blair and Chuck Williams were present.

Absent: None

Mr. Kevin Kuchenbecker, Historic Preservation Officer; Ms. Terri Williams, City Attorney; Ms. Joy McCracken, Executive Director of NeighborWorks-Dakota Home Services; and Mr. Mike Walker, Executive Director of NeighborWorks-Dakota Home Services were all present.

Present City Commission members: Georgeann Silvernail and Dave Ruth Jr were present.

All motions passed unanimously unless otherwise stated.

A quorum present, Chair Floyd called the Deadwood Historic Preservation Commission meeting to order Wednesday, September 24, 2014 at 5:00 PM in Deadwood City Hall located at 102 Sherman Street in Deadwood, SD.

Voucher Approval:

Approval of September 10, 2014 HPC Minutes:

It was moved by Mr. Blair and seconded by Mr. Johnson to approve the minutes of Wednesday, September 10, 2014 as presented. Aye – All. Motion carried.

Voucher Approval:

Operating Account

It was moved by Mr. Johnson and seconded by Mr. Blair to approve the HP Operating Account in the amount of \$28,796.99. Aye – All. Motion carried.

Old or General Business:

Mary Kopco – DHI Update

Ms. Mary Kopco, who will be leaving her position as Executive Director of Deadwood History in October, read a letter thanking the Commission for their partnership and continued support toward her efforts on behalf of the Adams Museum, Historic Adams House, Days of '76 Museum, and Homestake Adams Research and Cultural Center. She expressed her gratitude for having the opportunity to work with Deadwood's Historic Preservation Officer, Mr. Kevin Kuchenbecker, and stated her confidence in her replacement, Carolyn Weber. (The letter is attached hereto on Exhibit A and incorporated herein by this reference.)

The Commission thanked Ms. Kopco for her years of service and all her contributions made toward Deadwood these past years.

SHSHS Budget review and recommendations

Mr. Kuchenbecker thanked Commissioners Michael Johnson, Tom Blair, and Chair Laura Floyd as well as City Commissioner Georgeann Silvernail for attending on Deadwood's behalf the South Dakota State Historical Society Board of Trustees meeting held on September 12, 2014 in Pierre. Mr. Kuchenbecker informed the Commission Deadwood's Historic Preservation 2015 Budget was reviewed and approved by the South Dakota State Historical Society Board of Trustees. Within the updated budget packet, he pointed out a correction to the Bond Payment line item which should be \$3.6M instead of \$4.5M changing the overall budget total from \$10.7M to \$9.2M. (The State's 2015 Budget Analysis, 2015 Budget Review, and updated 2015 Budget are attached hereto on Exhibit B and incorporated herein by this reference.)

Mr. Kuchenbecker stated the Board of Trustees seemed pleased with the presentation and activities in which the Historic Preservation Office and Commission are involved. However he noted the State's concerns within the 2014 Budget Analysis referenced on page 2 stating, "*Recent events in the past year, supported by Deadwood's City Council and a majority of the Historic Preservation Commission, to remove and demolish contributing historic structures to make room for more casino parking can be construed as a violation of these Administrative rules.*" Mr. Kuchenbecker

noted, in keeping with the intent and spirit of the Administrative rules, the discussion led into 'how to avoid similar situations in the future' which led into the importance of updating ordinances and strengthening processes.

Mr. Kuchenbecker informed the Commission a Demolition by Neglect & Minimum Maintenance meeting was requested by Mr. Toews to discuss improving policies and procedures. He noted the State would like to see these policies and procedures strengthened as well.

Chair Floyd stated she was glad to have attended the State's Board Meeting. She felt it was an extremely educational process of how the State goes through the budget, what concerns them, and what items peaked their curiosity. Chair Floyd also noted to the Commission how the State spoke very highly of Mr. Kuchenbecker and his efforts as Deadwood's Historic Preservation Officer. She stated it was nice to see how Mr. Kuchenbecker has the respect and support of the State Board.

Mr. Blair stressed most of the State's discussion had underlying concerns regarding the National Park Service's change of Deadwood's 'Satisfactory' status to 'Watch'; he noted there is serious concern for Deadwood's status becoming 'Threatened'. Referencing Roger Brooks' visit and assessment of Deadwood, Mr. Blair reiterated how Historic Preservation is very important and how it sets Deadwood apart from other tourist and casino destination across the United States.

Mr. Johnson asked Mr. Kuchenbecker to explain where the Status comes from and how it works.

Mr. Kuchenbecker explained the National Park Service surveys and monitors all the National Historic Landmarks. He informed the Commission when he started working for the City eight years ago, Deadwood was on 'Watch', but Deadwood was able to move back to 'Satisfactory'; however recently the National Park Service moved Deadwood back to 'Watch' with the threat of being moved to 'Threatened'. The National Park Service independently with advice and council from the State make this determination. Mr. Kuchenbecker stated neither he nor the City, has received any formal notification Deadwood has been moved to 'Watch' status, however it was stated at the State's Board meeting that Deadwood had. He informed the Commission the City had received a letter from the National Park Service addressed to the Mayor and City Commission noting their concerns regarding recent actions. But he noted the letter did not officially state Deadwood's status was changed to 'Watch'.

Chair Floyd validated Mr. Kuchenbecker's comment stating the State gave verbal confirmation of Deadwood's 'Watch' status change by the National Park Service at the board meeting.

Mr. Johnson asked Mr. Kuchenbecker to explain how the National Park Service determines what justifies or causes the changing of a status.

Mr. Kuchenbecker explained to the Commission the loss of historic resources is a large part of causing a National Landmark District status to change. He continued to state whether it is moving a resource, demolition of a historic resource and adverse effects to a historic resource all play a part in the National Park Service changing a status.

City Commissioner Silvernail informed the Commission neither she nor any of the other City Commissioners had received a copy of the letter received from the National Park Service. She continued stating none of the City Commissioners were aware of this letter up until a month ago.

Mrs. Storhaug, Historic Preservation and Zoning Administrative Assistant, confirmed the receipt of the National Park Service letter that was opened and placed on the Mayor's desk.

City Commissioner Silvernail stated the Commissioners did not receive a copy.

Mr. Toews asked for clarification regarding the change in the overall budget total from \$10.7M to \$9.2M amount. He asked if the difference would actually reduce the amount of funding pulled out of reserves.

Mr. Kuchenbecker confirmed that was correct.

Mr. Williams asked how much money is given to the State.

Mr. Kuchenbecker informed the Commission out of the \$9.2M, the State Historical Society receives \$53,500.00; \$250,000.00 is distributed through the Outside of Deadwood Grants; and approximately \$10,000 of Advocacy funding goes to support conferences outside of Deadwood.

Mr. Williams asked which line item the Architect and Engineering costs come out.

Mr. Kuchenbecker stated most funding comes from the budgeted project funds listed under Capital Assets or CIP Funding of \$1.5M.

Mr. Williams asked if we outsource for everything.

Mr. Kuchenbecker stated the process typically starts with a Request for Proposals (RFP) which isn't limited to Deadwood.

Mr. Williams stated maybe it should be limited to Deadwood. He noted local businesses at one time submitted RFPs, but they don't any more. He stressed how Lawrence County tries to stay within the County for RFPs and Deadwood should try to do so as well to help support local entrepreneurs.

Chair Floyd agreed with Mr. Williams. But she noted, if local businesses wanted to do work for the City of Deadwood and submit their RFP, it is their responsibility to do so.

Chapter 17.68 – Ordinance update and recommendation to City Commission

Mr. Kuchenbecker reviewed Chapter 17.68 noting the previous changes discussed at the HPC meeting in May need to be made. (The Ordinance is attached hereto on Exhibit C and incorporated herein by this reference.)

Ms. Williams, City Attorney, stated she had not had time to review Ordinance prior to meeting, but asked her previous comments are reflected in the minutes.

Mr. Blair asked clarification on how to read the accepted and rejected corrections.

Mr. Kuchenbecker noted these changes were proposed by staff following review. He explained the colored text is added verbiage and the colored strikethrough text is existing ordinance recommended to be removed.

Mr. Blair asked Ms. Williams what the Commission is limited to enforcing within the ordinance.

Ms. Williams stated "Yes" as Deadwood is not a "home rule" City and is not able to go beyond the boundaries of what is allowed by South Dakota law. She noted the neither the Historic Preservation Commission nor the City Commission has the right to go beyond South Dakota law.

Mr. Blair asked hypothetically if the Commission could suspend a liquor license.

Ms. Williams stated she could not answer that as she doesn't know how the statute reads.

Chair Floyd stated after review of this ordinance requested to continue discussion at next meeting on October 8, 2014.

Mr. Toews recommended the following minor changes and comments:

Page 6 Section D of **17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.**

9. An applicant for demolition must receive a certificate of appropriateness or project approval ~~for demolition~~ before receiving a demolition permit issued by Deadwood Historic Preservation Officer and Building Inspector, which must ...

Page 7 Section D of **17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.**

11. ...required the preserv~~ation~~ or salvage...
12. ...SDCL 1-19A 11.1 shall be considered prior to the issuance of a demolition permit by Building Inspector and Deadwood Historic Preservation Officer.

Page 8 Section H of **17.68.060 Procedures for issuance of certificates of appropriateness or project approvals.**

- H. The project under ~~with~~ the certificate of appropriateness...

It was moved by Chair Floyd and seconded by Mr. Blair, to continue review of Chapter 17.68 Ordinance until the next Historic Preservation Commission's meeting scheduled for October 8, 2014. Aye - All. Motion carried.

Gold Mountain Mine Project recognition

Mr. Kuchenbecker passed a plaque around which was presented to Chair Floyd and himself on behalf of Deadwood's Historic Preservation Commission at the Grand Opening of the Gold Mountain Mine held on September 16, 2014. He noted the Deadwood Historic Preservation Commission was recognized by the Black Hills Trust for Historic Preservation for their grant funding which assisted in the restoration of the Gold Mountain Mine Project.

Chair Floyd was impressed with how the Trust worked with the Black Hills National Forest to take a condemned structure ready for demolition and, through dedicated efforts from intricate parties, rehabilitated it into a lovely, educational interpretive site.

GRAPE Recommendations

Due to his affiliation with St. John's Episcopal Church, Mr. Johnson recused himself.

On September 23, 2014, the Deadwood Historic Preservation Commission's Grants Recognition Advocacy & Public Education (G.R.A.P.E.) Committee met and discussed an application that did not qualify within the Not-For-Profit grant's Allowable Activities funding guidelines. Mr. Kuchenbecker presented the G.R.A.P.E. Committee's recommendation to approval amending the NOT-FOR PROFIT grant's application noting the "ALLOWABLE ACTIVITIES" options to include "INTERPRETATION" to the list of eligible activities. He stated in doing so this would allow the grant funds to help provide an opportunity to educate and interpret the history of the facilities and activities that have contributed to the history of Deadwood. ***It was moved by Mr. Toews and seconded by Mr. Blair to recommend to the City Commission to approve amending the Not-For-Profit Grant application guidelines to include "INTERPRETATION" to the list of eligible activities as presented. Aye – All. Motion carried.***

(The list of G.R.A.P.E. recommendations is attached hereto on Exhibit D and incorporated herein by this reference.)

Mr. Kuchenbecker presented the G.R.A.P.E. Committee's recommendation to approve a Not-for-Profit Grant request from the Masonic Center Association for the creation of six double-sided interpretive banners, two interpretive shadow boxes and a new sign for the Masonic Temple in the amount of \$9,750.00. ***It was moved by Mr. Toews and seconded by Mr. Blair to recommend to the City Commission to approve Masonic Center Association application for the 2014 Not-For-Profit Grant Program as presented. Aye – All. Motion carried.***

Mr. Kuchenbecker presented the G.R.A.P.E. Committee's recommendation to approval a Not-for-Profit Grant request from the St. John's Episcopal Church to help offset costs to fully restore their historic 1904 Steere pipe organ in the amount of \$56,683.00. ***It was moved by Mr. Toews and seconded by Mr. Blair to continue approval of St. John's Episcopal Church application for the 2014 Not-For-Profit Grant Program until available grant amounts can be verified. Aye – All. Motion carried.***

Mr. Johnson rejoined the meeting.

