DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, February 6, 2019 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

- 1. Call Meeting to Order
- 2. Approval of January 16, 2019 Minutes
- Election of Officers Chairman Vice Chairman Secretary
- 4. Sign Review Commission <u>137 Charles Street (Hickok House Hotel) – FIB Properties – Re-face Existing Freestanding Sign</u>

Action Required:

a. Approval/ Denial by Sign Review Commission

399 Cliff Street (Twin City Hardware) - Les and Cindy Bellet - Install New Wall Sign

Action Required:

- a. Approval/ Denial by Sign Review Commission
- 5. Planning and Zoning Commission and Board of Adjustments

Plat – Stage Run Development – Deadwood LLC

Lot C2 and Common Lot B of Block 1 and Lot C1 of Block 2 of Palisades Tract of Deadwood Stage Run Addition; All Located in the SW1/4 of Section 14, the SE ¼ 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

Action Required:

- a. Approval/Denial by Planning and Zoning Commission
- b. Approval/Denial by Deadwood Board of Adjustment

Plat – Railroad Ave. – City of Deadwood

Deadwood City Shop Tracts A-1 and A-2; Formerly Deadwood City Shop Tract A, Consisting of Lots 2 and 3 of E.L. Keener Lots in M.S. 335, Lots 1 and 2, Block 3 of Mirick Addition in M.S. 735 and Portions of Lots 3, 4, and 5 of Railroad Avenue Block in M.S. 735; 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
- 6. Items from Staff
 - a. Outlaw Square
 - b. Hwy 14A/85
- 7. Adjourn

"The Historic City of the Black Hills" Deadwood, South Dakota 57732 TRENT MOHR Building Inspector Dept. of Public Works Telephone: (605) 578-3082 Fax: (605) 578-3101

SIGN PERMIT STAFF REPORT

Sign Review Commission February 6, 2019

Applicant: FIB Properties Address: PO Box 309, Billings MT 59116 Site Address of Proposed Signage: 137 Charles Street (Hickok House Hotel)

Computation of Sign Area

Building Frontage: 255 Feet
Total Available Signage: 510 Square Feet
Existing Signage: One Freestanding (90 Square Feet)
Remaining Available Signage Area: 420 Square Feet
Proposed Sign Project: Re-face existing freestanding sign.
Proposed Building Materials: Vinyl and Metal. (The rendering of the sign was not finalized in time to include with this report. It will be provided prior to the meeting.)
Proposed Lighting of the Signs: Internal illumination.
Location of Proposed Sign: No change in location of sign.

Discussion

The sign permit application in review is proposed at a location outside the locally-designated historic district and inside the national historic landmark district which is regulated by chapter 15.32.310 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.

This is the long term change to the existing sign to remove the Best Western logo and eliminate the temporary cover over the sign that was approved at the January 16, 2019 meeting. The intent is to keep the sign internally illuminated. A variance was granted to allow this sign to be internally illuminated at the April 20, 2016 meeting.

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



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Variances

The sign permit application in review as proposed requires no additional 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 to re-face the freestanding sign at 137 Charles Street

OR

Motion to deny proposed sign permit application as submitted.

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SIGN PERMIT STAFF REPORT

Sign Review Commission February 6, 2019

Applicant: Les and Cindy Bellet Address: 406 Dixon Street, Lead, SD 57754 Site Address of Proposed Signage: 399 Cliff Street (Twin City Hardware)

Computation of Sign Area

Building Frontage: 239 Feet
Total Available Signage: 478 Square Feet
Existing Signage: One Wall Sign (15 Square Feet)
Remaining Available Signage Area: 463 Square Feet
Proposed Sign Project: Install new wall sign (40 Square Feet).
Proposed Building Materials: Metal. (see attached rendering).
Proposed Lighting of the Signs: External Illumination.
Location of Proposed Sign: Attached is a rendering showing the proposed location.

Discussion

The sign permit application in review is proposed at a location outside the locally-designated historic district and outside the national historic landmark district which is regulated by chapter 15.32.315 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.

This the second of three new signs the applicant is planning after re-siding his business last year. The first sign was approved at the November 20, 2018 meeting.

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



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Variances

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Sign Review Commission Action

