

**DEADWOOD PLANNING AND ZONING COMMISSION**

**Wednesday, February 19, 2020 – 5:00 p.m.**  
City Hall, 102 Sherman Street, Deadwood, SD

**AGENDA**

1. Call Meeting to Order
2. Approval of February 5, 2020 Minutes
3. Planning and Zoning Commission/Board of Adjustments  
**Deadwood Stage Run, LLC**  
Plat of Block 3A, Block 4A and Dedicated Right of Way of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood all located in the SW1/4 of Section 14, the SE1/4 of Section 15, the NE1/4NE1/4 of Section 22 and the N1/2NW1/4 of Section 23, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota  
Action Required:
  - a. Approval/Denial by Planning and Zoning Commission
  - b. Approval/Denial by Board of Adjustments
4. **Public Meeting – Deadwood City Ordinance 17.53 Transient Commercial Use of Residential Property**
  - a. Public Comment
5. Adjourn

CITY OF DEADWOOD  
PLANNING AND ZONING COMMISSION  
Wednesday, February 5, 2020

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson John Martinisko on Wednesday, February 5, 2020 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, Jeff Lawler, Bill Rich, Brett Runge and Josh Keehn

Absent:

Board of Adjustments Present: David Ruth, Jr., Charlie Struble, Sharon Martinisko, Mike Johnson and Gary Todd

Staff Present:

Jeremy Russell, Trent Mohr and Cindy Schneringer

Approval of January 15, 2020 Minutes:

*It was moved by Mr. Rich and seconded by Mr. Keehn to approve the January 15, 2020 meeting minutes. Aye – All. Motion carried.*

Sign Review Commission:

Scott Jacobs – 79 Sherman Street – Install New Projecting Sign

Mr. Mohr stated the applicant is requesting permission to install a new sign to be located over the front door on the Sherman Street side. The purpose of the proposed sign is to advertise the new business at this location. The sign and its location are compliant with the ordinance and require no variance. *It was moved by Mr. Keehn and seconded by Mr. Rich to approve the installation of the new sign above the front door located at 79 Sherman Street. Aye – All. Motion carried.*

Celebrity Hotels Inc. – 623 Main Street – Re-install Projecting Sign

Mr. Mohr stated the applicant is requesting permission to re-install the projecting sign that was removed when the business closed. The only change to this sign is the graphics. The sign and its location are compliant with the sign ordinance and require no variance.

Celebrity Hotels Inc. – 627 Main Street – Re-install Projecting Sign

Mr. Mohr stated the applicant is requesting permission to re-install the projecting sign that was removed when the business closed. The sign and its location are compliant with the sign ordinance and require no variance.

*It was moved by Mr. Rich and seconded by Mr. Keehn to approve re-installing the projecting signs at 623 Main Street and 627 Main Street. Aye – All. Motion carried.*

Planning and Zoning Commission:

Condensing Parcels/Construction – Scott and Sharon Jacobs – Sherman Street and Pine Street

Mr. Russell stated Scott and Sharon Jacobs wish to create a pass through between the Brewhouse and the building to the south. Legally described as Plat of Lot 23A, Block 34 Original Townsite, City of Deadwood, Located in the SW ¼ of Section 23, T5N, R3E, B.H.M., Lawrence County, South Dakota Formerly Lots 19, 21 & 23, Block 34. The building code states the buildings have to be replatted into one parcel to allow the pass through. They have met all the requirements. *It was moved by Mr. Rich and seconded by Mr. Keehn to approve the plat for Lot 23A, Block 34 Original Townsite, City of Deadwood, Located in the SW ¼ of Section 23, T5N, R3E, B.H.M., Lawrence County, South Dakota Formerly Lots 19, 21 & 23, Block 34. Aye – all. Motion carried.*

Conditional Use Permit – Steve Wells – 786 Main Street

Mr. Russell stated this property previously was a Bed and Breakfast and the new owner, Steve Wells, is not interested in operating it as a Bed and Breakfast at this time but would like to keep the conditional use permit for resale value. Legally described as Lot 10 in the Grantz Addition to the City of Deadwood, According to A.B. Wilson recorded in plat book 1, page 238, Lawrence County, South Dakota. *After determination if the property is not used as Bed and Breakfast for one year you have to reapply for the CUP, Mr. Wells withdrew the Conditional Use Permit application and requested a refund of the fee.*

**Conditional Use Permit – Steve and Kym Flaigg – 28 Lincoln Avenue**

Mr. Russell stated this property has been used as a Bed and Breakfast for quite some time and the new owners, Steve and Kym Flaigg, wish to honor the current bookings through the first of October. Legally described as Lots 1 and 2, Block 49, O.T., City of Deadwood, Located in the NW ¼, Section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Mr. Russell stated he received no feedback from the letters sent to neighbors. *It was moved by Mr. Rich and seconded by Mr. Keehn to approve the plat for Lots 1 and 2, Block 49, O.T., City of Deadwood, Located in the NW ¼, Section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye – all. Motion carried.*