Mr. Kuchenbecker presented the G.R.A.P.E. Committee's recommendation to induct both Willis Carlton Spindler and Lars Peter Shostrom into the 2014 Wall of Fame. ***It was moved by Mr. Toews and seconded by Mr. Johnson to recommend to the City Commission to approve the induction of both Willis Carlton Spindler and Lars Peter Shostrom into the 2014 Wall of Fame as presented. Aye – All. Motion carried.***

PA – Case #14056 – 270 Lower Main St – Covered Parking Area – Mike Gustafson/First Gold

Mr. Kuchenbecker informed the Commission the applicant requests permission to construct a rustic looking covered parking Structure. This structure will have a shed roof with columns made from old steel beams salvaged from Homestake. Roof and facing steel will be cold rolled steel with rustic finish to accent beam columns. Total height of the structure is just over 30 feet at 270 Main Street as submitted. (The application is attached hereto on Exhibit E and incorporated herein by this reference.)

Mr. Kuchenbecker informed the Commission the new structure proposed, while obviously differentiated from the old or historic structures, is not compatible with the massing, size, scale, as well as architectural features associated with the historic integrity of the historic districts and its environment. He stated at more than 30 feet tall and 220 feet in length, this proposed structure is larger than most historic resources in the district thus the scale, size and massing of the proposed parking cover. He also noted the proposed open faced structure is not traditionally found within the district; therefore it is not compatible with the architectural features of the district.

Mr. Kuchenbecker pointed out to the Commission the original plan submitted by the applicant and approved by the Deadwood Historic Preservation Commission on October 16, 2013 allowed for small excavation of the hillside to improve the flow within the existing parking area. He noted the applicant presented documentation (attached to Staff Report) to cut back into the hillside 19 feet with a 22 foot scar up the hillside. He informed the Commission the applicant was approved for a four foot retaining wall with a 8 foot tall fence on top of the concrete wall; this portion of the approval was not completed and the cut appears much larger than originally approved. He also pointed out the cut was to be landscaped with native plants and trees to mitigate the loss of the natural hillside of the district.

Mr. Kuchenbecker informed the Commission it is staff's opinion; the proposed work does encroach upon and damage the historic districts as well as have an adverse effect on the historic character of the State and National Register Historic Districts and the Deadwood National Historic Landmark District.

Ms. Kim Morris and Steve Shafer spoke on behalf of Mr. Mike Gustafson, owner of First Gold Hotel. She informed the Commission their goal is to construct a structure that is acceptable for the district.

Mr. Shafer added First Gold is willing to work on adjusting the length the frontage as needed. He also pointed out several structures, such as the Rodeo Grandstands and Days of '76 Museum that resemble their proposed structure.

Ms. Morris pointed out both Cadillac Jack's covered structure over their pool as well as Big D's covered structure over their pumps do not look historic and are in the district.

Chair Floyd stated the Commission's concern with the proposed structure is it does not flow with the other First Gold buildings.

Mr. Williams asked if the applicant needs to complete projects previously proposed and approved by the Historic Preservation before they are allowed to move onto this proposed project.

Mr. Kuchenbecker stated he was not sure. He reiterated the importance of the Ordinance change and noted Project Approvals are currently good for twelve months, but it is one item which needs to be address in the ordinance update.

Mr. Williams asked if it is something that can be used in any decision made by the Commission.

With the way the Ordinance currently reads, Ms. Williams cautioned against using the basis of previous promised project to approve or deny a project.

Mr. Williams stated First Gold had gone too far when the terrain was changed and hillside overcut from what was previously approved.

Chair Floyd agreed that instead of the 19 feet it is more like a 22 foot scar. She stressed the Commission's concern First Gold had previously presented one thing, but did another.

Ms. Morris stated the Engineer hired to work the hillside stated that was how the slope had to be for the grade and slippage. She understood it had been approved through the Historic Preservation, Planning and Zoning office.

Mr. Kuchenbecker stated in that discussion it was requested for benches to be added as well as landscaping to avoid erosion to occur. He noted neither have been done.

Ms. Morris stated the project of cutting the hillside was just completed.

Mr. Toews asked what the overall plan was. He noted his concerns with the pictures, plans, and proposed materials did not fit or match the architecture and was not appropriate of First Gold's existing buildings.

Ms. Morris asked what was appropriate.

Mr. Toews stated there could be more architectural features and details presented within the proposed plans to help the Commission visualize what First Gold was proposing. He suggested proposing a structure that blended well with the current buildings.

Ms. Morris argued none of the discussed examples fit the era except the Days of 76 museum and Grand Stands.

Mr. Kuchenbecker stated these buildings compliments the structures around them. He advised First Gold to differentiate the old from the new and make their proposed structure compatible with the architecture of their existing buildings.

Mr. Toews advised Ms. Morris to avoid looking at other facilities and focus on how to make their own buildings stand out; he noted First Gold is the showcase as one enters Deadwood.

Chair Floyd expressed how she liked how First Gold is trying to tie in aspects of Deadwood's history within their facilities.

Mr. Toews advised First Gold to go to their architects and look at various proposals or ideas.

Ms. Morris asked if the Commission like using the steel beams in the structure.

Mr. Toews stated he didn't have any strong feelings toward using the beams, but was more interested in how the structure would appear or blend into with existing structures.

Mr. Blair expressed his concern with the incompleteness of First Gold's original project request and his indecision for the idea of granting approval of another project prior to the completion of the first.

Ms. Morris stated First Gold's vision is to do just that as well as make the structure presentable and acceptable to the Commission. She noted their intent was to complete the one project before starting the next.

Mr. Namminga asked how many cars would be covered by the structure and why First Gold chose to do this project.

Mr. Shafer stated approximately 22 vehicles would be covered by the proposed structure.

Ms. Morris informed the Commission the purpose of these projects is to ascetically bring the facilities together and make area look better.

It was moved by Mr. Namminga and seconded by Chair Floyd that based upon all the evidence presented, this project DOES encroach upon, damage or destroy a historic property included in the national register of historic places or the state register of historic places. Aye - All. Motion carried.

Chair Floyd explained she seconded the motion because she agrees with Mr. Kuchenbecker's opinion the structured proposed is out of scale with surrounding resources and is not appropriate for the historic district.

Mr. Toews clarified Chair Floyd's motion was for what was presented before the Commission, not the idea of the structure.

Chair Floyd confirmed that was correct.

Mr. Kuchenbecker clarified historic property as defined under South Dakota codified law is a historic district also.

It was moved by Mr. Johnson and seconded by Mr. Blair that based upon the Deadwood Codified Ordinances under Chapter 17.68 and the standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A & 1-19B, et seq, the project is ADVERSE to Deadwood and move to DENY the project as presented. Aye - All. Motion carried.

PA – Case #14057 – 2 Fremont St – Demolition – Jeff Snedeker

Mr. Kuchenbecker informed the Commission the applicant requests permission to continue review of his demolition request at 2 Fremont Street. (The application is attached hereto on Exhibit F and incorporated herein by this reference.) ***It was moved by Mr. Blair and seconded by Mr. Johnson, to continue review of Case#14057, 2 Fremont Street until the next Historic Preservation Commission's meeting scheduled for October 8, 2014 with request for additional information of cost estimate for rebuilding structure. Aye - All. Motion carried.***

New Matters before the Deadwood Historic District Commission:

CoA – Case # 14061 – 688 Main Street – Smoking Lounge – Jeff Lamont/Gold Dust

Mr. Kuchenbecker informed the Commission the applicant requests approval to remove side window pane in front entry creating a permanent walk through entry into a 3 sided room to be used as a smoking lounge 688 Main Street as submitted. (The application is attached hereto on Exhibit G and incorporated herein by this reference.)

Mr. Kuchenbecker informed the Commission a property shall be used for its intended historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. He noted the proposed new use of this portion of the storefront of this resource (a smoking room) requires a change to the character of the storefront with an opening into the traditional storefront. Furthermore, a smoking room does not need to have an opening when properly ventilated and can be set up as an independent entity.

Mr. Kuchenbecker informed the Commission the character of a property shall be retained and preserved. He stated the removal of materials or alteration of features and spaces that characterize a property shall be avoided. He noted the proposed change presented alters the features that characterize a traditional storefront within the historic districts and this can be avoided through alternative measures for the creation of a smoking area.

Mr. Kuchenbecker informed the Commission distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved. He noted the traditional storefront can be defined as a distinctive feature of the building and this should be preserved as part of the overall fabric of the historic districts.

Mr. Kuchenbecker stated it is staff's opinion, based upon the standards, the proposed work and changes DOES encroach upon, damage or destroy a historic resource, that being the district, and has an adverse effect on the character of the building which therefore, has an adverse effect on the historic character of the State and National Register Historic Districts or the Deadwood National Historic Landmark District.

Mr. Tony Sieber, Manager of Gold Dust, thanked the Commission on behalf of Lamont Properties for allowing him to present his project request. He noted with the completion of the Pineview construction and renovation of Gold Dust, Lamont Properties has put a substantial amount of money into revamping Main Street. He pointed out the storefront area in question has limited usage and provided an opportunity for the Gold Dust to accommodate their smoking quests by installing a smoking lounge.

Mr. Sieber stated the current smoking area is located under the vestibule area outside with benches and exposes guests going in or out to smoke which is not a very inviting atmosphere. He has spoken with Mr. Kuchenbecker regarding alternate methods in adding a smoking area. Mr. Seiber informed the Commission they have looked at every possible avenue for putting a smoking area and found this dead area of the building to be the most feasible. He stated other businesses have added smoking areas to the outside of their buildings and pointed out Four Aces as one of the closest comparable examples. He informed the Commission to follow rules of adding a smoking area, the plan is to remove the side window, add an air curtain, and tint the windows. Mr. Sieber stated the rules for smoking area with 3 walls. He noted the alternative is to leave window in, tint or shade windows, add ventilation to area and add a door that enters into the casino; this option would allow smoke to enter into the casino which is not an idea that seems adequate for his non-smoking guests.

Mr. Johnson asked clarification on the proposal that an entrance is accessible only from outside, not from inside the casino.

Mr. Sieber confirmed the window would be removed to allow entrance from outside. He stressed his opinion is this area is not considered a storefront as it is a side window located next to the double door entrance and is not on the city sidewalk.

Mr. Williams asked if area would be heated.

Mr. Sieber stated it is not currently heated, but it would be as part of the plan to do so as well as ventilation.

Mr. Blair asked Mr. Kuchenbecker if there was ability to create third set of double doors; doing this would bring the storefront out to the sidewalk.

Mr. Kuchenbecker stated he did not know how suggested idea would work with building codes or with the rules and requirements for installing a smoking area.

Mr. Sieber stated it was a possible alternative, however guests would still pass through a smoke filled area and opening the door would allow smoke into the casino. He stated it would also change the storefront even more than his proposed plan. He informed the Commission the idea of placing the air curtain where the window is removed would block the smoke for the most part.

Mr. Kuchenbecker stated the window is considered part of the overall storefront.

Mr. Toews stated his biggest concern was seeing smokers inside as you pass, but Mr. Sieber had addressed it with the tinted or shaded windows.

Chair Floyd asked about the options of adding smoking area behind building.

Mr. Sieber stated it is not an option as there is no public access to the back of the building.

Mr. Namminga asked if approved, could an acceptance be stated in motion instructing Gold Dust to put storefront back to the original state.

Mr. Kuchenbecker stated it would be hard to enforce and if property was sold, there is no guarantee such request could be enforced.

Mr. Johnson asked if liquor would be served in smoking area.

Mr. Sieber stated liquor would possibly be served during special events.

Mr. Blair asked Mr. Kuchenbecker to explain why he thinks the proposed plan encroaches on historic district.

Mr. Kuchenbecker stated though this property is non-contributing, it is part of the fabric of the local district. He stated it is whether or not the proposed plan is compatible with the historical architectural aspects of the district. He reminded Commission the traditional storefronts did not have this proposed opening in them. Mr. Kuchenbecker stated this is why he feels the proposed plan is not compatible or congruous with the historical and architectural aspects of the district. He noted this area was traditionally used for merchandising and can still be used for merchandising. He informed the Commission storefront were also traditionally transparent to allow individuals to view into building, not covered or tinted as proposed.

Mr. Namminga asked clarifications as to why it needs to be open to the outside.

Mr. Sieber explained it is part of the rules and regulations for adding a smoking area. He noted they were trying to make the renovation as simple as possible.

Chair Floyd stated she understands the request and idea for the smoking area; however her concern is for keeping it compatible and consistent with the district.

Mr. Sieber asked how different his plan is from the three sided area created by Four Aces.

