

**DEADWOOD PLANNING AND ZONING COMMISSION**

**Wednesday, March 20, 2019 – 5:00 p.m.**

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

**AGENDA**

1. Call Meeting to Order
2. Approval of March 6, 2019 Minutes
3. Sign Review Commission

**65 Sherman Street – Ashley Miller – Install New Window Sign**

Action Required:

- a. Approval/ Denial by Sign Review Commission

4. Planning and Zoning Commission and Board of Adjustments  
**Plat – Stage Run Development – Deadwood Stage Run LLC**

Lot 20, 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, 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 Deadwood Board of Adjustment

5. Items from Staff
  - a. Outlaw Square
  - b. Hwy 14A/85
  - c. Whitewood Creek
  - d. City Hall Parking Lot
  - e. CDBG

6. Adjourn

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

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Tony Biesiot on Wednesday, March 6, 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:** Tony Biesiot, Brett Runge, Jim Shedd, and John Martinisko

**Absent:** Bill Rich

**Board of Adjustments Present:** Charlie Struble

**Staff Present:**

Bob Nelson Jr. and Meghan Wittmis

**Approval of February 6, 2019 Minutes:**

*It was moved by Mrs. Runge and seconded by Mr. Shedd to approve the February 6, 2019 meeting minutes. Aye – All. Motion carried.*

**Planning and Zoning Commission and Board of Adjustments:**

**Plat – Jeffrey D. Snedeker – Transfer of Property**

Mr. Nelson Jr. stated this is a final plat submitted by Jeff Snedeker, 59 Stewart Street. The purpose is to transfer property on upper Main Street. Legally described as Lots 10A1 and 10A2, Block B, Sunnyside Addition, Formerly Lot 10A, Block B, Sunnyside Addition Located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. This property is zoned C1- commercial. Jeff owns the Penny Motel and the Branch House across the street. This is the former site of additional motel sites for the Penny. He is selling this property to provide parking to the triplex across the street. Mr. Martinisko stated this is just parking now and Mr. Nelson Jr. agreed. *It was moved by Mr. Martinisko and seconded by Mr. Shedd to approve the plat for Lots 10A1 and 10A2, Block B, Sunnyside Addition, Formerly Lot 10A, Block B, Sunnyside Addition Located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota. Aye – All. Motion Carried.*

**Resolution Creating Tax Incremental District Number Eleven – 5:05 p.m.**

Blaze Emmerson stated they are looking at another tax increment financing district, this one will be a little different than past districts. This one will be in association with the Tin Lizzie expansion. Tonight, just the district is being created; the project plan will come later. The reason for this is the owner wants to get the construction started. A number of improvements done during the construction fall into the Main Street Master Plan project. Therefore, a portion of the project plan will be private sector funded; the majority of the funding will be used by the City to help with the construction of Main Street. The project plan will be before you in a couple of months. The Hampton Inn will not be part of this district. The total finance package will be between \$2 million and \$2.5 million, the main portion will be used by the City. Mr. Martinisko asked why the highway is included. Mr. Emmerson stated they include the right of way in case any improvements need to happen. Mrs. Runge asked why the City will be using this funding for Main Street. Mr. Nelson Jr. stated because it was offered. Mr. Emmerson stated some of the projects coincided with work the City would be doing anyways. *It was moved by Mrs. Runge and seconded by Mr. Martinisko to recommend approval of the Tax Incremental District Number Eleven. Aye – All. Motion Carried.*

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

- Outlaw Square: They are slightly behind schedule, but nothing to be concerned about. The next bid package will go out on Friday for foundations for the stage, restrooms, gazebo, and the building. The final package will be bid out in the next two weeks and hope to have a guaranteed maximum price. Changes include re-using the bricks for the street and having synthetic ice. A new Bluetooth light bulb will be tested in the square.
- Highway 14A/85: There is a pre-construction meeting in Rapid City. Not long after the project should start.
- The City just entered into a contract to redesign the parking lot between City Hall and Family Dollar. We are working with the Baptist Church and Family Dollar to remove the jersey barriers and have a common entrance in the center.
- Mr. Nelson Jr. is working on a Community Development Block grant application to help with partial finding for the Rec Center addition. The addition will be dedicated for senior space. There will be a public hearing on March 18<sup>th</sup> at 1:00 during the City Commission meeting.
- Whitewood Creek Trail is proposed to be extended three miles from 76' Drive towards Boulder Canyon. This is under contract with Tall Grass for design.
- Fire Wise: they are burning about 1,000 piles on Deadwood Hill this week.