**Memorandum of Agreement – Second Stage LLC – Roadways**

Mr. Russell stated this Memorandum of Agreement is between the City of Deadwood and Second Stage LLC to approve two private roads and how they would be managed. *It was approved by Mr. Keehn and seconded by Mr. Rich to approve the Memorandum of Agreement between the City of Deadwood and Second Stage LLC. Aye – all. Motion Carried.*

**Board of Adjustments:**

Mayor Ruth, Jr. called the meeting of the Board of Adjustments to order.

**Condensing Parcels/Construction – Scott and Sharon Jacobs – Sherman Street and Pine Street**

*It was moved by Ms. Martinisko and seconded by Ms. Struble to approve the condensing of plat of Lot 23, Block 34 Original Townsite, City of Deadwood, Located in the SW ¼ of Section 23, T5N, R3E, B.H.M., Lawrence County, South Dakota Formerly Lots 19, 21 & 23, Block 34. Aye – all. Motion Carried.*

**Conditional Use Permit – Steve and Kym Flaigg – 28 Lincoln Avenue**

*It was moved by Ms. Martinisko and seconded by Ms. Struble to approve the Conditional Use Permit for Lots 1 and 2, Block 49, O.T., City of Deadwood, Located in the NW ¼, Section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye – all. Motion Carried.*

**Memorandum of Agreement – Second Stage LLC – Roadways**

*It was moved by Ms. Martinisko and seconded by Ms. Struble to move to continue Memorandum Agreement to City Commission. Aye – all. Motion carried.*

*It was motioned by Ms. Martinisko and seconded by Ms. Struble to adjourn the Board of Adjustment meeting. Aye – all. Motion Carried.*

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

- Reminder the vacation rental public meeting is during the next Planning and Zoning meeting on February 19, 2020. Imagine quite a few people will attend to express their concerns for or against.
- 2020 Census kick off is April 1, 2020.

**Adjournment:**

*It was moved by Mr. Keehn and seconded by Mr. Rich 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 5:37 p.m.

ATTEST:

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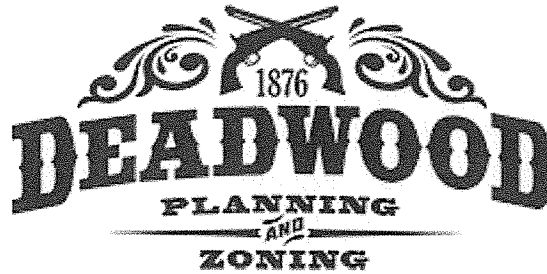
Chairman, Planning & Zoning Commission

Cindy Schneringer, Planning & Zoning Office/Recording Secretary

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Secretary, Planning & Zoning Commission

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



**Jeremy Russell**  
Planning and Zoning Administrator  
Telephone (605) 578-2082  
jeramyr@cityofdeadwood.com

**STAFF REPORT  
PLANNING AND ZONING  
FEBRUARY 19, 2020 MEETING**

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**APPLICANT:** Deadwood Stage Run, LLC

**PURPOSE:** Development Purposes

**GENERAL LOCATION:** Stage Run

**LEGAL DESCRIPTION:** PLAT OF BLOCK 3A, BLOCK 4A AND DEDICATED RIGHT OF WAY OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

**FILE STATUS:** All legal obligations have been completed.

**ZONE:** P.U.D. – Planned Unit Development

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**STAFF FINDINGS:**

Surrounding Zoning:

North: PF – Park Forest  
South: P.U.D – Planned Unit Development  
East: P.U.D – Planned Unit Development  
West: Lawrence County Land

Surrounding Land Uses:

Lawrence County/Vacant  
Residential Homes  
Residential Homes  
Vacant

**SUMMARY OF REQUEST**

The purpose of this plat is to facilitate the housing development of Phase 2 at Stage Run. This new development will be completed in phases. This plat contains only block 3A and 4A. Each individual lot will require a plat as they sell.

## **FACTUAL INFORMATION**

1. The property is currently zoned P.U.D. – Planned Unit Development
2. Block 4A is comprised of 6.478 Acres± and Block 3A 3.680 Acres±
3. The subject property is located within a low density residential designation.
4. The property is not located within a flood zone or flood hazard zone.
5. Public facilities are available to serve the property.

## **STAFF DISCUSSION**

Phase 2 of Stage Run was actually laid out in the original master plan that Deadwood Stage Run LLC presented to the City of Deadwood in 2007. At that time it was approved by the Deadwood Planning and Zoning Commission as well as the City Commission.