Mr. Williams asked what the Commission had done in the past with similar requests.

Mr. Kuchenbecker stated this was the first request for add a smoking lounge that would significantly alter the storefront. He noted the Four Aces was a new constructed arch entrance where glass was put in to create three half walls to block wind for guests.

Mr. Namminga asked if just the glass could be removed however leave in the window frame. He noted it would not drastically change the storefront and a door to the inside could be added.

Based upon the guidance found in DCO 17.68.050, it was moved by Mr. Toews and seconded by Mr. Williams this project is congruous with the historical, architectural, archaeological or cultural aspects of the district and MOVE to grant Certification of Appropriateness as submitted for 688 Main Street.

Mr. Namminga asked for clarification on the motion. He noted his concern for making a motion which could threaten Deadwood's status.

Mr. Toews agreed with Mr. Namminga's concern.

Mr. Kuchenbecker stated the National Park Service and State Historical Preservation Office concurs with the Staff Report, however the Commission has the right to make their motion as they see fit.

Chair Floyd reminded the Commission their responsibility is to make a decision based upon the Secretary of Interiors Standards. She noted the Commission's priority is for the historic preservation question rather than the commerce question or how the resource is going to be used.

Mr. Williams asked if we have a way of knowing what was placed in those windows back in the day.

Chair Floyd stated not at this time, however we do know the traditional use of the storefronts.

Mr. Toews stated he is okay with the repurposing of property as long as it keeps the character of building.

Mr. Namminga asked Mr. Kuchenbecker for his opinion.

Mr. Kuchenbecker stated his opinion was presented within his staff report.

Chair Floyd stated the Commission needs to ask themselves if they feel this plan is congruous. She asked if in repurposing whether or not the structure of a property needs to be changed or can it be preserved to serve the same purpose.

Mr. Namminga stated the plan could be reversed.

Chair Floyd stated the change to the window could be reversed, but the question is whether it would be.

With a motion on the floor, Chairman Floyd moved for a Roll Call: Mr. Johnson - Nay; Mr. Toews - Aye; Mr. Blair - Nay; Chair Floyd - Nay; Mr. Williams - Aye; Mr. Namminga - Nay. Vote was 4 to 2. Motion denied.

New Matters before the Deadwood Historic Preservation Commission:

Case # 14062 – 60 Terrace Street – Deck/walkway off garage – Gerald Pokorney

Mr. Kuchenbecker informed the Commission the applicant requests permission to add a 5' x 20' deck and walkway to side of garage approximately 6 feet off ground at 60 Terrace Street as submitted. (The application is attached hereto on Exhibit F and incorporated herein by this reference.) ***Based upon all the evidence presented, it was moved by Mr. Blair and seconded by Mr. Johnson 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 grant project approval for 3 Pearl Street. Aye - All. Motion carried.***

Revolving Loan Fund/Retaining Wall Program Update:

Retaining Wall Applications

No applications were addressed at this meeting.

Revolving Loan Program/Disbursements

It was moved by Mr. Namminga and seconded by Mr. Johnson to approve the HP Revolving Loan Fund disbursement in the amount of \$1,896.84, based on information as presented by Ms. McCracken,

Executive Director of NeighborWorks-Dakota Home Services. Aye - All. Motion carried. Delinquency report was reviewed by Commission. Overview of the Revolving Loan Fund was presented.

Floyd Miller – 7 Emery

It was moved by Mr. Blair and seconded by Mr. Williams to deny the request to forgive the HP Siding Loan for Floyd Miller, 7 Emery, in the amount of \$10,000.00, based on information as presented by Ms. McCracken, Executive Director of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

Gregg Vecchi – 19 Centennial

It was moved by Mr. Blair and seconded by Mr. Johnson to approve the HP Windows Loan for Gregg Vecchi, 19 Centennial, in the amount of \$600, based on information as presented by Ms. McCracken, Executive Director of NeighborWorks-Dakota Home Services. Aye - All. Motion carried.

Retaining Wall Program/Disbursements:

No applications were addressed at this meeting.

Items from Citizens not on Agenda

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

Mr. Kuchenbecker reported on the following items:

- Retaining Wall at 33 Taylor had been done in the past years and currently engineering is going on to address drainage and foundation issues. City has been working with property owner and engineers to identify solution;
- Retaining Walls at 2 Dudley and 91 Forest are still moving forward;
- City Department Heads and Mayor will be heading to Pierre tomorrow, September 25, to advocate in keeping the Hwy 85 Reconstruction moving forward;
- Wayfinding meeting was held today to identify locations of pedestrian and vehicle signage;
- Ribbon cutting is planned for the Martha Bullock Park in the next few weeks;
- Demolition by Neglect meeting is scheduled for next Tuesday, September 30 at 3:30 PM;
- Last Friday there was a City presentation on the Lower Main Street /Visitor Center Master Plan;
- A new Preservation Moment on the firearms went out yesterday and has already 30,000 hits;
- Response was delivered from the Judge with the 4th Judicial Circuit who ruled in favor of the City; Ms. Williams informed the Commission the Judge issued a memorandum decision, however she stated there still needs to be an order which may take some time to receive from the Judge.

Other Business:

- Chair Floyd stated there will be some committees short a Commissioner; however the process is underway to appoint another Commissioner to complete Mr. Derosier's term.

Adjournment:

There being no other business, the Historic Preservation Commission Meeting of September 24, 2014 adjourned at 6:42 PM.

ATTEST:

Laura Floyd

Chairman, Historic Preservation Commission

Kate Storhaug, Historic Preservation Office/ Recording Secretary

Request for Off Season Deadwood Alive Programing

Deadwood Alive is requesting additional HPC funding for off Season funding for Deadwood Alive programing for fall, winter and spring of 2014-2015. We are requesting the same amount as last year, \$3,000.

Deadwood Alive has embraced the recommendations of Roger Brooks (page 64 #18 of his assessment) and are striving to create additional, high quality, historically accurate, free entertainment to enhance the Visitor's experience in Deadwood.

We have attached the schedule for the proposed off season entertainment which will run for 21 weekends, Friday thru Sunday. We will have one of the "Deadwood Legends" performing each weekend, either Wild Bill Hickok or Calamity Jane along with Colorado Charlie, portrayed by our Executive Director, Randy Christensen.

This off season programing will be in addition to the contracted events that Deadwood Alive coordinates with the Deadwood Chamber for groups and conventions. Deadwood Alive will fund the balance of this off season programing, the total cost estimated at \$6,000.

Thank you,
Mike Roman
Deadwood Alive Treasurer

DEADWOOD ALIVE

Fall & Spring

2014/2015

FRIDAY- Travis only

3:00- 3:30 Wild Bill Live!!!

3:30- 4:00 Ambassador

4:00- 4:30 Wild Bill Live!!!

4:30- 6:30 Ambassador

6:30- 7:00 Wild Bill Live!!!

SATURDAY- Randy and Travis

1:00- 1:15 Wild Bill Live!!!- Travis Ambassador- Randy

1:45- 2:30 Colorado Charlie's Walking Tour Ambassador- Travis

3:00- 3:30 Wild Bill Live!!! Ambassador- Randy

4:00- 4:45 Colorado Charlie's Walking Tour Ambassador- Travis

SUNDAY- Randy only

1:00- 1:30 Ambassador on the streets

1:30- 2:15 Colorado Charlie's Walking Tour

3:00- 3:30 The *True* Legends of Old Deadwood- *Marshal D.B. May,*
Colorado Charlie Utter & Col. George May Live!!!

4:00- 4:45 Colorado Charlie's Walking Tour

October 3- May 17 (21 Weeks)

Dec. 15-Mar. 13 WINTER BREAK

18

Activities & entertainment



Cannon Beach, Oregon



Nelson, British Columbia



Greenville, South Carolina

The 18th ingredient of successful downtowns is that they have frequent activities and entertainment to attract people. People want to be in vibrant surroundings - people love to be entertained. Bring downtown to life with street entertainment. Musicians, performers, mimes, magicians, are all great draws for a downtown district.

This street musician is performing in Nelson, BC (bottom left). It's January and it's cold outside!

Musicians in Greenville, SC (bottom right).

This magician is performing on the sidewalk in Cannon Beach, Oregon (top right).



These musicians are performing in Asheville, NC (top left), where you can find various street musicians on nearly every corner. This musician plays the hammered dulcimer (top right), and people will ask him about it, and because they make a connection through their conversation, he makes more money in tips.

Artisans and craftpeople in action also draws crowds. This artisan in Sisters, Oregon (bottom left) is working with leaded glass. People are four times more likely to buy art when they meet the artist.

Start with Fridays, Saturdays and Sundays during the peak season. Make it a place to attract locals from throughout the county, then visitors will follow. Some cities have budgets for street entertainers, typically paying \$35 to each group or person. They make additional funds from tips.

People are attracted to vibrant places, and one way to help make downtown more active is to recruit street performers and artisans.



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

Community Planning & Development Services

300 Sixth Street

August 21, 2014

Dear Downtown Enthusiast,

You are invited to the *South Dakota Main Street Summit Meeting* to be held on October 30 and 31, 2014 in Rapid City. The purpose of the meeting is to discuss the benefits of, and process to form, a statewide Main Street Coordinating Program.

The National Main Street Center (NMSC) is part of the National Trust for Historic Preservation and works with communities nationwide to encourage preservation-based economic revitalization. It has been involved in the renewal of more than 2,000 older business districts since 1980.

Key speakers at the Summit Meeting include Kathy La Plante, Director of Coordinating Program Services for NMSC, and Ted Spencer, Director of the South Dakota State Historic Preservation Office (SD SHPO). Kathy is excited to visit South Dakota and share her expertise about establishing a statewide program. She will give multiple presentations and share examples of innovative projects that communities have implemented including "Investing for Prosperity on Main Street" and "Business Promotions That Work."

The SD SHPO is also very eager to participate. They will present "SD SHPO's Role in Preserving Our Cultural Heritage" and "The Economic Benefits of Historic Preservation in South Dakota." SD SHPO will also lead an interactive façade design exercise. This exercise will illustrate how to transform historic storefronts by applying the Department of Interior Standards for Rehabilitation.

The cost per community is \$300 with an unlimited number of people attending. To help reduce travel expenses for participants, the Historic Hotel Alex Johnson, located one block from the meeting location, will offer the State Rate of \$50 per night plus tax and applicable fees. To make reservations, call 605-342-1210 and mention you are with the South Dakota Main Street Summit Meeting.

This will be a great learning experience for all of us. We hope you can join us for this exciting opportunity. Please contact Suzette Cuny, Membership Coordinator for the Rapid City Downtown Association, by September 1, 2014 to let us know if someone from your community and/or organization will be available to participate. Suzette can be reached by



EQUAL OPPORTUNITY EMPLOYER

ORDINANCE NO. 1211

ORDINANCE AMENDING CHAPTER 17.68 ENTITLED
HISTORIC PRESERVATION

WHEREAS, the Deadwood City Commission has determined it is proper and necessary to modify and amend Chapter 17.68 to preserve and protect Deadwood's Historic Resources, therefore

BE IT ORDAINED Chapter 17.68 of the Deadwood Municipal Code entitled HISTORIC PRESERVATION be amended as follows:

Deadwood, SD Code of Ordinances

Chapter 17.68
HISTORIC PRESERVATION

Sections:

- 17.68.010 Historic overlay zone.
- 17.68.020 Historic preservation commission.
- 17.68.030 Historic district commission.
- 17.68.040 Rules of procedure.
- 17.68.050 Criteria for issuance of certificates of appropriateness or project approvals.
- 17.68.060 Procedures for issuance of certificates of appropriateness and project approvals.
- 17.68.070 Unreasonable economic hardship.
- 17.68.080 Appeals.
- 17.68.090 Minimum maintenance requirements.
- 17.68.100 Demolition by neglect.
- 17.68.110 Public safety exclusion.
- 17.68.120 Enforcement and penalties.
- 17.68.130 Appropriations.
- 17.68.140 Title to property acquired.
- 17.68.150 Project review by state.

17.68.010 Historic overlay zone.

- A. Purpose. An historic overlay zone is established for the purpose of the protection of the historical resources of the city. Any development within such zone shall comply with the provisions of this chapter.
- B. Boundaries. The boundaries of the historic overlay zone are indicated on the zoning map and follow the boundaries of the federally designated Deadwood National Historic Landmark District and its environs.
- C. Planning Units.
 - 1. The historic overlay zone is comprised of a series of planning units, indicated on the zoning map.