- There were two petitions for annexation on the City Commission agenda two weeks ago. They were accepted and are now waiting on the annexation agreement.
- The Fire Department will have their annual pancake breakfast on Sunday morning.

**Adjournment:**

*It was moved by Mr. Shedd 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 5:23 p.m.

ATTEST:

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

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

*Meghan Wittmis, Planning & Zoning Office/Recording Secretary*



## SIGN PERMIT STAFF REPORT

Sign Review Commission  
March 20, 2019

**Applicant:** Ashley Miller

**Address:** 65 Sherman Street, Deadwood, SD 57732

**Site Address of Proposed Signage:** 65 Sherman Street (Burnouts Pizza)

### Computation of Sign Area

**Building Frontage:** 53 Feet

**Total Available Signage:** 106 Square Feet

**Existing Signage:** One projecting sign (4.5 Square Feet)

**Remaining Available Signage Area:** 101.5 Square Feet

**Proposed Sign Project:** Install new window sign (26.4 Square Feet counted as 6.6 Square Feet)

**Proposed Building Materials:** Vinyl Decal. (see attached rendering).

**Proposed Lighting of the Signs:** None.

**Location of Proposed Sign:** Attached is a photograph showing the sign installed.

### Discussion

The sign permit application in review is proposed at a location inside the locally-designated historic district which is regulated by chapter 15.32.300 of the sign ordinance. The current signage at the subject property is compliant with the sign ordinance. The sign proposed in the current application is regulated by 15.32.090 of the Sign Ordinance, reference below.

- A. *Before any sign can be erected or altered in any way, a valid permit must be issued. Any further alteration of the sign shall require an amendment of the existing permit or the issuance of a new permit. Such changes, as well as original permits, shall be issued pursuant to review by the sign review commission. It is unlawful to display, construct, erect, locate or alter any sign without first obtaining a sign permit for such sign.*

The applicant has opened a new business at this location. All signage from the previous business has been removed. This new sign has been installed to advertise the new business.

The sign and its location are compliant with the sign ordinance.

## Variances

The sign permit application in review as proposed requires no variances from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find *"special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters on adjacent lots or within the adjacent public right-of-way that would substantially restrict the effectiveness of the sign in question and such special circumstances or conditions are peculiar to the business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises in the area."* However, it is the responsibility of the applicant to provide adequate evidence of such special circumstances or conditions.

## Sign Review Commission Action

Motion to approve sign permit for new window sign at 65 Sherman Street

OR

Motion to deny proposed sign permit application as submitted.





Approx. 56"T x 68"W digitally printed decal  
applied to window



1740 East North St.  
Rapid City, SD 57701  
**605-348-8744**  
Fax: 388-6199  
Email: signs@hills.net

Date: 2/15/2019

SCALE: nts

Burnouts Pizza

Approved by:

NAME

DATE

M. Miller  
Sales Consultant

M. Miller  
Graphics

File Name: Burnouts window Rev 4a

Contact: Ashley Miller

Location:

Phone:

© Copyright 2019

This drawing was created to assist you in visualizing our proposal. Actual sign may vary (color design & size). The original ideas herein are the property of Conrad's Big "C" Signs. Permission to copy or revise this drawing can only be

Email: signs@hills.net







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



**Bob Nelson, Jr.**  
Planning & Zoning Administrator  
Telephone (605) 578-2082  
bobjr@cityofdeadwood.com

**STAFF REPORT  
PLANNING AND ZONING  
MARCH 19, 2019 JOINT MEETING**

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**APPLICANT:** Deadwood Stage Run LLC  
C/O Palisades LLC  
11 Charles St.  
Deadwood, SD 57732

**PURPOSE:** Transfer Property

**GENERAL LOCATION:** Deadwood Stage Run Addition

**LEGAL DESCRIPTION:** Lot 20, 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, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

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

**ZONE:** R1 – Residential District

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**STAFF FINDINGS:**

Surrounding Zoning:

North: R1 - Residential  
South: Future Development Area  
East: R1 - Residential  
West: Future Development Area

Surrounding Land Uses:

Residential Dwellings  
Vacant  
Residential Dwellings  
Residential Dwellings

**SUMMARY OF REQUEST**

The Final Plat for Lot 20, Block 2 of the Stage Run Addition has been submitted to transfer property. The property is located off of Mt. Roosevelt Road and the lot fronts Stage Run. The address for Lot 20, Block 2 is 775 Stage Run.

