DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, January 16, 2019 - 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

- 1. Call Meeting to Order
- 2. Approval of December 5, 2018 Minutes
- 3. Sign Review Commission

<u>137 Charles Street (Hickok House Hotel) – FIB Properties – Install covering over existing sign face to obscure Best Western name and logo</u>

Action Required:

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

<u>Plat – McGovern Hill – Homestake Mining Co.</u>

Lot D-1, A Subdivision of Tract D of the McGovern Hill Addition, Located in the NE1/4 of Section 27, 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

Plat - Sherman Street - City of Deadwood

City Hall Lot; Formerly Lots 36, 38, 40, and 42 of Block 37; Lots 29, 31, 33, 35, 37, 39 and 41 of Block 39; Lot B-1 of Tract B of Probate Lot 318 and Portions of Carney Street and Water Street; 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. Document Management System
 - c. Hwy 14A/85
- 6. Adjourn

CITY OF DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, December 5, 2018

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Tony Biesiot on Wednesday, December 5, 2018, at 5:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

<u>Planning and Zoning Commission Present:</u> Tony Biesiot, Brett Runge, Jim Shedd, John Martinisko and Bill Rich

Absent:

Board of Adjustments Present: Charlie Struble

Staff Present:

Bob Nelson Jr. and Meghan Wittmis

Approval of November 20, 2018 Minutes:

It was moved by Mr. Shedd and seconded by Mrs. Runge to approve the November 20, 2018 meeting minutes. Aye – All. Motion carried.

Planning and Zoning Commission and Board of Adjustments:

Transfer of Property - Dudley Street, Spring Street - City of Deadwood

Mr. Nelson Jr. stated this application is to transfer property to create property access at the Dudley Street, Spring Street intersection. Legally disrobed as Lots 4A-1 and 4A-2, Block 3 of Howard's First Addition to the City of Deadwood; Formerly Lot 4A, Block 3, of Howard's First Addition, City of Deadwood, Lawrence County, South Dakota. This is all zoned R2 Multi-Family Residential. Lot 4A-2 will go to the owners of lots 3 and 4. Lot 5 will become part of a new street. It was moved by Mrs. Runge and seconded by Mr. Rich to approve the plat for Lots 4A-1 and 4A-2, Block 3 of Howard's First Addition to the City of Deadwood. Aye – All. Motion Carried.

Deadwood Comprehensive Plan Adoption - Lysann Zeller

Lysann Zeller with the Black Hills Council of Local Government presented the Comprehensive Plan on behalf of the committee. Ms. Zeller went over the whole comprehensive plan process from the beginning to the final draft of the plan. The nine elements of the plan are Historic Preservation, Land Use & Growth, Housing, Transportation, City Facilities & Service, Parks & Recreation, Economic Development, Disaster Prevention & Mitigation, and Wildfires. These plan elements are aimed at helping Deadwood with decision making moving forward. Needs and wants of the community are also listed in the plan. Ms. Zeller stated they tried to make this a user-friendly document that will be useful. Mrs. Runge stated it would be nice to have a link to what goals have been accomplished out of the plan. Ms. Zeller stated she would look into ways of doing that. Ms. Zeller also encourages an annual review of the plan. It was moved by Mrs. Runge and seconded by Mr. Shedd to recommend adoption of the Comprehensive Plan by the City Commission.

<u>Items From Staff</u> (no action taken)

- Sign Ordinance: Changes to the Sign Ordinance have been finalized and should go before the City Commission on December 17 for the first reading
- Outlaw Square: Met with the CMAR team today. The project will go before the Historic Preservation Commission on December 12. The work is scheduled to start on January 7, 2019.
- Pine Street Archway: The archway will be installed in two or three days at the end of the month.
- Main Street Master Plan: This is moving at a slower pace due to issues with ADA compliance, the traffic signal at Pine Street and the sidewalk basements on Main. The intersection at Pine Street may become a 4-way stop. Main Street will be brick again but not a custom brick like is on the street now. Public hearings will be coming up after the New Year.

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 5:21 p.m.

ATTEST:	
Chairman, Planning & Zoning Commission	Secretary, Planning & Zoning Commission

Meghan Wittmis, Planning & Zoning Office/Recording Secretary

OFFICE OF PUBLIC WORKS 67 Dunlop Avenue Telephone (605) 578-3082 Fax (605) 578-3101



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 January 16, 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: Install covering over existing sign face to obscure Best Western name

and logo.