The planning units are based on historical development patterns. The historic preservation commission provided for herein, shall initiate a thorough investigation of each planning unit, and may develop design review guidelines specific to each unit. Such guidelines may be consistent with local, state and federal guidelines and regulations, including, but not limited to, building safety and fire codes and the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation;

2. Except in planning unit 4 where a certificate of appropriateness is required, no person shall commence any undertaking or project, as defined in Section 17.08.010 of this title, affecting any building, structure or historic resource without approval of such undertaking or project by the historic preservation commission, except when the commission or its staff has determined that the undertaking or project will not encroach upon, damage or destroy any historic property. Such determination shall be based upon the guidelines adopted by the Deadwood historic preservation and district commission(s);
3. Within planning unit 4, no exterior portion of any building or other structure (including walls, fences, light fixtures, steps and pavement or other appurtenant features) nor above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the historic district commission created by Ordinance No. 777. A certificate of appropriateness shall be required whether or not a building permit is required.

(Ord. 952 (part), 1999; Ord. 900 (part), 1995; Ord. 831 § 7.1, 1992)

17.68.020 Historic preservation commission.

- A. Purpose. By virtue of SDCL 1-19B-2, the city is authorized to establish a historic preservation commission to preserve, promote and develop the historical resources of the city, and to perform such other functions as may be provided by law. Pursuant to Resolution No. 1987-10, such a commission was established. That commission is recognized, and shall consist of its current members until their successors are appointed as provided by this section.
- B. Membership. The Deadwood historic preservation commission shall consist of not less than five (5) nor more than ten (10) members, who shall be appointed by the city commission with due regard to proper representation of such fields as history, architecture, urban planning, archeology, paleontology and law. All members of the historic preservation commission shall reside within the city and shall serve for terms not to exceed three (3) years, being eligible for reappointment.
- C. Powers of the Historic Preservation Commission. In order to preserve, promote and develop the historical resources of the city, the historic preservation commission shall have the following powers:
 1. To employ such qualified staff personnel, as it deems necessary;
 2. To conduct a survey of local historic properties;
 3. To enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee or agent of the commission may enter any private building or structure without the express consent of the owner or occupant thereof except as otherwise provided herein or by applicable law;

4. To participate in the conduct of land-use, urban renewal and other planning processes undertaken by the city;
5. To cooperate with the federal, state and local governments in the pursuance of the objectives of historic preservation;
6. To contract, with the approval of the city, with the state or the federal government, or any agency of either, or with any other organization;
7. To acquire fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, request or donation;
8. To preserve, restore, maintain and operate historic properties under the ownership or control of the commission;
9. To sell, lease and otherwise transfer or dispose of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property;
10. To promote and conduct an educational and interpretive program on historic properties within the city;
11. In addition to any review by the city's planning and zoning commission and/or building official, the historic preservation commission shall review any undertaking, whether publicly or privately funded, which will encroach upon, damage, or destroy any historic property included in the national register of historic places or the state register of historic places; the issuance of a permit is required before any undertaking which will encroach upon, damage, or destroy historic property may proceed; the decision to approve or deny a permit shall be based on the standards for historic preservation, restoration, and rehabilitation projects adopted by rules promulgated pursuant to SDCL 1-19A-29; properties owned by the State of South Dakota are exempt from local review; and, as appropriate, the historic preservation commission shall also consider criteria contained in Section 17.68.050;
12. To recommend ordinances and otherwise provide information for the purposes of historic preservation to the city commission;
13. To investigate and report on the historical, architectural, archeological or cultural significance of any properties proposed to be included in a locally-designated historic district pursuant to SDCL 1-19B-20. (Ord. 1160, 2011: Ord. 952 (part), 1999: Ord. 900 (part), 1995: Ord. 831 § 7.2, 1992)

17.68.030 Historic district commission.

- A. Purpose. By virtue of SDCL 1-19B-38, the city is authorized to establish a locally designated historic district, and a historic district commission. Pursuant to Ordinance No. 777, such a district and commission were established. That district and commission are recognized by this section.
- B. Membership. The historic district commission shall consist of not less than three nor more than seven members appointed by the city commission with due regard to proper representation of fields such as history, architecture, architectural history, urban planning, archaeology, paleontology and law. Where possible, the members shall be selected from residents of the district.

The appointments to membership on the commission shall be so arranged that the term of at least one member will expire each year, and their successors shall be appointed in like manner for

terms of three years.

- C. Powers of the Historic District Commission. In order to preserve, promote and develop the historical resources of the historic district established by Ordinance No. 777, the historic district commission shall have the following powers:

1. To study any proposed amendments to Ordinance No. 777 and report thereon;
2. To adopt rules and regulations;
3. To employ clerical and technical assistants or consultants;
4. To accept gifts of money and expend the same for the performance of their purpose;
5. To issue or deny the issuance of certificates of appropriateness in accordance with Section 17.68.010(C)(3) of this chapter.

(Ord. 831 § 7.3, 1992)

17.68.040 Rules of procedure.

To fulfill the purposes of this chapter:

- A. A majority of the members of the historic preservation or historic district commission must vote in agreement to constitute any valid action of that commission.
- B. Each commission annually shall elect from its membership a chairperson and vice-chairperson. It shall select a secretary from its membership or its staff. If neither the chairperson nor the vice-chairperson attend a particular meeting, the remaining members shall select an acting chairperson from the members in attendance at such meeting.
- C. Each commission shall keep minutes and records of all meetings and proceedings, which shall be a matter of public record.
- D. Each commission shall establish its own regular meeting time, which shall be scheduled at least once every month. The chairperson or any two members may call a special meeting to consider an urgent matter.
- E. Should any voting member of either commission miss three consecutive meetings without adequate excuse, or twenty-five (25) percent of the meetings in any one calendar year, the voting members of that commission shall have the authority to recommend to the city commission that such member be removed from the commission.

(Ord. 900 (part), 1995; Ord. 831 § 7.4, 1992)

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.

1. Architectural design of the resource and proposed alteration;
2. Historical significance of the resource;
3. General appearance of the resource;
4. Condition of the resource;

5. Materials composing 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.

1. In advance of new construction, steps shall be taken by the owner to insure evaluation of possible archaeological resources, as set forth in SDCL 1-20.
2. The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related, including but not limited to: the height, the gross volume, the proportion between width and height of the facade(s), the proportions and relationship between doors and windows, the rhythm of solids to voids created by openings in the facade, the materials, the textures, the colors, the patterns, the trims and the design of the roof.
3. Existing rhythm created by existing building masses and spaces between them shall be preserved.
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.
5. No specific architectural style shall be required.
6. With respect to these new construction criteria, the commission shall also consider the zoning classification and historic integrity of visually related buildings.

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.

D. Demolition.

1. The individual architectural, cultural and/or historical significance of the resource.
2. The importance or contribution of the resource to the architectural character of the district and, where appropriate, the damaging impact of the resource on the architectural character of the district.
3. The importance or contribution of the resource to neighboring property values and, where appropriate, the damaging impact of the resource on neighboring property values.
4. Whether or not the resource is structurally sound, including the owner's efforts to properly

maintain the resource.

5. Whether or not the resource can be rehabilitated on site to provide for any reasonable beneficial use of the property, taking into consideration the various, federal, state and local incentives for such projects.
6. Whether or not it is possible and/or appropriate to move the resource to another site in the historic district(s).
7. Whether or not appropriate measures are proposed to be taken with respect to the potential for the discovery of archaeological resources on the subject property.
8. The difficulty or impossibility of reproducing such a resource because of its texture, design, material or detail.
9. An applicant for demolition must receive a certificate of appropriateness or project approval for demolition before receiving a demolition permit issued by Deadwood Historic Preservation Officer or Building Inspector, which must be received prior to demolition. In order to receive such certificate of appropriateness or project approval, the applicant must submit plans for the property. In planning unit number 4, such plans must include or contemplate new construction, and the applicant shall provide the historic district commission with plans for this purpose which shall include, but shall not be restricted to, project concept, primary elevations, site plans, completed working drawings for at least the foundation plan which will enable the applicant to receive a permit for foundation construction and a construction or project schedule including satisfactory assurances of compliance with such construction or project schedule. Other than in planning unit number 4, such plans do not have to include new construction.
10. In cases of partial demolition affecting an historic resource, the application shall include proof that the partial demolition is required for the renovation, restoration or rehabilitation of the resource and the applicant has mitigated to the greatest extent possible any impacts on the historical and architectural significance of the resource, and any other resources located on the property.
11. Prior to the issuance of a permit for demolition or partial demolition, the commission may require the applicant to provide information about the resource including the date of original construction, significant events and occupants, architectural features and a description of the building through photographs, plans and maps. As a part of this process, the commission may require the applicant to allow the Historic Preservation Officer or that person's appointee on the subject property to provide additional photo documentation of the resource. The city may further require the preservation or salvage of specific architectural elements of the resource.
12. Applicants that have received a certificate of appropriateness or project approval for demolition shall be permitted to receive such demolition permit without additional commission action, provided that such certificate of appropriateness includes approval of construction plans if the demolition is located within planning unit number 4. Permits for demolition and construction shall be issued simultaneously if the requirements of this section are met, and the applicant has provided financial proof of his or her ability to complete the project.
13. When the commission recommends approval of demolition of a resource, a permit shall not be issued until all plans for the site have received approval from all appropriate city boards,

commissions, departments and agencies. Compliance with SDCL 1-19A 11.1 shall be considered prior to the issuance of a demolition permit by Building Inspector and Deadwood Historic Preservation Officer.

(Ord. 952 (part), 1999; Ord. 926 (part), 1997; Ord. 831 § 7.5, 1992)

17.68.060 Procedures for issuance of certificates of appropriateness and project approvals.

- A. Whenever any application for a certificate of appropriateness or project approval is filed with the historic district or historic preservation commission, the commission(s) and/or their staff shall immediately notify the city building official that the application has been filed.

Similarly, whenever the city building official becomes aware that an application has been filed for a permit affecting a property under the jurisdiction of the historic district or historic preservation commission, the city building official shall immediately notify the commission chairperson or vice-chairperson, if the chairperson is unavailable, and/or their staff that such an application has been filed.

- B. The commissions and/or their staff shall have the authority to determine when a filed application is complete and contains all required information. An application deemed incomplete by the commissions shall not be considered to have been filed for the purposes of this chapter. The commissions shall develop and adopt standard application forms and its written guidelines shall specify what information an applicant shall attach to each form.
- C. The chairperson or vice-chairperson of each commission shall establish a regular schedule for the hearings of that commission. At least one hearing shall be scheduled for each month.
- D. The applicant shall, upon request, have the right to a preliminary conference with a member of the commission or of the commission staff for the purpose of learning whether changes or adjustments to the application could make it more consistent with the commission's standards.
- E. At the scheduled hearing, the applicant for a certificate of appropriateness or project approval has the right to present any relevant information pertaining to the application. Likewise, the city, the commission and its staff and members of the public shall have the right to present any additional relevant information pertaining to the application.
- F. The commissions shall have the right to recommend changes and modifications to enable the applicant to meet the requirements of the commission.
- G. The issuance of a certificate of appropriateness or project approval shall not relieve an applicant of the need for a companion building permit, conditional use permit, variance or other authorization from compliance with any other requirement or provision of the laws of the city or the state concerning zoning, construction, repair or demolition. In all such cases, applicants are encouraged to apply first for a certificate of appropriateness or project approval as other city agencies will be advised by the historic preservation or historic district commissions in making their subsequent decisions. No building permit which affects a resource shall be issued by the city building official prior to the issuance of a certificate of appropriateness or project approval by the historic district or historic preservation commission.
- H. The project under the certificates of appropriateness issued by the historic district commission or a project approval issued by the historic preservation commission for the purposes other than the moving or demolition of a resource shall be completed within twelve (12) months after issuance. The applicant may seek an extension for a certificate of appropriateness or project approval prior

to the expiration. The issuance of the extension shall be at the discretion of the applicable commission and the expiration date shall be set at the time of the issuance of the extension. Failure to comply with the approved project shall be deemed in violation of this chapter and subject to applicable measures of law under DCO 17.68.120.

Certificates of appropriateness and project approvals issued by either commission for the moving or demolition of a resource shall expire six (6) months after issuance. The applicant may seek an extension for a certificate of appropriateness or project approval prior to the expiration. The issuance of the extension shall be at the discretion of the applicable commission and the expiration date shall be set at the time of the issuance of the extension.

