

CITY OF DEADWOOD  
PLANNING AND ZONING COMMISSION  
Wednesday, August 7, 2019

The meeting of the Deadwood Planning and Zoning Commission was called to order by Vice Chairperson Brett Runge on Wednesday, August 7, 2019 at 5:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

**Planning and Zoning Commission Present:** John Martinisko, Brett Runge, Josh Keehn, Jeff Lawler and Bill Rich

**Absent:**

**Board of Adjustments Present:**

**Staff Present:**

Bob Nelson Jr., Trent Mohr and Cindy Schneringer

**Approval of July 17, 2019 Minutes:**

*It was moved by Mr. Martinisko and seconded by Mr. Rich to approve the July 17, 2019 meeting minutes. Aye - All. Motion carried.*

**Election of Officers**

**Chairman**

*It was moved by Mr. Rich and seconded by Mr. Keehn to nominate John Martinisko for Chairman. Aye - All. Motion carried.*

**Vice Chairman**

*It was moved by Mr. Martinisko and seconded by Mr. Keehn to nominate Mrs. Runge for Vice Chairman. Aye - All. Motion carried.*

**Secretary**

*It was moved by Mr. Martinisko and seconded by Mr. Keehn to nominate Mr. Rich for Secretary. Aye - All. Motion carried.*

**Sign Review Commission**

**Kelsie Darling, QuikSigns - HUB Insurance - 460 Main Street - Install New Projecting Sign / New Window Sign / New Valance**

Mr. Mohr stated the applicant is wanting to install new projecting sign, new window sign on door and lettering on valance of new awning. HUB Insurance has purchased First Western Insurance and is requesting to change the exiting signs to reflect that it is a different company now. The proposed signs and their locations are compliant with the sign ordinance. *It was moved by Mrs. Runge and seconded by Mr. Rich to approve the sign permit for three signs at 460 Main Street. Aye - All. Motion carried.*

**Christina Kibler - 628 Main Street - Install New Wall Sign on Wall Street Side of Building**

Mr. Mohr stated the applicant is wanting to install new wall sign on the wall street side of building. The applicant has leased the lobby area of the Franklin Hotel for her business and wishes to install a wall sign to advertise the same. The proposed sign and its location are compliant with the sign ordinance. *It was moved by Mr. Rich and seconded by Mrs. Runge to approve the sign permit for a new wall sign at 628 Main Street. Aye - all. Motion carried.*

**Anthony Galbraith - FIB Properties - 137 Charles Street - Re-face Existing Freestanding Sign**

Mr. Mohr stated the applicant is wanting to re-face existing freestanding sign. This property is bank owned and the management company is requesting to change the existing freestanding sign to comply with a name change required by the owner. A banner permit has been obtained to cover the sign until August 13<sup>th</sup> when banners during the Sturgis rally have to be removed. It is intended that the permanent sign will be installed at that time. The proposed sign and its location are compliant with the sign ordinance. *It was moved by Mrs. Runge and seconded by Mr. Keehn to approve the sign permit to re-face the freestanding sign at 137 Charles Street. Aye - All. Motion carried.*

**Maurice Miller Jr., Conrad Signs (for Burnouts Pizza) - 65 Sherman Street - Install New Projecting Sign**

Mr. Mohr stated the applicant is wanting to install a new projecting sign. The applicant wishes to install a projecting sign to advertise the business at this location. The sign will be on an existing mount. This sign has been planned since the business opened last year. The proposed sign and its location are compliant with the sign ordinance. *It was moved by Mr. Rich and seconded by Mr. Lawler to approve the permit for new projecting sign at 65 Sherman Street. Aye - All. Motion carried.*

