

**CITY OF DEADWOOD**  
**PLANNING AND ZONING COMMISSION**  
**Wednesday, November 2, 2016**

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Jim Shedd on Wednesday, November 2, 2016, 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:** Jim Shedd, Marie Farrier, Brett Runge, and Tony Biesiot

**Absent:** Mel Allen

**Board of Adjustments Present:** Mayor Chuck Turbiville, Mark Speirs, and Dave Ruth

**Staff Present:**

Bob Nelson Jr. and Jerity Krambeck

**Approval of October 19, 2016 Minutes:**

*It was moved by Mr. Biesiot and seconded by Mrs. Runge to approve the October 19, 2016 meeting minutes. Aye - All. Motion carried.*

**Chair Shedd closed the Planning and Zoning Meeting**

**Mayor Turbiville called the meeting to order of the Board of Adjustments**

**Optima LLC - Create One Tract of Property**

*Deadwood Planning and Zoning Commission recommended to the City Commission approval on October 19, 2016. Bradsky Tract Revised, Bradsky Tract Number 2 and Relocated Williams Street Right-of-Way; A Replat of the Bradsky Tract of M.S. 308, Lots 1A, 2A, 3 and 4 of Tract A of M.S. 81, A Portion of M.S. 308 Described with 50' on Main St, Lots A, B, C, D, E, F, 15, 16, 17, 18, 19, 20, 21, and 22 of Block 3 of the Fountain City Addition to the City of Deadwood, and the Relocated Williams Street Right-of-Way Located in the NW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. ***It was moved by Mr. Ruth and seconded by Mr. Speirs to approve the plat presented for Bradsky Tract Revised, Bradsky Tract Number 2 and Relocated Williams Street Right-of-Way; A Replat of the Bradsky Tract of M.S. 308, Lots 1A, 2A, 3 and 4 of Tract A of M.S. 81, A Portion of M.S. 308 Described with 50' on Main St, Lots A, B, C, D, E, F, 15, 16, 17, 18, 19, 20, 21, and 22 of Block 3 of the Fountain City Addition to the City of Deadwood, and the Relocated Williams Street Right-of-Way Located in the NW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye - All. Motion carried.****

**Van Rokel Properties/Karl and Deelaina Webb - Property Transfer**

*Deadwood Planning and Zoning Commission recommended to the City Commission approval on October 19, 2016. Tract C1 and 4A of Deadwood Gulch Addition II, Formerly Tract C of Deadwood Gulch Addition II and Lot 4 of Arnio Subdivision, Being A Portion of Deadwood Gulch Addition II and M.S. 107, All Located in the NE1/4, SE1/4 and SW 1/4 of Section 27, T.5N, R.3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. ***It was moved by Mr. Speirs and seconded by Mr. Ruth to approve the plat presented as Tract C1 and 4A of Deadwood Gulch Addition II, Formerly Tract C of Deadwood Gulch Addition II and Lot 4 of Arnio Subdivision, Being A Portion of Deadwood Gulch Addition II and M.S. 107, All Located in the NE1/4, SE1/4 and SW 1/4 of Section 27, T.5N, R.3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye - All. Motion carried.****

**Bob and Carmen Walton - Adverse Possession Claim**

*Deadwood Planning and Zoning Commission recommended to the City Commission approval on October 19, 2016. Lots 59A Being a Portion of Lots 59 and 60, Block 35, Original Townsite, City of Deadwood, Located in the SW 1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. ***It was moved by Mr. Ruth and seconded by Mr. Speirs to approve the plat presented as Lots 59A Being a Portion of Lots 59 and 60,****

***Block 35, Original Townsite, City of Deadwood, Located in the SW ¼ of Section 23, T5N, R3E, B,H,M., City of Deadwood, Lawrence County, South Dakota. Aye – All. Motion carried.***

**Deadwood Stage Run LLC/Palisades LLC – Property Transfer**

Deadwood Planning and Zoning Commission recommended to the City Commission approval on October 19, 2016. Lot 6B, Block 2 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW ¼ Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T.5N, R.3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. ***It was moved by Mr. Speirs and seconded by Mr. Ruth to approve the plat presented as Lot 6B, Block 2 of Palisades Tract of Deadwood Stage Run Addition, All located in the SW ¼ Section 14, the SE ¼ of Section 15, the NE ¼ NE ¼ of Section 22 and the N ½ NW ¼ of Section 23, T.5N, R.3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye – All. Motion carried.***

**Neighborhood Housing Services of the Black Hills – Request for Variance**

*Deadwood Planning and Zoning Commission recommended to the City Commission denial on October 19, 2016.*