(Ord. 831 § 7.6, 1992)

17.68.070 Unreasonable economic hardship.

- A. When a claim of unreasonable economic hardship is made due to the effect of this chapter, the owner of record must present evidence sufficient to prove that as a result of the historic district or historic preservation commission's action he or she is unable to obtain a reasonable return or a reasonable beneficial use. The owner of record shall submit by affidavit to the commission for its review information which shall include, but not be limited to, the following:
 - 1. Date the property was acquired by its current owner;
 - 2. Price paid for the property (if acquired by purchase) and the relationship (if any) between the buyer and the seller of the property;
 - 3. Mortgage history of the property, including current mortgage;
 - 4. Current market value of the property;
 - 5. Equity in the property;
 - 6. Past and current income and expense statements for a two-year period;
 - 7. Past capital expenditures during ownership of current owner;
 - 8. Appraisals of the property obtained within the previous two years; and
 - 9. Income and property tax factors affecting the property.
- B. The commission may require that an applicant furnish additional information relevant to its determination of unreasonable economic hardship.
- C. The consideration for economic hardship shall not include willful or negligent acts by the owner or by their agent, purchase of the property for more than the market value, failure to perform normal maintenance and repairs, failure to diligently solicit and retain tenants, or failure to provide normal tenant improvements.
- D. The commission may receive and consider studies and economic analyses from other city agencies and from private organizations relating to the property in question.
- E. Should the commission determine that the owner's present return is not reasonable, it must consider whether there are other uses currently allowed that would provide a reasonable return and whether such a return could be obtained through investment in the property for rehabilitation purposes.
- F. Should the applicant satisfy the commission that he or she would suffer an unreasonable

economic hardship if a certificate of appropriateness or project approval were not issued, such certificate must be approved.

(Ord. 831 § 7.7, 1992)

17.68.080 Appeals.

The applicant who desires to appeal a decision by the historic district or historic preservation commission shall file an appeal with the circuit court of Lawrence County within thirty (30) days after the determination of the issue by the commission in the manner provided by law.

(Ord. 831 § 7.8, 1992)

17.68.090 Minimum maintenance requirements.

In order to insure the protective maintenance of resources, the exterior features of such properties shall be maintained to meet the requirements of the city's minimum housing code and the city's building code.

(Ord. 831 § 7.9, 1992)

17.68.100 Demolition by neglect.

Procedures to identify and protect resources from potential demolition resulting from the deliberate or inadvertent neglect of the owner or owners.

A. Purpose. All resources as defined in Chapter 17.08 of this title within an historic district or historic overlay zone, including the exterior features of any building or structure (inclusive of, but not limited to, walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant feature), or any type of outdoor advertising sign either designated as an historic resource or found to have significance, or any archeological resource shall be preserved by the owner or such other person who may have legal possession, custody, and control thereof against decay and deterioration and kept free from structural defects. The owner, or other person having such legal possession, custody, and control, shall repair such exterior features if they are found to be deteriorating, or if their condition is contributing to deterioration, including but not limited to any of the following defects:

1. Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling;
2. Deterioration of flooring or floor supports, roofs, or other horizontal members that causes leaning, sagging, splitting, listing or buckling;
3. Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling;
4. Deterioration or crumbling of exterior plasters or mortars or the deterioration or crumbling or spalling of exterior bricks;
5. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors;
6. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering;
7. Rotting, holes, and other forms of decay;

8. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling;
 9. Heaving, subsidence, or cracking of sidewalks, steps or pathways;
 10. Deterioration of fences, gates, and accessory structures;
 11. Deterioration that has a detrimental effect upon the historic character of the district or overlay zone as a whole or the unique attributes and character of the resource;
 12. Deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe conditions to life, health, or other property; or
 13. Any other deficiencies or defects that may constitute or contribute to the decay or deterioration of any resource or property.
- B. Investigation and Inspection. If the condition of any resource as contemplated in paragraph A. above is suspected of being destroyed, damaged, or lost through or by neglect of the owner of the resource, the building official shall conduct an investigation and inspection of the resource. Prior to conducting any investigation or inspection, the building official shall:
1. Request, within fifteen (15) days of the identification of any suspected defects, permission from the owner of the resource to have full access to the resource; and
 2. Consult with the city planner and the historic preservation officer about any suspected deficiencies or defects outlined in paragraph A. above.
- C. Findings. The building official shall prepare, within fifteen (15) days of the completion of his investigation and inspection, a written report of his findings on the condition of the resource which report may identify, but is not limited to, the following:
1. That there is no action required by the owner or owners;
 2. That minimum maintenance of the resource is required to protect, preserve, and/or stabilize the resource;
 3. That the resource is being demolished by neglect; or
 4. That the resource may be demolished, vacated, or stabilized.
- D. Notice of Report. A copy of any report shall be sent by certified mail, return receipt requested, to the owner of the resource and a copy provided to the historic preservation commission and may include any recommendations including a time frame to remedy minimum maintenance or other work necessary to stop the demolition by neglect, stabilize the resource, vacate the property, or demolish the resource.
- E. Hearing and Notice of Hearing. Upon receipt of any written report in which the building official has found that there is minimum maintenance required, demolition by neglect, or the resource can or should be demolished, the historic preservation officer shall cause to be scheduled a hearing before the historic preservation commission to review and take action based on the report from the building official. The owner of the resource shall be served with written notice of the time and date of the hearing not less than ten (10) days prior to the hearing.
- F. Legal Notice Requirement. Any notice required herein shall be considered delivered if sent by certified mail, return receipt requested and mailed to the last known address of the record owner

or owners as listed on the city and/or county tax rolls or by other methods allowed by law.

- G. Hearing on Report. At the hearing the historic preservation commission shall receive evidence on the issue of whether the subject resource should be repaired, vacated, stabilized, or can be demolished. The owner or owners may present competent evidence in rebuttal thereto. At the conclusion of the hearing, the historic preservation commission may make, but shall not be limited to, one of the following determinations:
1. That there is no action required by the owner or owners.
 2. That minimum maintenance is required and requiring the owner to present a plan to the historic preservation commission within thirty (30) days from the receipt of notice of the historic preservation commission's determination as to the steps the owner must undertake to correct minimum maintenance issues. The owner or owners or their agents may be required to submit an application for a certificate of appropriateness and/or project approval for all proposed work. The historic preservation commission must review and act on all such applications before the issuance of a building permit. All work shall be completed within ninety (90) days of the approval from the historic preservation commission. The historic preservation commission may grant up to two (2) extensions of ninety (90) days each due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the owner or owners have not pursued the necessary repairs with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties (17.68.120) and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.
 3. Demolition by neglect is occurring and requiring the owner to present a preliminary plan including a timetable to the historic preservation commission within thirty (30) days generally identifying the work necessary to abate the demolition by neglect. The owner or owners or their agents shall submit an application for a certificate of appropriateness and/or project approval for all proposed work. The historic preservation commission must review and act on all applications and must also approve all timetables for work required to abate the demolition by neglect before issuance of a building permit. The historic preservation commission may grant extensions to the timetable due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the owner or owners have not pursued the necessary repairs with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties (17.68.120) and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.
 4. Condemnation of the resource and allow for its demolition in compliance with all local, state, and federal laws, rules, and regulations. Within thirty (30) days the owner shall present a plan to the historic preservation commission identifying the necessary recordation which, along with the demolition shall be completed within ninety (90) days. Recordation must be reviewed and acted upon by the historic preservation commission before a demolition permit is issued. The historic preservation commission may grant up to two (2) ninety (90) day extensions due to inclement weather or other unforeseen difficulties. Should the historic preservation commission find that the owner or owners have not undertaken recordation and demolition with reasonable diligence, the historic preservation commission may pursue civil and/or criminal penalties (17.68.120) and/or request that the city cause the required work to be completed with any costs associated thereto attached to the property as a tax lien.

- H. Notice of Commission Action. The historic preservation officer shall notify the owner in writing of the determination of the historic preservation commission and the action required of the owner within ten (10) days of the hearing. Such notice shall identify and provide clear instructions to the owner as to the remedial work required by the historic preservation commission.
- I. Remedial Work and Compliance. Upon the completion of any minimum maintenance work, recordation work, or other work required by the historic preservation commission, the owner shall notify the historic preservation officer of the completed work. The building official along with the historic preservation officer and any other professional deemed necessary by the historic preservation officer shall inspect, within fifteen (15) days of notification, the completed work and shall cause, within fifteen (15) days of the inspection, the issuance of a written report to be submitted to the owner and the historic preservation commission to determine if the work completed is in compliance with city codes and ordinances and meets the requirements of the historic preservation commission. The historic preservation commission must review and act upon all such reports. All remedial work required by the historic preservation commission must be completed in compliance with such plans approved by the historic preservation commission.
- J. Intentional Neglect. Intentional neglect shall be defined as willful actions perpetrated by the owner or owners or their agents that result in damage to a resource. Such actions may include, but are not limited to, intentional running of water taps, hoses, or other man-made water devices resulting in flooding, erosion, or other water damage to the resource; intentional exposure of the resource to natural elements of wind, rain, snow, or other precipitation through the opening of windows, doors, skylights, or other moveable features of a resource; intentional drilling, boring, or cutting of holes in the roof, exterior walls or supporting members of a resource.

(Ord. 1081 (part), 2007; Ord. 1007, 2003; Ord. 831 § 7.10, 1992)

17.68.110 Public safety exclusion.

In the event any resource shall be damaged by flood, fire, or other catastrophe or unforeseen event that results in damage or possible loss of a resource, and the building official, with the concurrence of the city planner and the historic preservation officer, deems the resource to present an immediate threat to public safety, the historic preservation officer shall call an emergency meeting before the historic preservation commission, which shall take place within seventy-two (72) hours of the event. At such meeting, evidence shall be presented regarding the seriousness of the damage and the threat to public safety and any evidence in rebuttal thereto may also be presented. In the event the danger to public safety is imminent, the owner or owners shall stabilize and protect the resource pending consideration by the historic preservation commission. The historic preservation commission shall, based on the evidence presented, determine the course of action to be taken.

(Ord. 1081 (part), 2007; Ord. 831 § 7.11, 1992)

17.68.120 Enforcement and penalties.

The following civil and criminal penalties may be imposed upon those persons, firms, or corporations found to have violated requirements or prohibitions contained within this chapter.

A. Civil Penalty.

1. Any person who constructs, alters, relocates, or demolishes any building or resource in violation of this chapter or causes any building or resource to be constructed, altered, relocated, or demolished in violation of this chapter may be required to restore the building

or resource to its appearance or setting prior to the violation. Any action to enforce this provision shall be brought by the city. Any civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.

2. If demolition of a building or resource occurs without issuance of proper permits based on the procedures of city, state or federal regulations, or without the issuance of a certificate of appropriateness, or project approval, then any City permits, by any city office, on the subject property, with the exception of a permit to restore the building or resource as set forth above, may be denied for a period of ten (10) years. .
 3. If any other undertaking or project other than the demolition of a building or resource occurs without issuance of proper permits based on the procedures of city, state or federal regulations, or without the issuance of a required certificate of appropriateness or project approval, then any City permits, by any city office, on the subject property, with the exception of a permit to restore the building or resources as set forth above, may be denied for a period of five (5) years.
 4. If any resource found to be in a state of demolition by neglect as outlined in 17.68.100 should be allowed by the owner or owners to remain in a state of demolition by neglect, then any City permits, by any city office, for any property issued to the owner or owners, with the exception of those permits expressly for the necessary repairs to restore the resource to a safe and sound condition, may be denied for a period of ten (10) years or until such time as the resource has been returned to a safe and sound condition, whichever is shorter.
 5. The Commission(s) shall institute appropriate action or proceeding in the name of the City of Deadwood to enjoin, correct or abate any violation of this chapter including but not limited to withholding any City permits, by any city office, and/or any actions allowable under SDCL 42-7B, , *et seq*, if applicable.
- B. Criminal Penalty. Any person or legal entity who constructs, alters, relocates, demolishes, or intentionally allows demolition by neglect of any building or resource in violation of this chapter or who causes any building or resource to be constructed, altered, relocated, or demolished in violation of this chapter, shall be guilty of a Class 2 Misdemeanor punishable by the maximum sentence as set forth in SDCL 22-6-2. Each day the violation continues to exist shall be punishable as a separate offense. (Ord. 1081 (part), 2007; Ord. 851 (part), 1993; Ord. 831 § 7.12, 1992)
- C. Failure to perform any act required by this ordinance or performance of any act prohibited by this ordinance or of any conditions of any Certificate of Appropriateness or Project Approval issued hereunder, shall constitute a violation and be subject to penalties provided in this or any other applicable city ordinance or state law. Each day on which there is a failure to perform a required act, or on which a violation exists shall constitute a separate violation for purposes of this ordinance.