Proposed Building Materials: Vinyl. (see attached photograph).

Proposed Lighting of the Signs: None.

Location of Proposed Sign: Attached is a photograph showing the cover in place.

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.

The property is now under the ownership of First Interstate Bank and is no longer a Best Western franchise.

This permit requires a variance from the sign ordinance as the cover meets the definition of a banner in City Ordinance. The applicant was instructed to request a variance and propose a timeline indicating how long the cover would be in place. (Please see attached e-mail)

OFFICE OF
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67 Dunlop Avenue
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"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

TRENT MOHR
Building Inspector
Dept. of Public Works
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Fax: (605) 578-3101

Variances

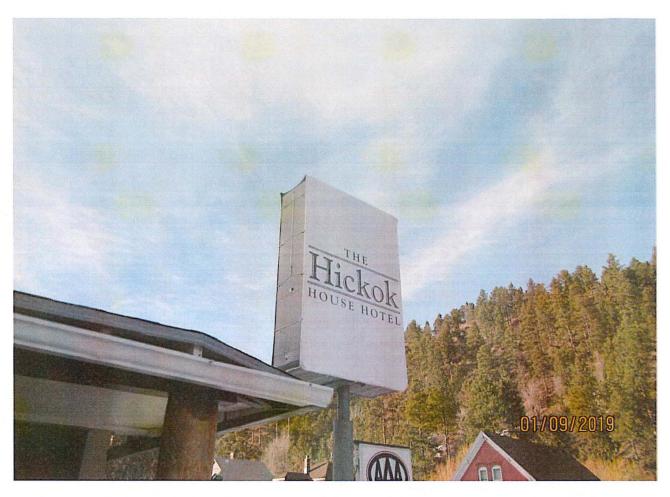
The sign permit application in review as proposed requires a variance from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find "special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or 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.

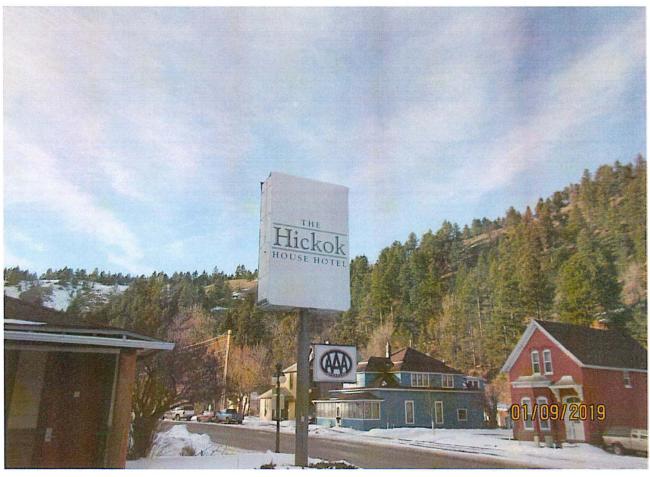
Sign Review Commission Action

Motion to approve sign permit for temporary covering on the freestanding sign at 137 Charles Street granting a variance to the ordinance

OR

Motion to deny proposed sign permit application as submitted.





Trent Mohr

-					
r	r	O	n	n	:

Josh Schmaltz < jschmaltz@regency-mgmt.com>

Sent:

Wednesday, January 9, 2019 1:46 PM

To:

Trent Mohr

Subject:

Hickok House Sign

Hi Trent.

Sorry for the confusion on the email. My fault on the wrong email. Below is the email I sent.

Good Afternoon Trent,

Thanks for working with me in regards to the Hickok House sign. As you know, First Interstate Bank now owns the property. They had made the decision to release the Best Western Franchise and per the franchise, we needed to deflag by November 30. There could be no BW logo's displayed throughout the property or there would be substantial fines put upon the property per the contract with Best Western. As we discussed, the sign that is currently displayed was a temporary solution. I am currently working with Mike Willey with Rosenbaum Signs for a permanent solution. Mike has committed to do a survey of the sign to figure out the best solution. With that, I am asking for a temporary variance on the current sign until we have the final product that is acceptable to you and the City of Deadwood. My hope is to have a new sign within the next 30 to 45 days. The artwork was completed so it is just a matter of getting the completed and installed.

I look forward to hearing from you.

Thanks.

Josh

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 bobir@cityofdeadwood.com

STAFF REPORT PLANNING AND ZONING JANUARY 16, 2019 JOINT MEETING

APPLICANT: Homestake Mining Co.

