

**DEADWOOD PLANNING AND ZONING COMMISSION**

**Wednesday, December 4, 2019 – 5:00 p.m.**

**City Hall, 102 Sherman Street, Deadwood, SD**

**AGENDA**

1. Call Meeting to Order
2. Approval of November 6, 2019 Minutes

3. Planning and Zoning Commission

**Separating Vacant and Developed Land – Stage Run Properties LLC – Stage Run**

Lot A, of Block 1 of Palisades Tract of Deadwood Stage Run Addition to the City of Deadwood. 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, T5N, R3E, H.H.M., City of Deadwood, Lawrence County, South Dakota Formerly a portion of Lot C-1 and Lot MF-1, Block 1 of Palisades Tract of Deadwood Stage Run Addition.

Action Required:

- a. Approval/Denial by Planning and Zoning Commission
  - b. Approval/Denial by Board of Adjustments
4. Items from Staff
  - a. Outlaw Square
  - b. 2020 Census
5. Adjourn

CITY OF DEADWOOD  
PLANNING AND ZONING COMMISSION  
Wednesday, November 6, 2019

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairperson John Martinisko on Wednesday, October 16, 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, Josh Keehn, Jeff Lawler and Bill Rich

Absent: Brett Runge

Board of Adjustments Present: Charlie Struble

Staff Present:

Jeramy Russell, Trent Mohr, Cindy Schneringer, Kevin Kuchenbecker

Approval of October 16, 2019 Minutes:

*It was moved by Mr. Rich and seconded by Mr. Keehn to approve the October 16, 2019 meeting minutes. Aye - All. Motion carried.*

Sign Review Commission

DGS, LLC - 558 Main Street (Deadwood Gulch Saloon parking lot) - Install New Freestanding Sign (25 square feet)

Mr. Mohr stated there is a correction on the second page of the staff report where he described why two variances are required. The proposed sign is larger than 10 square feet and the bottom is lower than eight feet. In the report he stated it was lower than twelve feet. Eight feet is the reason they need the variance. Mr. Russell and Mr. Mohr met with the applicant and identified the need for the variances in question. The applicant did reduce the sign after the initial meeting. The intent of the sign is to advertise the use of the lot and to define the driveways in and out. *It was moved by Mr. Rich and seconded by Mr. Lawler to approve the sign permit with two variances to install new freestanding sign at 558 Main Street. Aye - All. Motion carried.*

City of Deadwood - 703 Main Street (Outlaw Square) - Install New Freestanding Sign (18.7 square feet)

Mr. Mohr said the applicant is actually the City of Deadwood. This is a freestanding sign for the Outlaw Square. This sign also requires a variance as it is larger than ten square feet required in the sign ordinance. Mr. Kuchenbecker stated the sign is located at the corner of Main and Deadwood and is part of the Outlaw Square public education spaces. *It was moved by Mr. Keehn and seconded by Mr. Rich to approve the sign permit to install new freestanding sign at 703 Main Street. Aye - All. Motion carried.*

Items From Staff (no action taken)

- Outlaw Square: Mr. Kuchenbecker reported the grand opening is on December 6<sup>th</sup>. The artificial turf has been delivered and installation will start next week. The ice is in Chicago on its way to Deadwood from Switzerland. Light poles have been set. Rack installed so have full control of sound system and lighting system which will be controlled off of an iPad. Brick streets were finished yesterday. Still have some bricks to install by the gallows. This Friday they will turn on Zone 1 of the headed sidewalks around the stage. Zone 2 pouring now. Construction meetings are now weekly for the next few weeks. Will have building punch list after next Wednesday's construction meeting.
- Highway 14A/85: Mr. Russell reported, per his conversation with Bob Nelson, Jr., the barricades have come down. Work halted until Spring. Traffic signals being installed at 14A/85 intersection and at Deadwood Street. Hope to have both lights operational by Thanksgiving. Have received question regarding the lighting on lower Main and Burnham. The will continue working on them until completed.
- Mr. Russell reported there is a water main repair in the Dunlop area and is supposed to be fixed by Friday.
- Whitewood Creek: Mr. Russell reported Mr. Kuchenbecker, Mr. Nelson, Jr. and himself met with FEMA on October 30<sup>th</sup>. Received the go ahead to start fixing the emergency work that needs to be done which has to be completed by April 7, 2020. The City will have to pay for these repairs up front. The remaining work has to be completed by April 7, 2021.

Adjournment:

*It was moved by Mr. Rich and seconded by Mr. Lawler 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 5:19 p.m.

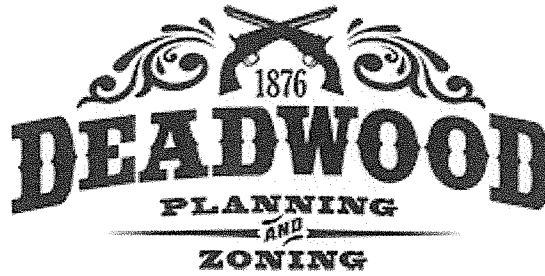
ATTEST:

\_\_\_\_\_  
Chairman, Planning & Zoning Commission

\_\_\_\_\_  
Secretary, Planning & Zoning Commission

*Cindy Schneringer, Planning & Zoning Office/Recording Secretary*

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



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

**STAFF REPORT**  
**PLANNING AND ZONING**  
NOVEMBER 20<sup>TH</sup>, 2019 MEETING

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**APPLICANT:** Stage Run Properties LLC  
PO Box 1282  
Spearfish, SD 57783

**PURPOSE:** Separating Vacant and Developed Land

**GENERAL LOCATION:** Stage Run

**LEGAL DESCRIPTION:** LOT A, OF BLOCK 1 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD. ALL LOCATED IN THE SW ¼ OF 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, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA FORMERLY A PORTION OF LOT C-1 AND LOT MF-1, BLOCK 1 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION.