17.68.130 Appropriations.

The city is authorized to make appropriations to the commission necessary for the expenses of the operation of the commission and may make additional amounts available as necessary for the acquisition, restoration, preservation, operation and management of historic properties.

(Ord. 831 § 7.13, 1992)

17.68.140 Title to property acquired.

All property acquired by funds appropriated by the city shall be acquired in the name of the city unless otherwise provided by the city.

(Ord. 831 § 7.14, 1992)

17.68.150 Project review by state.

Projects requiring review pursuant to this chapter, after approval by the historic district commission or historic preservation commission, will be submitted to the South Dakota Historical Preservation Office for review as required by SDCL 1-19A-11.1 or any written agreements between the city and the state of South Dakota. The requested certificate of appropriateness or project approval shall be issued or denied by the city after the review process described by SDCL 1-19A-11.1 and its supporting rules or any written agreements between the city and the state of South Dakota has been implemented.

(Ord. 961, 2000: Ord. 831 § 7.15, 1992)

Dated this ____ day of October, 2014.

CITY OF DEADWOOD

Charles Turbiville, Mayor

ATTEST:

Mary Jo Nelson
Finance Officer

First Reading:

Second Reading:

Published:

Adopted:

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

DEADWOOD

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

KEVIN KUCHENBECKER
Historic Preservation Officer
Telephone: (605) 578-2082
Fax: (605) 578-2084
kevin@cityofdeadwood.com

MEMORANDUM

Date: October 3, 2014
To: Deadwood Historic Preservation Commission
From: Kevin Kuchenbecker, Historic Preservation Officer
Re: Project Approvals for 2 Fremont

This office did receive documentation on a quote from October 2012 by a contractor no longer in business locally for rehabilitation of Mr. Snedecker's property. The estimate for the rehabilitation of the existing structure was just under \$35,000 and the construction of a small addition for just under \$6,500.

This office has discussed the project with a contractor Mr. Snedecker had contacted; however, this office has received no further information pertaining to the Project Approval application submitted for 2 Fremont at this time. It was staff understands the contractor may not provide an estimate due to the inflationary costs the applicant requested to be presented.

The Staff Report stands as previously presented. Thank you.

MEMORANDUM

Date: October 3, 2014
To: Deadwood Historic Preservation Commission
From: G.R.A.P.E. Committee
Kevin Kuchenbecker, Historic Preservation Officer
Re: 2014 Not-for-Profit Grants

On September 23, 2014, the G.R.A.P.E. Committee met and recommended to the Deadwood Historic Preservation Commission to approve the St. John's Episcopal Church applications for the 2014 Not-for-Profit Grant program.

The historic St. John's Episcopal Church requested funding to help offset costs to fully restore their historic 1904 Steere pipe organ in the amount of \$56,683.00. This organ is a vital importance to both the historical integrity of the church and to the significance of their weekly church services held in the building.

The Historic St. John's Episcopal Church was granted \$24,978.35 with \$796.19 unencumbered on September 24, 2010 for Phase II of their church restoration project. Loan was closed out on February 23, 2012.

A change to the Not-For-Profit guidelines limiting the amount to \$50,000 within a five year period was approved effect July 24, 2011. With the change made following the approval of St. John's Episcopal Church's 2010 grant, they would not fall within those guidelines.

It is Staff recommendation to the Historic Preservation Commission to approve granting the Historic St. John's Episcopal Church funding the project in an amount not to exceed \$50,000 as allowable under the guidelines of the grant program and allow St. John's Episcopal Church to determine the amount they would like to utilize towards this important project over the course of the next five years.

Case No. 14063
Address: 555 Main St.

October 3, 2014

STAFF REPORT

The applicant has submitted an application for a Certificate of Appropriateness for enhancing existing retaining wall across from 555 Main Street, a non-contributing structure located in the Deadwood City Planning Unit in the City of Deadwood.

Applicant: Donnie Patton
Owner: Same
Constructed: n/a

CRITERIA FOR THE ISSUANCE OF CERIFICATE OF APPROPRIATENESS

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

General Factors:

1. Historic significance of the resource: The retaining wall located across from 555 Main Street is non-contributing.

2. Architectural design of the resource and proposed alterations: The applicant requests approval to remove, clean up, and enhance the existing retaining wall for beautification purposes.

Attachments: Yes

Plans: No

Photos: Yes

Staff Opinion: This particular feature, the foundation, was recorded in during the 2001-2004 Chinatown Archeological investigations.

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:

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

OR

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

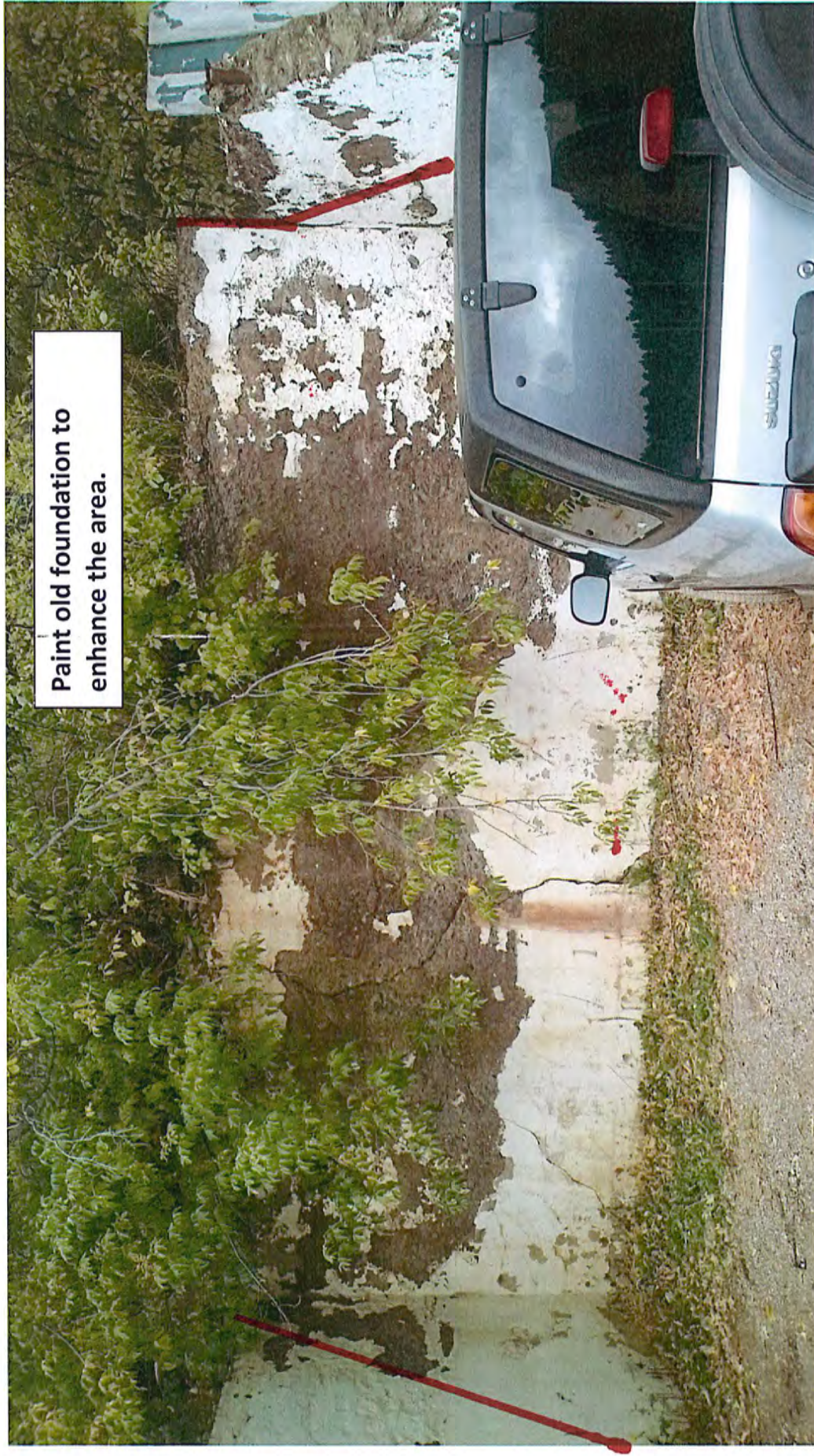
**Cut and clean up left wing
wall from old foundation.**



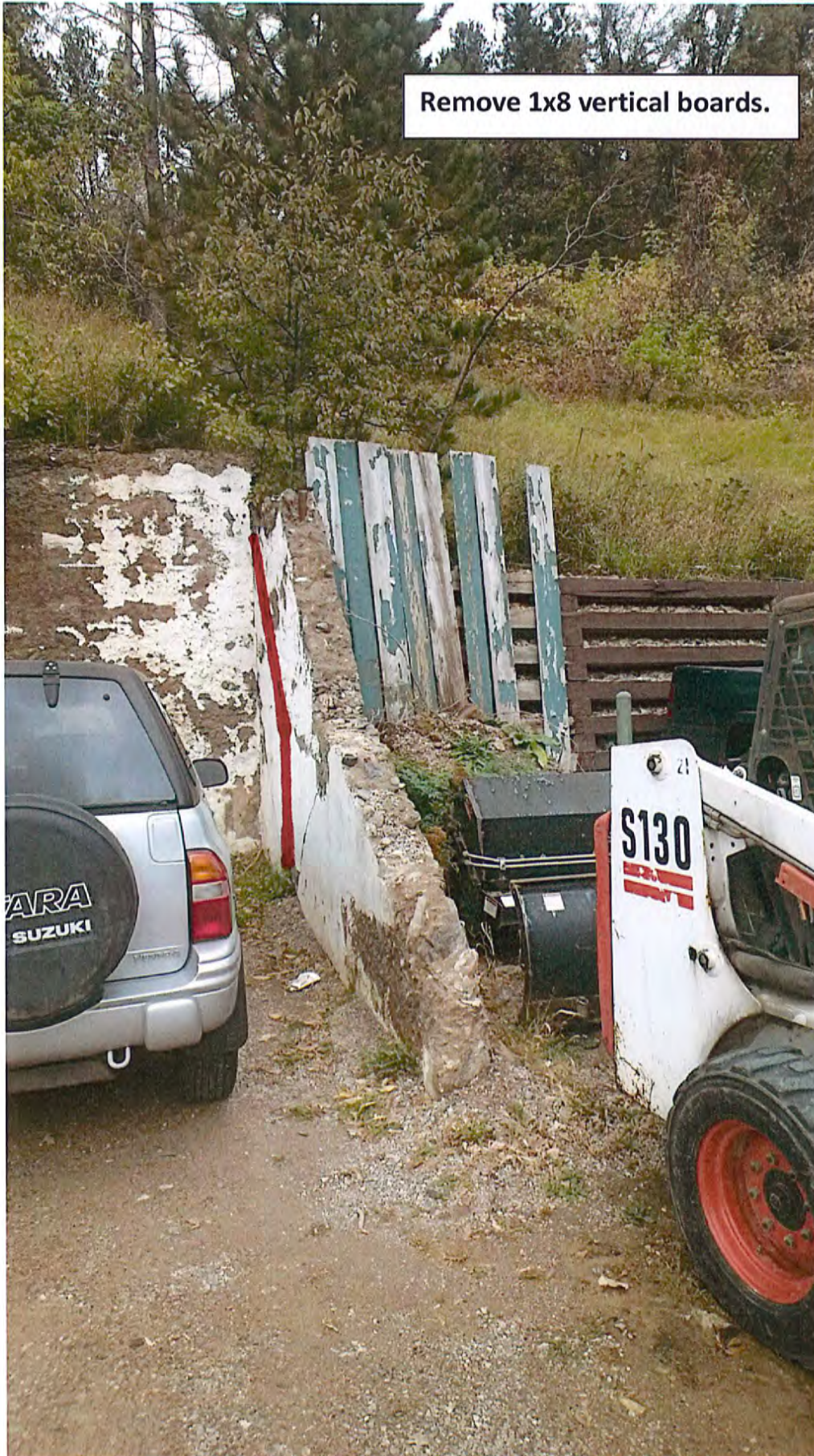
Cut and clean up right wing wall from old foundation.