### **Planning and Zoning Commission:**

#### **Conditional Use Permit – Jessica Knee and Christopher Fedor, “Lone Wolf Tattoo” – 470 Main Street**

Mr. Nelson Jr. stated the petitioner has submitted a request for a Conditional Use Permit for a Tattoo Business. Legally described as Lots 1,2,3,4,5 & 6 BLK 1, Fargo and Geis addition, Original Town Deadwood, Lawrence County, South Dakota. Zoned Commercial Highway District. Tattoo business, regardless of where it's located in Deadwood, requires a CUP. The property at 470 Main Street is currently vacant in the former location of the Verizon Wireless Store. The building has facilities. Is located in a mixed use area. I am compliant with publication in the paper, posting the property as well as notification to adjacent landowners within 500 feet. Prior CUP's: 652 Main Street has an active CUP for a tattoo shop, 376 Main Street had one for about three years until property removed for Cadillac Jacks, and 79 Sherman Street has been voided because the building sale fell through. Mr. Martinisko asked if he received any public comments. Mr. Nelson Jr. stated none, not even a phone call. Mr. Martinisko asked if it was in the paper, and a sign at the sight? Mr. Nelson Jr. said yes and the mailers that went out. Mr. Nelson Jr. state the only action tonight is a recommendation to City Council on the Conditional Use Permit. Mr. Martinisko mentioned that one of the key things about the tattoo business is that it's the State that regulates the health and safety of the business. The City just issues the permit. *It was moved by Mr. Rich and seconded by Mrs. Runge to recommend approval of the CUP for the tattoo business to City Commission. Aye – All. Motion Carried.*

#### **Define Property Boundary, Correct Prior Plat – Gary and Marlene Todd – Spring Street**

Mr. Nelson Jr. stated this is to define property boundary and correct prior plat. General location is Spring Street. Legally described as Lots E1 and E2 of M.S. 335, Formerly Lot E of M.S. 335, City of Deadwood, Lawrence County, South Dakota. Zoned R2 Multi-Family. Lot sizes are conforming. Have infrastructure in place. There is no planned building on this. We actually get the Spring Street right-of-way created. There was an error on the prior plat with the boundary at adjacent Lot X near lot E2. Frank from Arleth Surveying is here and is familiar with the research that has gone on for seven months. Frank stated Lot E plat is the one currently sub-dividing that was incorrect. *It was moved by Mrs. Runge and seconded by Mr. Lawler recommend approval of plat for Lots E1 and E2 of M.S. 334, Formerly Lot # of M.S. 334, City of Deadwood, Lawrence County, South Dakota to City Commission. Aye – All. Motion Carried.*

### **Items From Staff** (no action taken)

- Outlaw Square: Mr. Mohr reported he was there last week and inspected the roof structure so they could install ceiling and dry wall. Today inspected top of firewall so they can proceed with that. Talked to the superintendent on site, sounds like they are going to start the flat work for the skating rink area pouring that concrete could be as early as next week. Things are happening. A lot of underground utilities going in. Were able to open Deadwood Street up on Monday to service the Legends Ride and went well. Things are proceeding. Nothing major has happened since last time we met. Mr. Nelson Jr. reported you will see a lane closure go up for masonry on the highway side of the building starting as soon as Monday and anticipated for 14 days unless they can go faster. See lane closure through Kool Deadwood Nights.
- Highway 14A/85: Mr. Nelson reported a lot of the concrete will be torn out after Kool Deadwood Nights. The cement was put in a hurry for the rally. Putting in sidewalks, pulling utilities and doing reclamation off the road. Project could go into November. Still have to replace panels from one end to the other and major excavation at First Gold and Deadwood Bunkhouse.
- Mr. Nelson Jr. provided information on a potential box culvert project for 2026.

### **Adjournment:**

*It was moved by Mr. Lawler and seconded by Mrs. Runge to adjourn the Regular Meeting of the Planning and Zoning Commission. Aye – All. Motion carried.*

There being no further business, the Planning and Zoning Commission adjourned at 5:13 p.m.

ATTEST:

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Chairman, Planning & Zoning Commission

Wittmis, Planning & Zoning Office/Recording Secretary

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Secretary, Planning & Zoning Commission