**FACTUAL INFORMATION**

1. The property is currently zoned R1 – Residential District
2. Lot 20, Block 2, is comprised of 0.18 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.
6. The area is currently characterized by open space, many new homes.



## **STAFF DISCUSSION**

The lot meets the area and bulk requirements for square footage.

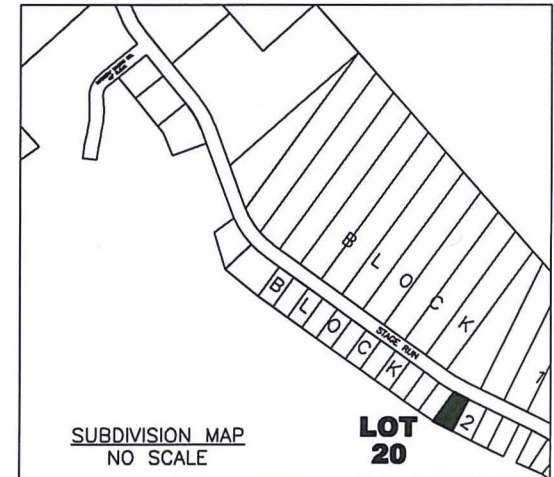
1. The North Arrow is shown on the plat with a direct reference to the coordinate mapping system.
2. Land is identified with a new legal description for the transfer of the land.
3. Surveyor's Certificate is shown with the name of the surveyor and his registered land surveyor number.
4. A date is shown 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.

OWNER/DEVELOPER:  
PALISADES LLC  
376 MAIN ST.  
DEADWOOD, SD 57732  
1-605-578-1567

**PLAT OF LOT 20 OF BLOCK 2  
OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION;  
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, BHM,  
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA**



- LEGEND:**  
● SET REBAR AND CAP STAMPED "ALS 3977"  
○ FOUND MONUMENT STAMPED "ALS 3977"

- NOTES:**  
1. PROPOSED LOT AREA = 0.18 ACRES±;  
PROPOSED R-O-W AREA = 0.00 ACRES±;  
TOTAL PROPOSED PLATTED AREA: 0.18 ACRES±  
REMAINING AREA PALISADES TRACT 70.62 ACRES±  
EASEMENTS INCLUDED IN ALL AREAS.  
2. 5' UTILITY EASEMENT ON INTERIOR OF ALL LOT LINES.  
3. WE HEREBY GRANT EASEMENTS TO RUN WITH THE LAND  
FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE,  
OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON  
OR OVER THOSE PORTIONS OF LAND DESIGNATED HEREON AS  
EASEMENTS.  
4. DETAILED CURVE DATA IN PLAT DOC#2008-5119.