Paint old foundation to
enhance the area.



Remove 1x8 vertical boards.



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Fax (605) 578-2084

DEADWOOD

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

14063
DEADWOOD CITY HALL
102 Sherman Street
Telephone (605) 578-2600

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 that is 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
108 Sherman Street
Deadwood, SD 57732

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

PROPERTY INFORMATION

Property Address: ACROSS ST. FROM 555 MAIN ST.

Historic Name of Property (if known):

APPLICANT INFORMATION

Applicant is ☒ owner ☐ contractor ☐ architect ☐ consultant ☐ other

Owner's Name: DONNIE PATTON
Address: 555 MAIN ST.
City: DEADWOOD State: SD Zip: 57732
Telephone: 605.431.4746 Fax: _____
E-mail: Calcha@KSHOSPITALITYLLC.COM

Architect's Name: N/A
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail: _____

Contractor's Name: A-1 CONSTRUCTION
Address: 19 E. PHILADELPHIA ST.
City: RAPID CITY State: SD Zip: 57701
Telephone: 605.348.6148 Fax: _____
E-mail: _____

Agent's Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail: _____

TYPE OF IMPROVEMENT

- | | | | |
|--|---------------------------------------|--------------------------------------|--|
| ☐ Alteration (change to exterior) | ☐ New Building | ☐ Addition | ☐ Accessory Structure |
| ☐ New Construction | ☐ Re-Roofing | ☐ Wood Repair | ☐ Exterior Painting |
| ☒ General Maintenance | ☐ Siding | Other _____ | |
| ☐ Other _____ | ☐ Awning | ☐ Sign | ☐ Fencing |

Estimated Cost of Work: \$ _____

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ACTIVITY: (CHECK AS APPLICABLE)			
Project Start Date: <u>ASAP</u>		Project Completion Date (anticipated): <u>AS SOON AS APPROVED</u>	
☐ ALTERATION	☐ Front	☐ Side(s)	☐ Rear
☐ ADDITION	☐ Front	☐ Side(s)	☐ Rear
☐ NEW CONSTRUCTION	☐ Residential		☐ Other _____
☐ ROOF	☐ New	☐ Re-roofing	
	☐ Front	☐ Side(s)	☐ Rear
☐ GARAGE	☐ New	☐ Rehabilitation	
	☐ Front	☐ Side(s)	☐ Rear
☐ FENCE/GATE	☐ New	☐ Replacement	
	☐ Front	☐ Side(s)	☐ Rear
Material _____ Style/type _____ Dimensions _____			
☐ WINDOWS	☐ STORM WINDOWS	☐ DOORS	☐ STORM DOORS
☐ Restoration		☐ Replacement	☐ New
☐ Front	☐ Side(s)	☐ Rear	
Material _____ Style/type _____			
☐ SIGN/AWNING	☐ New	☐ Restoration	☐ Replacement
Material _____ Style/type _____ Dimensions _____			
☒ 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.

REMOVE/CLEAN UP/ENHANCE EXISTING RETAINING WALL
FOR BEAUTIFICATION.

OFFICE OF
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108 Sherman Street
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DEADWOOD

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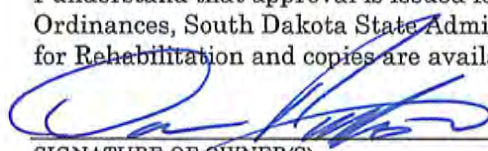
DEADWOOD CITY HALL
102 Sherman Street
Telephone (605) 578-2600

SIGNATURES

I **HEREBY CERTIFY** that I understand this application will not be accepted and processed until all the requested information has been supplied. I realize that 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 that 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 that approval is issued for proposed work that is 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.

 9/9/14

SIGNATURE OF OWNER(S) 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 1st or 3rd 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 and the City Clerk. 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 enclosed 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.



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FOR OFFICE USE ONLY:

Please check and initial items as they are completed.

Case No.: _____ Date of Filing: _____

- ☐ Certificate of Appropriateness
- ☐ Project Approval
- ☐ Sign Application

Property Designation:

- ☐ Contributing
- ☐ Non-contributing

Historic Overlay District:

- | | | |
|--|--|--|
| ☐ 1. Pluma | ☐ 5. McGovern Hill | ☐ 9A. Large's Gulch |
| ☐ 2. Peck's Garden | ☐ 6. Ingleside | ☐ 9B. Spruce Gulch |
| ☐ 3. Cleveland | ☐ 7. Upper Main Street | ☐ 10. Fountain City |
| ☐ 4. Deadwood | ☐ 8A. City Creek | ☐ 11. 1 st Ward - Industrial |
| ☐ A. Deadwood City | ☐ 8B. Forest Hill | ☐ 12. Pinecrest |
| ☐ B. South Deadwood | ☐ 8C. Highland Park
Addition | ☐ 13. Hillside Environs |
| ☐ C. Chinatown | | |
| ☐ D. Elizabeth Town | | |

Application complete

Project Documents submitted (check all that apply)

- ☐ Photographs of property and/or adjacent properties
- ☐ Drawings and/or architectural renderings
- ☐ Materials and/or color samples
- ☐ Other

Staff Preparation

Initials

Date below

- | | | |
|---|-------|--|
| ☐ Site Visit | _____ | ____/____/____ |
| ☐ Project visible from right-of-way? | | ☐ Yes ☐ No |
| ☐ Logged into HPC Agenda | _____ | ____/____/____ |
| ☐ Staff Report (research) | _____ | ____/____/____ |
| ☐ Packet to HPC Members | _____ | ____/____/____ |

Post Meeting Documentation

Initials

Date below

- | | | | |
|--|---------------------------------|-------|----------------|
| ☐ Approval | ☐ Denial | _____ | ____/____/____ |
| ☐ Property owner notification | | _____ | ____/____/____ |

Building & Zoning Department (if applicable)

Initials

Date below

- | | | |
|--|-------|----------------|
| ☐ Building Permit Application | _____ | ____/____/____ |
| ☐ Setback(s) checked by P & Z | _____ | ____/____/____ |
| ☐ Detailed plans reviewed | _____ | ____/____/____ |
| ☐ Building Permit Issued | _____ | ____/____/____ |
| ☐ Fee collected (if applicable) | _____ | ____/____/____ |
| ☐ Setback(s) reviewed | _____ | ____/____/____ |

Filed on ____/____/____

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.*

ALL WORK:

- ☐ Photograph of house and existing conditions from all relevant sides.

RENOVATIONS 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)

MATERIAL CHANGES:

- ☐ Written description of area involved.
- ☐ Color photographs or slides of areas involved and surrounding structures if applicable.
- ☐ Sample or photo of materials involved.

PAINTING, 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 CONSTRUCTION:

- ☐ 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: October 3, 2014

Case No. 14064

Address: 19 Centennial Ave.

Staff Report

The applicant has submitted an application for Project Approval for work at 19 Centennial Ave. a contributing structure located in the Forest Hill Planning Unit in the City of Deadwood.

Applicant: Gregory Vecchi
Owner: Same
Constructed: 1896

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 building is a contributing resource in the Deadwood National Historic Landmark District. It is significant for its historic association with the founding and initial period of growth of the town of Deadwood. Spurred by the tremendous mining boom of 1876, Deadwood grew quickly and became the first major urban center of western South Dakota. Deadwood's economic prominence during the late 1800s and early 1900s was reflected by the construction of a number of large residences such as this one. These houses displayed a variety of architectural styles: Queen Anne, Second Empire, Colonial, and even Gothic variants are found locally. Together, these houses are among the strongest reminders of Deadwood's nineteenth-century boom.

2. Architectural design of the resource and proposed alterations: The applicant requests permission to repair wood siding and replace wood siding with matching where necessary.

Attachments: No

Plans: No

Photos: Yes

Staff 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:

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:

Option 1: 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.

14064

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

DEADWOOD

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

DEADWOOD CITY HALL
102 Sherman Street
Telephone (605) 578-2600

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 that is 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
108 Sherman Street
Deadwood, SD 57732

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

PROPERTY INFORMATION
Property Address: <u>19 Centennial Ave</u>
Historic Name of Property (if known):

APPLICANT INFORMATION	
Applicant is ☒ owner ☐ contractor ☐ architect ☐ consultant ☐ other _____	
Owner's Name: <u>Gregory M. Vecchi</u> Address: <u>19 Centennial Ave</u> City: <u>Deadwood</u> State: <u>SD</u> Zip: <u>57752</u> Telephone: <u>605 920 0229</u> Fax: _____ E-mail: <u>gmvecchi7@gmail.com</u>	Architect's Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Telephone: _____ Fax: _____ E-mail: _____
Contractor's Name: <u>John Kulp</u> Address: _____ City: _____ State: _____ Zip: _____ Telephone: <u>605-920-</u> Fax: <u>8639</u> E-mail: _____	Agent's Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Telephone: _____ Fax: _____ E-mail: _____

TYPE OF IMPROVEMENT			
☐ Alteration (change to exterior)	☐ New Building	☐ Addition	☐ Accessory Structure
☐ New Construction	☐ Re-Roofing	☐ Wood Repair	☐ Exterior Painting
☒ General Maintenance	☒ Siding	Other _____	
☐ Other _____	☐ Awning	☐ Sign	☐ Fencing
Estimated Cost of Work: \$ _____			

DEADWOOD

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Deadwood, South Dakota 57732

DEADWOOD CITY HALL
102 Sherman Street
Telephone (605) 578-2600

ACTIVITY: (CHECK AS APPLICABLE)			
Project Start Date <u>Spring 2015</u>		Project Completion Date (anticipated): <u>Summer 2015?</u>	
☐ ALTERATION	☐ Front	☐ Side(s)	☐ Rear
☐ ADDITION	☐ Front	☐ Side(s)	☐ Rear
☐ NEW CONSTRUCTION	☐ Residential		☐ Other _____
☐ ROOF	☐ New	☐ Re-roofing	
	☐ Front	☐ Side(s)	☐ Rear
☐ GARAGE	☐ New	☐ Rehabilitation	
	☐ Front	☐ Side(s)	☐ Rear
☐ FENCE/GATE	☐ New	☐ Replacement	
	☐ Front	☐ Side(s)	☐ Rear
Material _____		Style/type _____ Dimensions _____	
☐ WINDOWS	☐ STORM WINDOWS	☐ DOORS	☐ STORM DOORS
☐ Restoration		☐ Replacement	☐ New
☐ Front	☐ Side(s)	☐ Rear	
Material _____		Style/type _____	
☐ SIGN/AWNING	☐ New	☐ Restoration	☐ Replacement
Material _____		Style/type _____ Dimensions _____	
☒ OTHER – Describe in detail below or use attachments <u>Siding</u>			

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.

Repair, replace and/or remove wood siding as needed.
Replacement siding will be made of wood.

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.***

ALL WORK:

- ☐ Photograph of house and existing conditions from all relevant sides.

RENOVATIONS 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)

MATERIAL CHANGES:

- ☐ Written description of area involved.
- ☐ Color photographs or slides of areas involved and surrounding structures if applicable.
- ☐ Sample or photo of materials involved.

PAINTING, 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 CONSTRUCTION:

- ☐ 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.

OFFICE OF
PLANNING, ZONING AND
HISTORIC PRESERVATION
108 Sherman Street
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DEADWOOD

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102 Sherman Street
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SIGNATURES

I HEREBY CERTIFY that I understand this application will not be accepted and processed until all the requested information has been supplied. I realize that 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 that 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 that approval is issued for proposed work that is 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.

 9/22/2014
SIGNATURE OF OWNER(S) 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 1st or 3rd 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 and the City Clerk. 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 enclosed 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.

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Deadwood, South Dakota 57732

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102 Sherman Street
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FOR OFFICE USE ONLY:

Please check and initial items as they are completed.