1. The North Arrow is shown on the plat with a direct reference to the coordinating mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown on the plat and serves to "fix in time" the data represented on the plat.
5. The street bounding the lot is shown and named.
6. All certifications are indicated and correct on the plat.
7. Dimensions, angles and bearings are shown along the lot lines.
8. Scale of the plat is shown and accompanied with a bar scale.
9. Area's taken out of the mineral survey and remaining acreage is indicated on the plat.

## **ACTION REQUIRED:**

1. Approval / Denial by Deadwood Planning and Zoning Commission.
2. Approval / Denial by Deadwood Board of Adjustment.

[illegible]

NOTES:

1) PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION  
RECORDED IN DOC. #5068-2791

2) OWNER/DEVELOPER  
DEADWOOD STAGE RUN LLC-C/O PALISADES LLC (CD)  
11 CHARLES ST.  
DEADWOOD, ND 57732

3) A 5' DRAINAGE & UTILITY EASEMENT IS HEREBY GRANTED  
ALONG SIDE AND REAR LOT LINES AND 10' ALONG THE FRONT

I, LOREN D. WREM, 332A WEST MAIN STREET, LEAD, SOUTH DAKOTA, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA. THAT AT THE REQUEST OF THE OWNER AND UNDER MY SUPERVISION, I HAVE CAUSED TO BE SURVEYED AND PLATTED THE PROPERTY SHOWN AND DESCRIBED HEREON. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE PROPERTY WAS SURVEYED IN GENERAL CONFORMANCE WITH THE LAWS OF THE STATE OF SOUTH DAKOTA AND ACCEPTED METHODS AND PROCEDURES OF SURVEYING. DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

OWNER'S CERTIFICATE  
STATE OF SOUTH DAKOTA      COUNTY OF LAWRENCE

OWNER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_  
OWNER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY

APPEARED  
KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC: \_\_\_\_\_

CERTIFICATE OF COUNTY TREASURER  
STATE OF SOUTH DAKOTA      COUNTY OF LAWRENCE

LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY THAT \_\_\_\_\_ TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

LAWRENCE COUNTY TREASURER: \_\_\_\_\_

APPROVAL OF HIGHWAY AUTHORITY  
STATE OF SOUTH DAKOTA      COUNTY OF LAWRENCE

THE LOCATION OF THE PROPOSED ACCESS ROADS ABUTTING THE COUNTY OR STATE HIGHWAY AS SHOWN HEREON, IS HEREBY APPROVED. ANY CHANGE IN THE PROPOSED ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

HIGHWAY AUTHORITY:

APPROVAL OF THE CITY OF DEADWOOD PLANNING COMMISSION  
STATE OF SOUTH DAKOTA      COURTESY, S&L LANDSCAPE

THIS PLAT APPROVED BY THE CITY OF DEADWOOD PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

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APPROVAL OF THE CITY OF DEADWOOD BOARD OF COMMISSIONERS  
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

BE IT RESOLVED THAT THE CITY OF DEADWOOD BOARD OF COMMISSIONERS HAVING VIEWED THE WITHIN PLAT, DO HEREBY APPROVE THE SAME FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS, LAWRENCE COUNTY, SOUTH DAKOTA.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

WITNESS: \_\_\_\_\_  
 \_\_\_\_\_  
 FINANCE OFFICER

OFFICE OF THE COUNTY DIRECTOR OF EQUALIZATION  
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE  
RECEIVED A COPY OF THIS PLAT, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

LAWRENCE COUNTY DIRECTOR OF EQUALIZATION:

OFFICE OF THE REGISTER OF DEEDS  
STATE OF SOUTH DAKOTA  
COUNTY OF LAWRENCE

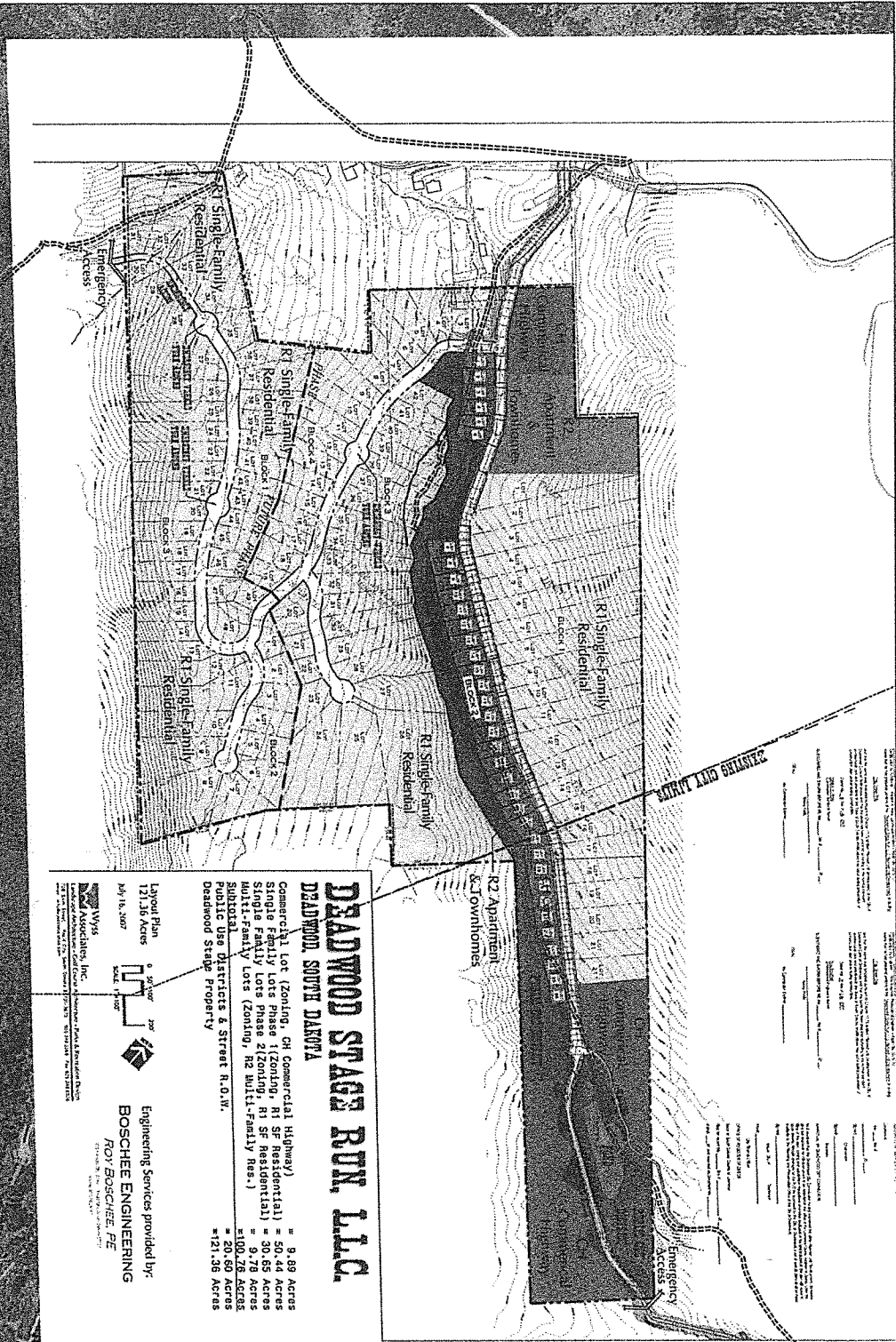
FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ M., AND RECORDED IN \_\_\_\_\_

LAWRENCE COUNTY REGISTER OF DEEDS:

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Prepared By: <b>PONDEROSA LAND SURVEYS, L.L.C.</b> 332A WEST MAIN STREET LEAD, SD 57754 (605) 722-3840	Date:	2/5/2020
	Drawn By:	L. D. Vrem
	Project No.:	20-31
	Dwg. No.:	20-31.dwg

LAST PAGE



**DEADWOOD STAGE RUN, L.L.C.**  
**DEADWOOD, SOUTH DAKOTA**

Commercial Lot (Zoning, CH Commercial Highway)  
 Single Family Lots Phase 1 (Zoning, R1 SF Residential)  
 Single Family Lots Phase 2 (Zoning, R1 SF Residential)  
 Multi-Family Lots (Zoning, R2 Multi-Family Res.)  
 Subtotal  
 Public Use Districts & Street R.O.W.  
 Deadwood Stage Property

9.69 Acres  
 50.44 Acres  
 30.65 Acres  
 9.78 Acres  
 100.78 Acres  
 20.60 Acres  
 121.58 Acres

Layout Plan  
 121.58 Acres  
 July 18, 2007

**WYS**  
 W & S Associates, Inc.  
 2000 W. 10th Street, Suite 100, Rapid City, SD 57701  
 605.223.1111

Engineering Services provided by:  
**BOSCHKE ENGINEERING**  
 ROY BOSCHKE, P.E.  
 214 S. 10th Street, Suite 100, Rapid City, SD 57701  
 605.223.1111

**Legend**

===== Wagon\_Road\_Centennial\_Ave 7/20/2007 RLM  
 Centennial Wagon Road  
 Deawood City Limit

0 250 500 1,000 Feet

**Deadwood Stage Run**