SHEET 1 OF 2

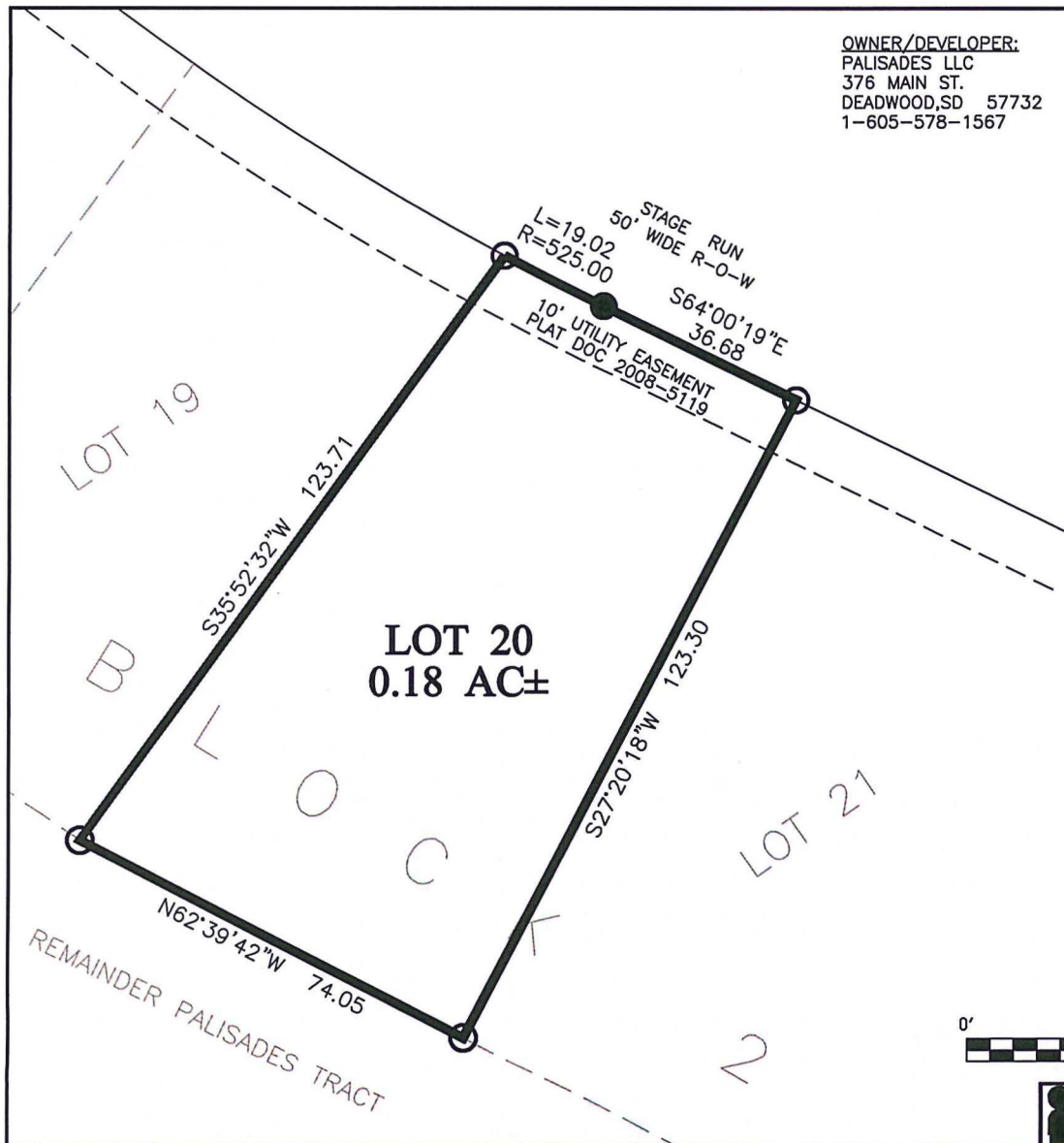


PREPARED BY:  
**ARLETH LAND  
SURVEYING, LLC**

24 CLIFF ST.  
DEADWOOD, SD 57732  
1-605-578-1637

DATE: MARCH 6, 2019  
REV:  
SCALE: 1" = 20'

APPROVED: JMA  
DRAWN: FD  
FILE: 7271 LOT 20 BLK 2





**PLAT OF LOT 20 OF BLOCK 2  
OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION;  
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, BHM,  
CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA**

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA      COUNTY OF LAWRENCE  
I, JOHN M. ARLETH, 24 CLIFF STREET, DEADWOOD, SD, DO HEREBY CERTIFY  
THAT I AM A LICENSED 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\_\_\_\_.

\_\_\_\_\_  
JOHN M. ARLETH, R.L.S. 3977

OWNER'S CERTIFICATE

STATE OF SOUTH DAKOTA      COUNTY OF LAWRENCE  
\_\_\_\_\_  
DO HEREBY CERTIFY THAT 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: \_\_\_\_\_  
\_\_\_\_\_

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\_\_\_\_.

\_\_\_\_\_  
CITY PLANNER

\_\_\_\_\_  
CHAIRMAN

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, S.D. 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      FEE: \$ \_\_\_\_\_

SHEET 2 OF 2



PREPARED BY:  
**ARLETH LAND  
SURVEYING, LLC**

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1-605-578-1637

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