Motion to approve sign permit for new wall sign at 399 Cliff Street

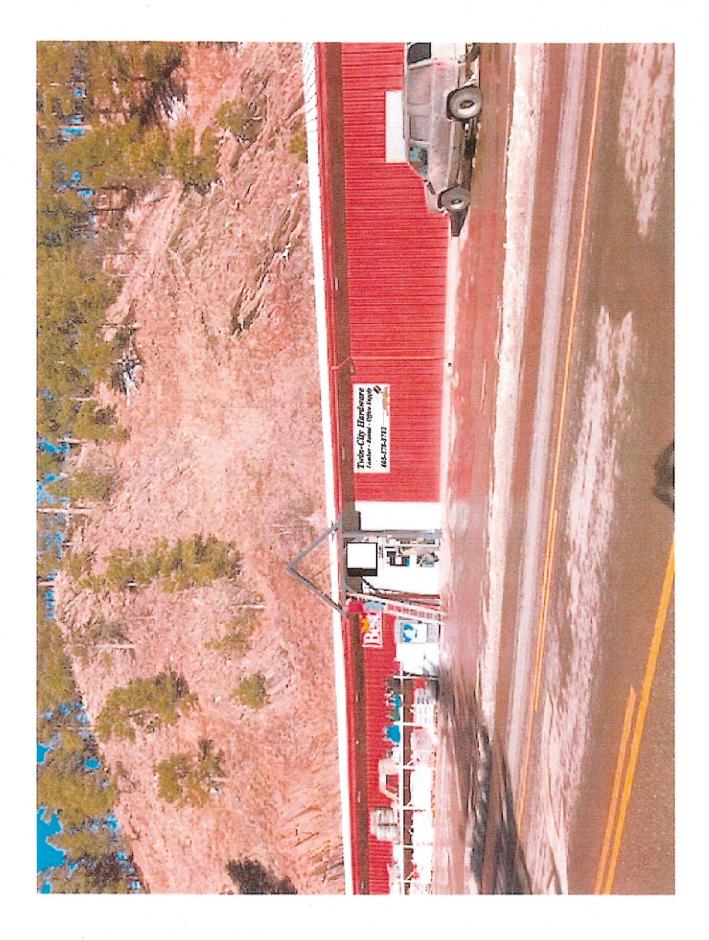
OR

Motion to deny proposed sign permit application as submitted.

Lumber - Rental - Office Supply Twin-City Hardware 605-578-3782

metal right

TX 10



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 FEBRUARY 6, 2019 JOINT MEETING

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

PURPOSE: Transfer Property

GENERAL LOCATION: Stage Run Development

LEGAL DESCRIPTION: Lot C2 and Common Lot B of Block 1 and Lot C1 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

FILE STATUS: All legal obligations have been completed.

ZONE: PUD R2 – Multi-Family District

STAFF FINDINGS:

<u>Surrounding Zoning:</u> North: R1 – Residential South: PF – Park Forest East: PF – Park Forest West: PF – Park Forest Surrounding Land Uses: Dwellings Vacant Land Vacant Land Vacant Land

SUMMARY OF REQUEST

The Final Plat of the Stage Run Lots has been submitted to transfer property. The property is located in the Stage Run Development.

FACTUAL INFORMATION

- 1. The property is currently zoned R2 Multi-Family Residential District
- 2. Lot C-1, is comprised of 5.45 Acres<u>+</u> Lot C-2, is comprised of 5.13 Acres<u>+</u> Lot B, is comprised of 1.77 Acres<u>+</u>
- 3. The subject property is located within a low density designation.
- 4. The property is not located within a flood zone or flood hazard zone.
- 5. Public facilities are not available to serve the property
- 6. The area is currently characterized by open space and residential dwellings.

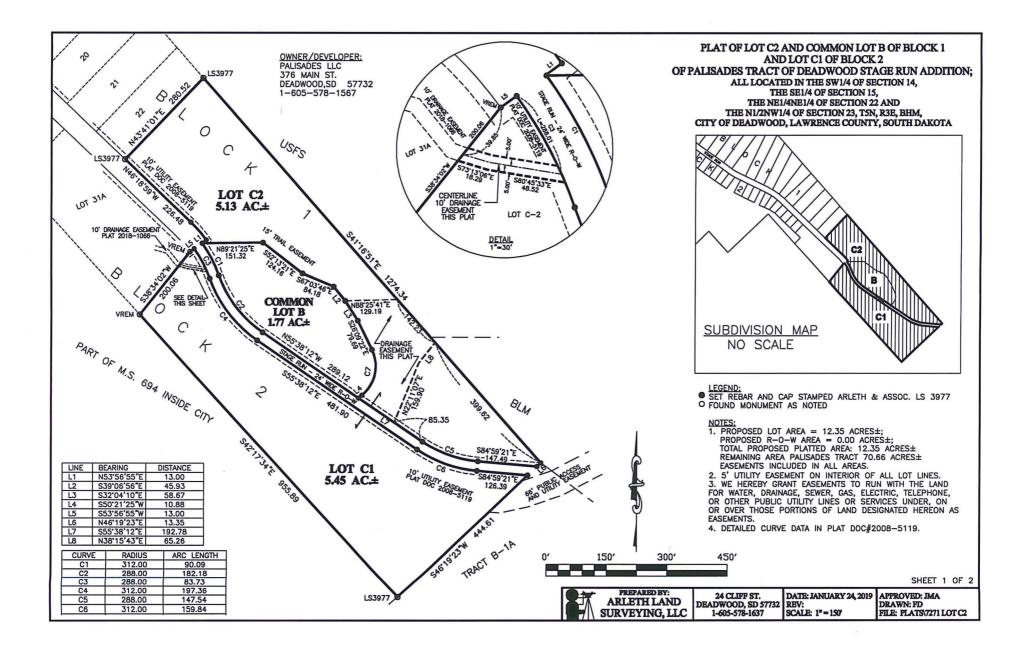
STAFF DISCUSSION

The subject property is owned by the City of Deadwood and this plat will allow for transfer of Tract A-1. The lots meet 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.