**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 separate Lot A, which contains multi-family apartments, from Lot C-1 and MF-1, which both contain vacant land.

## **FACTUAL INFORMATION**

1. The property is currently zoned P.U.D. – Planned Unit Development
2. Lot A is comprised of 1.344 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**

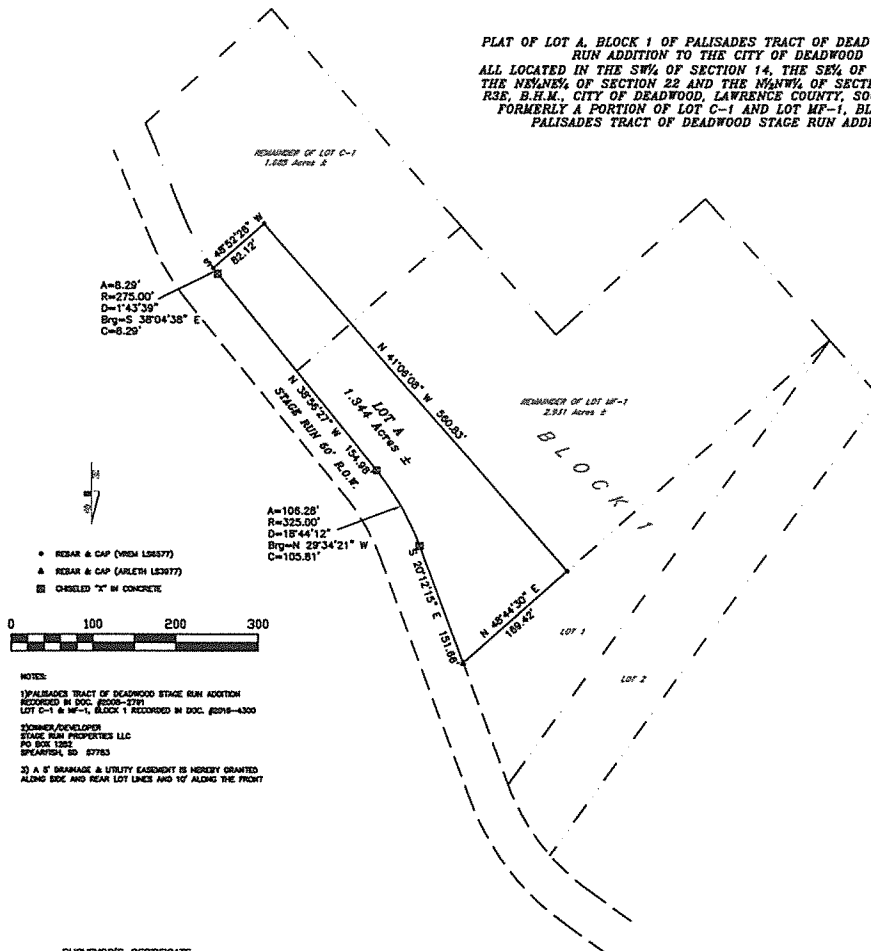
The purpose of this plat is to separate the Lot A, which contains multifamily apartments, from Lot C 1 and MF 1, which both contain vacant land.

1. The North Arrow is shown on the plat with a direct reference to the coordinate 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.

PLAT OF LOT A, BLOCK 1 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD  
ALL LOCATED IN THE SW¼ OF SECTION 14, THE SE¼ OF SECTION 15, THE NW¼ OF SECTION 22 AND THE NW¼ OF SECTION 23, T8N, R35E, B.M.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA  
FORMERLY A PORTION OF LOT C-1 AND LOT MF-1, BLOCK 1 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION



- REBAR & CAP (VREM L58377)
- REBAR & CAP (ARLETH L58377)
- CHISELED "X" IN CONCRETE



NOTES:  
1) PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION  
RECORDED IN DOC. #2009-2191  
LOT C-1 & MF-1, BLOCK 1 RECORDED IN DOC. #2019-4300  
2) OWNER/DEVELOPER  
STAGE RUN PROPERTIES LLC  
PO BOX 1285  
SPEARHEAD, SD 57783  
3) A 5' DRAINAGE & UTILITY EASEMENT IS HEREBY GRANTED  
ALONG SIDE AND REAR LOT LINES AND 10' ALONG THE FRONT

#### SURVEYOR'S CERTIFICATE

I, LOREN D. VREM, 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\_\_.

LOREN D. VREM, R.L.S. 6577

OWNER'S CERTIFICATE  
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

\_\_\_\_ DO HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE DO APPROVE THIS PLAT AS HEREON SHOWN AND THAT DEVELOPMENT OF THIS PROPERTY SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

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

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

ACKNOWLEDGMENT OF OWNER  
STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE

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

I, \_\_\_\_\_ LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY THAT \_\_\_\_\_ TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED PROPERTY HAVE BEEN PAID. DATED THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_.

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 COUNTY OF LAWRENCE

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

CHAIRMAN \_\_\_\_\_ ATTEST: \_\_\_\_\_ CITY PLANNER

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\_\_.

ATTEST: \_\_\_\_\_ FINANCE OFFICER \_\_\_\_\_ MAYOR

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

I, 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 DOC. \_\_\_\_\_

LAWRENCE COUNTY REGISTER OF DEEDS: \_\_\_\_\_



Prepared By:  
**PONDEROSA LAND SURVEYS, L.L.C.**  
332A WEST MAIN STREET  
LEAD, SD 57754  
(605) 722-3840

Date:	11/13/2019
Drawn By:	L. D. Vrem
Project No.:	19-321
Dwg. No.:	19-321.dwg