Tract H being a portion of Probate Lot 327, Lot 1 of Murray Subdivision of Probate Lot 327 and a portion of Lot 5 of Pecks Garden Subdivision and a portion of School Lot 16, all located in the City of Deadwood in the NW¼ of Section 27, T5N, R3E, B.H.M, Lawrence County, South Dakota, according to Plat Document No. 99-2448 and affidavit of correction recorded as Document No. 2000-656; LESS & EXCEPT Peck's Garden Townhomes Subdivision Lots 1 thru 7 according to Plat Document No. 2004-6763 and Lots 14 thru 17 according Plat Document No. 2005-6936, and LESS & EXCEPT Tract A of SKY Subdivision formerly a portion of Tract H as shown in Plat Document No. 2014-3180 and LESS & EXCEPT Lot A of Tract H deeded to State of South Dakota for highway as recorded in Document NO. 2014-3176;

-and-

Tract A of SKY Subdivision formerly a portion of Tract H as shown in Plat Document No. 2014-3180, all located in the City of Deadwood. ***It was moved by Mr. Ruth and seconded by Mr. Speirs to deny the variance of the five foot set back to Neighborhood Housing Services for construction at 10, 12, 14, and 16 Calamity Lane. Aye – All. Motion carried.***

Mrs. Joy McCracken, Neighborhood Housing Services, stated the Planning and Zoning Commission heard comments at the last meeting as well as Commissioner Speirs and Mayor Turbiville. Mrs. McCracken stated she asked the Mayor to speak a little bit tonight because she has heard what the neighborhood has said and she does understand that there are some issues over there and she believes it does warrant more discussion. Mrs. McCracken stated denying of the variance does not solve the problems the neighborhood is facing and it does not help NeighborWorks in the development of their lot. Mrs. McCracken asked the Commission to have further discussion and do further research about what might be the options for the residents of that neighborhood, as well as NeighborWorks and what we do with our lot. Mayor Turbiville stated that was reasonable and stated she could suggest a meeting and invite the members to sit down with a couple of members of the City Commission and go through the options that are available; whether it is finding adjacent parking or leaving the lots the way they are. Mayor Turbiville stated there is a City Commission meeting Monday, November 7, 2016 and two Commissioners to work with her on this, the City would be happy to do it. Mr. Turbiville stated there were complaints that were brought to the Commissioners that they did not know were issues and they can see if there is something they can do to solve the problems. Ms. Bonny Krueger stated she thought it was a reasonable request; however, they have been to two meetings already and now have to show up at a third meeting. Mayor Turbiville stated nothing says they have to show up to a third meeting. Mrs. McCracken stated she thought this would come down to a small committee to talk about different options and then bring it back to the neighborhood, NeighborWorks, or the City to see if they can resolve this so it works for the neighborhood and NeighborWorks, and it also addresses some of the issues in the neighborhood. Commission Speirs stated this particular neighborhood has been a distressed area for quite some time and it would be great to have some synergy between the developer and the community to see what would work for both parties. Ms. Krueger stated it was a reasonable request and she would like to attend the committee meetings just to hear the suggestions. Ms. Krueger stated people already park on the street and she cannot back out of her driveway so it is a safety issue to her. Mayor Turbiville stated all the comments would be well received.

**Mayor Turbiville closed the of the Board of Adjustments**

## **Chair Shedd opened the Planning and Zoning Meeting**

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

- Mr. Nelson Jr. stated the Welcome Center the Chamber portion of the building is being dry walled and mechanicals are being installed; the roof should be finished in the next few weeks; the trail is now open to the bridge.
- Mr. Nelson stated RCS Construction has completed the creek clean up/removal from 76 Drive to McKinley Street Bridge and Tall Grass Landscape Architecture are doing a planting plan for that portion; the City is working on a plan from McKinley Street to the box culverts so that whole portion will be done by the end of next year, with a grant to fund 80 percent of the work next year.
- The DOT project; there is a little bit of work on the hand rails and then the restrooms should be done at the end of this week and the parking lot will be open for trail access.
- Retaining Walls; there will be minor delays in the Guy/Forest area due to pouring concrete near that intersection.
- 3 Shine Street; the wall is all in and they are back filling with the foundation next to be underway.
- Cadillac Jacks; 52 & 54 Williams will be demolished next week and then some excavation will begin.

### **Adjournment:**

*It was moved by Ms. Farrier 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 6:15 p.m.

ATTEST:

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Chairman, Planning & Zoning Commission  
*Jerity Krambeck, Planning & Zoning Office/Recording Secretary*

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Secretary, Planning & Zoning Commission