Case No.: _____ Date of Filing: _____

- ☐ Certificate of Appropriateness
- ☐ Project Approval
- ☐ Sign Application

Property Designation:

- ☐ Contributing
- ☐ Non-contributing

Historic Overlay District:

- | | | |
|--|--|--|
| ☐ 1. Pluma | ☐ 5. McGovern Hill | ☐ 9A. Large's Gulch |
| ☐ 2. Peck's Garden | ☐ 6. Ingleside | ☐ 9B. Spruce Gulch |
| ☐ 3. Cleveland | ☐ 7. Upper Main Street | ☐ 10. Fountain City |
| ☐ 4. Deadwood | ☐ 8A. City Creek | ☐ 11. 1 st Ward – Industrial |
| ☐ A. Deadwood City | ☐ 8B. Forest Hill | ☐ 12. Pinecrest |
| ☐ B. South Deadwood | ☐ 8C. Highland Park
Addition | ☐ 13. Hillside Environs |
| ☐ C. Chinatown | | |
| ☐ D. Elizabeth Town | | |

Application complete

Project Documents submitted (check all that apply)

- ☐ Photographs of property and/or adjacent properties
- ☐ Drawings and/or architectural renderings
- ☐ Materials and/or color samples
- ☐ Other

Staff Preparation

Initials

Date below

- | | | |
|---|-------|--|
| ☐ Site Visit | _____ | ____/____/____ |
| ☐ Project visible from right-of-way? | _____ | ☐ Yes ☐ No |
| ☐ Logged into HPC Agenda | _____ | ____/____/____ |
| ☐ Staff Report (research) | _____ | ____/____/____ |
| ☐ Packet to HPC Members | _____ | ____/____/____ |

Post Meeting Documentation

Initials

Date below

- | | | | |
|--|---------------------------------|-------|----------------|
| ☐ Approval | ☐ Denial | _____ | ____/____/____ |
| ☐ Property owner notification | | _____ | ____/____/____ |

Building & Zoning Department (if applicable)

Initials

Date below

- | | | |
|--|-------|----------------|
| ☐ Building Permit Application | _____ | ____/____/____ |
| ☐ Setback(s) checked by P & Z | _____ | ____/____/____ |
| ☐ Detailed plans reviewed | _____ | ____/____/____ |
| ☐ Building Permit Issued | _____ | ____/____/____ |
| ☐ Fee collected (if applicable) | _____ | ____/____/____ |
| ☐ Setback(s) reviewed | _____ | ____/____/____ |

Filed on ____/____/____

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

DEADWOOD

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

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

COPY

February 10, 2011

Gregory Vecchi
44 Mine Road Ste 2-142
Stafford, VA 22554

RE: Case No. 11006 – 19 Centennial Avenue

Dear Mr. Vecchi:

On Wednesday, February 9, 2011, the Deadwood Historic Preservation Commission reviewed your request for Project Approval at 19 Centennial Avenue located in the Forest Hill Planning Unit in the City of Deadwood. The project involves the repair and or replacement of the chimney of the structure; removal and replacement of the roof to include plywood; and repair, removal, and or replacement of existing wood siding. Shingles used will be a 30 year shingle, charcoal in color. Replacement siding, where and only if necessary, will need to be of wood siding to match the existing as submitted.

The Deadwood Historic Preservation Commission has determined the proposed work and changes do not encroach upon, damage, or destroy a historic resource nor does it have an adverse affect on the historic character of the buildings listed as a contributing resource(s) in the State and National Register of Historic Places.

The project may proceed with the issuance of a building permit as well as continued coordination with this office. Any changes in the project or additional work not included in your approved application must be submitted to the Deadwood Historic Preservation Commission for review.

Thank you for your support in preserving, protecting and promoting the rich and unique heritage of Deadwood – A National Historic Landmark Community.

Sincerely,



Kevin Kuchenbecker
Historic Preservation Officer

cc: Keith Umenthum, City Building Inspector
File

Date: February 4, 2011

Case No. 11006
Address: 19 Centennial Avenue

Staff Report

The applicant has submitted an application for Project Approval for work at 19 Centennial Avenue a contributing structure located in the Forest Hill Planning Unit in the City of Deadwood.

Applicant: Gregory Vecchi
Owner: Same
Constructed: 1896

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 building is a contributing resource in the Deadwood National Historic Landmark District. It is significant for its historic association with the founding and initial period of growth of the town of Deadwood. Spurred by the tremendous mining boom of 1876, Deadwood grew quickly and became the first major urban center of western South Dakota. Deadwood's economic prominence during the late 1800s and early 1900s was reflected by the construction of a number of large residences such as this one. These houses displayed a variety of architectural styles: Queen Anne, Second Empire, Colonial, and even Gothic variants are found locally. Together, these houses are among the strongest reminders of Deadwood's nineteenth-century boom.
- 2. Architectural design of the resource and proposed alterations:** The applicant requests permission to repair and or replace the chimney of the structure as it leaks, remove and replace the entire roof to include support beams and plywood. Shingles used will be a 30 year shingle and will be charcoal in color. Additionally, the applicant seeks permission to repair, remove, and or replace the existing wood siding as needed. Replacement siding, where and if necessary, will be wood to match existing.

Attachments: Yes

Plans: No

Photos: Yes

Staff Opinion:

The applicant and contractor has and will continue to worked closely with this office throughout this project. The proposed work and changes does not encroach upon, damage or destroy a historic resource nor does it have an adverse affect on the historic character of the buildings listed as a contributing resource(s) in the State and National Register of Historic Places.

Furthermore, staff recommends the applicant be accepted into the siding program.

Motions available for commission action:

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 project approval.

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

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.]

Second Motion:

Option 1: Based upon the guidance in the U.S. Department of the Interior standards for historic preservation projects in 36 C.F.R. 67, 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 projects in 36 C.F.R. 67, 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 projects in 36 C.F.R. 67, 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.

The applicant has also applied for the Special Needs Siding Removal program. Staff recommends admission into the program.



02/04/11

1:48 PM

DEADWOOD

"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

OFFICE OF
PLANNING, ZONING
AND HISTORIC PRESERVATION
108 Sherman Street
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DEADWOOD CITY HALL
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City of Deadwood Application for Project Approval

The Deadwood Historic Preservation Commission reviews all applications. Approval is issued for proposed work that is 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 black ink and submitted to:

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

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

PROPERTY INFORMATION

Property Address: 19 Centennial Avenue, Deadwood, SD 57732

Historic Name of Property (if known):

APPLICANT INFORMATION

Applicant is ☒ owner ☐ contractor ☐ architect ☐ consultant ☐ other

Owner's Name: Gregory M. Vecchi

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Architect's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Contractor's Name: Gervin Construction

Address: (Brian Gervin)

City: _____ State: _____ Zip: _____

Telephone: 605-580-1507 Fax: _____

Agent's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

TYPE OF IMPROVEMENT

- | | | | |
|---|--|--------------------------------------|--|
| ☐ Alteration (change to exterior) | ☐ New Building | ☐ Addition | ☐ Accessory Structure |
| ☐ New Construction | ☒ Re-Roofing | ☐ Wood Repair | ☐ Exterior Painting |
| ☐ General Maintenance | ☒ Siding | Other _____ | |
| ☒ Other <u>Chimney repair</u> | ☐ Awning | ☐ Sign | ☐ Fencing |

Estimated Cost of Work: \$ _____

ACTIVITY: (CHECK AS APPLICABLE)			
Project Start Date: _____		Project Completion Date (anticipated): _____	
☐ ALTERATION	☐ Front	☐ Side(s)	☐ Rear
☐ ADDITION	☐ Front	☐ Side(s)	☐ Rear
☐ NEW CONSTRUCTION	☐ Residential	☐ Other _____	
☐ ROOF	☒ New	☐ Re-roofing	
	☐ Front	☐ Side(s)	☐ Rear
☐ GARAGE	☐ New	☐ Rehabilitation	
	☐ Front	☐ Side(s)	☐ Rear
☐ FENCE/GATE	☐ New	☐ Replacement	
	☐ Front	☐ Side(s)	☐ Rear
Material _____		Style/type _____ Dimensions _____	
☐ WINDOWS	☐ STORM WINDOWS	☐ DOORS	☐ STORM DOORS
☐ Restoration		☐ Replacement	☐ New
☐ Front		☐ Side(s)	☐ Rear
Material _____		Style/type _____	
☐ SIGN/AWNING	☐ New	☐ Restoration	☐ Replacement
Material _____		Style/type _____ Dimensions _____	
☒ OTHER – Describe in detail below or use attachments <i>Chimney repair</i>			

DESCRIPTION OF ACTIVITY

Describe as specific as possible 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.

- Repair and/or replace chimney as needed (chimney has severe leaks)
- Remove and replace entire roof to include support beams and plywood. Shingles will be charcoal in color and 30 year Architectural shingles
- Repair, remove, and/or replace wood siding as needed. Replaced siding will be wood.

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.*

ALL WORK:

- ☐ Photograph of house and existing conditions from all relevant sides.

RENOVATIONS 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)

MATERIAL CHANGES:

- ☐ Written description of area involved.
- ☐ Color photographs or slides of areas involved and surrounding structures if applicable.
- ☐ Sample or photo of materials involved.

PAINTING, 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 CONSTRUCTION:

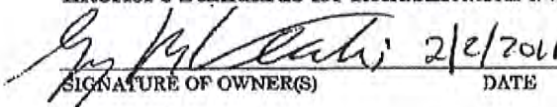
- ☐ Elevation drawings to scale showing all sides and dimensions. Elevation drawings to scale showing relationship to structures immediately adjacent.
- ☐ Photograph of proposed site and adjacent buildings on adjoining properties.
- ☐ Site plan including building footprint and location of off-street 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.

SIGNATURES

I HEREBY CERTIFY that I understand this application will not be accepted and processed until all the requested information has been supplied. I realize that 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 that 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 that approval is issued for proposed work that is 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

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 12:00 noon prior to the closing time for filing an application to be considered at the next Historic Preservation Commission Meeting. The meeting schedule and filing deadlines are on file with the Historic Preservation Office and the City Clerk. 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 enclosed 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 Commission. 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.

FOR OFFICE USE ONLY:

Please check and initial items as they are completed.

Case No.: 1006Date of Filing: February 2, 2011

- ☐ Certificate of Appropriateness
☒ Project Approval
☐ Sign Application

Property Designation:

- ☒ Contributing
☐ Non-contributing

Historic Overlay District:

- | | | |
|--|---|--|
| ☐ 1. Pluma | ☐ 5. McGovern Hill | ☐ 9A. Large's Gulch |
| ☐ 2. Peck's Garden | ☐ 6. Ingleside | ☐ 9B. Spruce Gulch |
| ☐ 3. Cleveland | ☐ 7. Upper Main Street | ☐ 10. Fountain City |
| ☐ 4. Deadwood | ☐ 8A. City Creek | ☐ 11. 1 st Ward - Industrial |
| ☐ A. Deadwood City | ☒ 8B. Forest Hill | ☐ 12. Pinecrest |
| ☐ B. South Deadwood | ☐ 8C. Highland Park | ☐ 13. Hillside Environs |
| ☐ C. Chinatown | Addition | |
| ☐ D. Elizabeth Town | | |

Application complete

Project Documents submitted (check all that apply)

- ☐ Photographs of property and/or adjacent properties
☐ Drawings and/or architectural renderings
☐ Materials and/or color samples
☐ Other

Staff Preparation

Initials

Date below

- | | | |
|---|-----------|--|
| ☐ Site Visit | _____ | ____/____/____ |
| Project visible from right-of-way? | | ☐ Yes ☐ No |
| ☒ Logged into HPC Agenda | <u>VR</u> | <u>02/04/11</u> |
| ☒ Staff Report (research) | <u>VR</u> | <u>2/4/11</u> |
| ☒ Packet to HPC Members | <u>VR</u> | <u>2/4/11</u> |

Post Meeting Documentation

Initials

Date below

- | | | | |
|--|---------------------------------|-------|----------------|
| ☐ Approval | ☐ Denial | _____ | ____/____/____ |
| ☐ Property owner notification | | _____ | ____/____/____ |

Building & Zoning Department (if applicable)

Initials

Date below

- | | | |
|--|-------|----------------|
| ☐ Building Permit Application | _____ | ____/____/____ |
| ☐ Setback(s) checked by P & Z | _____ | ____/____/____ |
| ☐ Detailed plans reviewed | _____ | ____/____/____ |
| ☐ Building Permit Issued | _____ | ____/____/____ |
| ☐ Fee collected (if applicable) | _____ | ____/____/____ |
| ☐ Setback(s) reviewed | _____ | ____/____/____ |

Filed on ____/____/____