ACTION REQUIRED:

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



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 THISDAY OF	PLAT OF LOT C2 AND COMMON LOT B OF BLOCK 1 AND LOT C1 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, TSN, R3E, BHM, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA
JOHN M. ARLETH, R.L.S. 3977	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 THISDAY OF, 20
OWNER'S CERTIFICATE STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE DO HEREBY CERTIFY THAT WE ARE	CITY PLANNER CHAIRMAN
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:	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 THISDAY OF, 20
ACKNOWLEDGMENT OF OWNER STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE ON THISDAY OF, 20, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEAREDKNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE. MY COMMISSION EXPIRES: NOTARY PUBLIC:	ATTEST:
CERTIFICATE OF COUNTY TREASURER STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE I,	LAWRENCE COUNTY DIRECTOR OF EQUALIZATION OFFICE OF THE REGISTER OF DEEDS STATE OF SOUTH DAKOTA COUNTY OF LAWRENCE FILED FOR RECORD THISDAY OF, 20,ATO'CLOCK,,M., AND RECORDED IN DOC
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:	LAWRENCE COUNTY REGISTER OF DEEDS FEE:\$

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

STAFF REPORT PLANNING AND ZONING FEBRUARY 6, 2019 JOINT MEETING

APPLICANT: City of Deadwood 102 Sherman Street Deadwood, SD 57732

PURPOSE: Transfer Property

GENERAL LOCATION: Railroad Ave.

LEGAL DESCRIPTION: Deadwood City Shop Tracts A-1 and A-2; Formerly Deadwood City Shop Tract A, Consisting of Lots 2 and 3 of E.L. Keener Lots in M.S. 335, Lots 1 and 2, Block 3 of Mirick Addition in M.S. 735 and Portions of Lots 3, 4, and 5 of Railroad Avenue Block in M.S. 735; City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: R2 – Multi-Family District

STAFF FINDINGS:

Surrounding Zoning: North: R2 – Multi-Family South: PF – Park Forest East: R2 – Multi-Family West: R2 – Multi-Family Surrounding Land Uses: Event Complex Vacant Land Dwellings Dwellings

SUMMARY OF REQUEST

The Final Plat of the City Shop Tracts has been submitted to transfer property. The property is located adjacent Railroad Ave.

FACTUAL INFORMATION

- 1. The property is currently zoned R2 Multi-Family Residential District
- 2. Tract A-1, is comprised of 0.264 Acres<u>+</u> Tract A-2, is comprised of 0.242 Acres<u>+</u>
- 3. The subject property is located within a low density designation.
- 4. The property is not located within a flood zone or flood hazard zone.
- 5. Public facilities are not available to serve the property
- 6. The area is currently characterized by open space and residential dwellings.

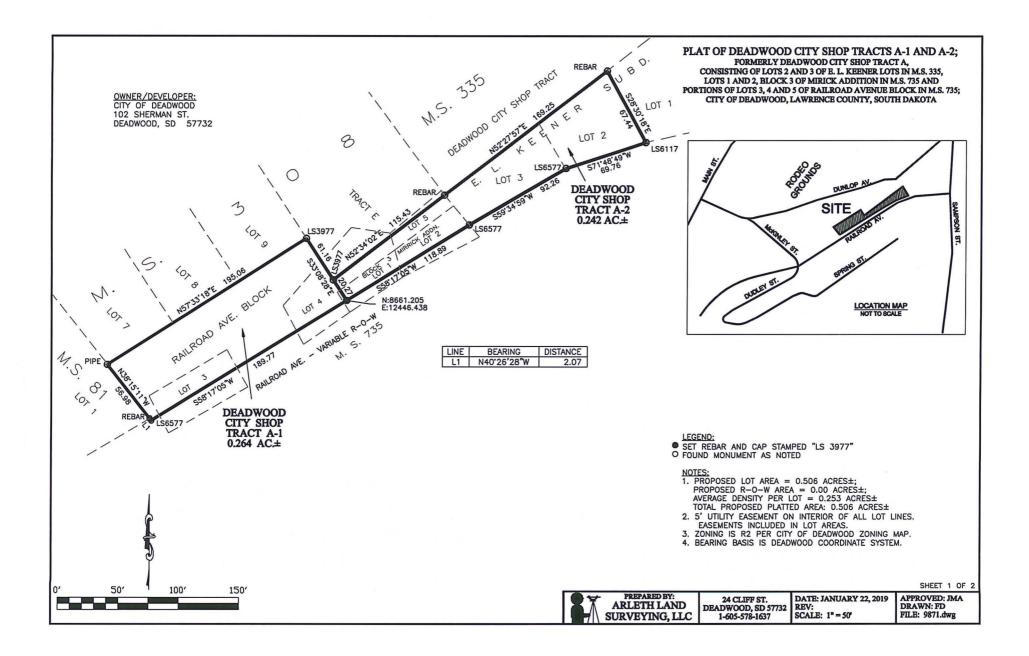
STAFF DISCUSSION

The subject property is owned by the City of Deadwood and this plat will allow for transfer of Tract A-1. The lots meet 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.
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ACTION REQUIRED:

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



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