310 S. Main STE 1150 Salt Lake City, UT 84101

PURPOSE: Transfer Property

GENERAL LOCATION: McGovern Hill

LEGAL DESCRIPTION: Lot D-1, A Subdivision of Tract D of the McGovern Hill Addition, Located in the NE1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

FILE STATUS: All legal obligations have been completed.

ZONE: PF - Park Forest District

STAFF FINDINGS:

Surrounding Zoning: Surrounding Land Uses:

North: PF – Park Forest Vacant Forest

South: R1 - Residential Residential Dwellings Vacant (Chalet Site) East: C1 - Commercial

West: PF - Park Forest Vacant Forest

SUMMARY OF REQUEST

The Final Plat for Lot D-1 of the McGovern Hill Addition has been submitted to transfer property. The property is located above the McGovern Hill Road.

FACTUAL INFORMATION

- The property is currently zoned PF Park Forest District 1.
- 2. Lot D-1, is comprised of 9.368 Acres±.
- The subject property is located within a park forest designation. 3.
- The property is not located within a flood zone or flood hazard zone. 4.
- Public facilities are not available to serve the property. 5.

6. The area is currently characterized by open space and limited residential dwellings.

STAFF DISCUSSION

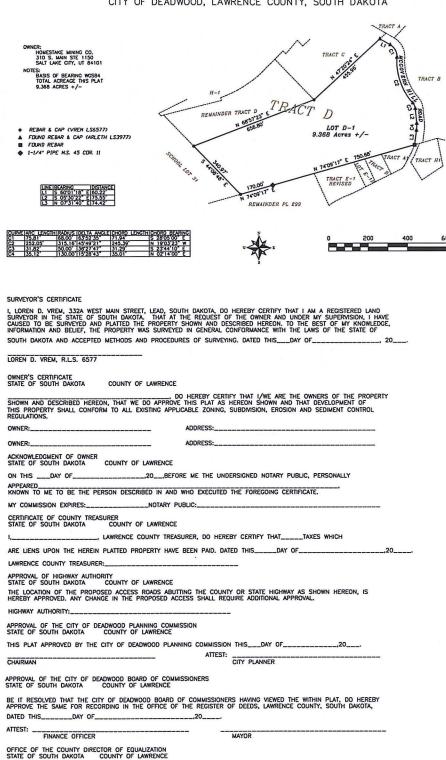
The subject property has been acquired by the Deadwood Mountain Grand and this plat will allow for transfer of the property. The lot meets the area and bulk requirements for square footage.

- 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.

ACTION REQUIRED:

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

PLAT OF LOT D-1 A SUBDIVISION OF TRACT D OF THE MCGOVERN HILL ADDITION, LOCATED IN THE NE½ OF SECTION 27, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA





I LAWRENCE COUNTY DIRECTOR OF EQUALIZATION, DO HEREBY CERTIFY THAT I HAVE
RECEIVED A COPY OF THIS PLAT. DATED THIS___DAY OF_______

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 JANUARY 16, 2019 JOINT MEETING

APPLICANT: City of Deadwood

102 Sherman Street Deadwood, SD 57732

PURPOSE: Define Property Lines, Create Legal Description, Consolidate Lots

GENERAL LOCATION: Sherman Street

LEGAL DESCRIPTION: City Hall Lot; Formerly Lots 36, 38, 40, and 42 of Block 37; Lots 29, 31, 33, 35, 37, 39 and 41 of Block 38; Lot B-1 of Tract B of Probate Lot 318 and Portions of Carney Street and Water Street; City of Deadwood, Lawrence County, South Dakota

FILE STATUS:

All legal obligations have been completed.

ZONE:

PU - Public Use

STAFF FINDINGS:

Surrounding Zoning:Surrounding Land Uses:North: PU – Public UseCounty GovernmentSouth: C1 – CommercialRetail BusinessEast: PU - Public UseRec Center and ParkWest: R1 – ResidentialResidential Dwellings

SUMMARY OF REQUEST

The Final Plat of the City Hall Lot has been submitted to define property lines, create a legal description, and consolidate lots.

FACTUAL INFORMATION

- 1. The property is currently zoned PU Public Use District
- 2. City Hall Lot is comprised of $0.70 \pm Acres$
- 3. The subject property is located within a mixed use district.

- 4. The property is 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 commercial and residential structures.

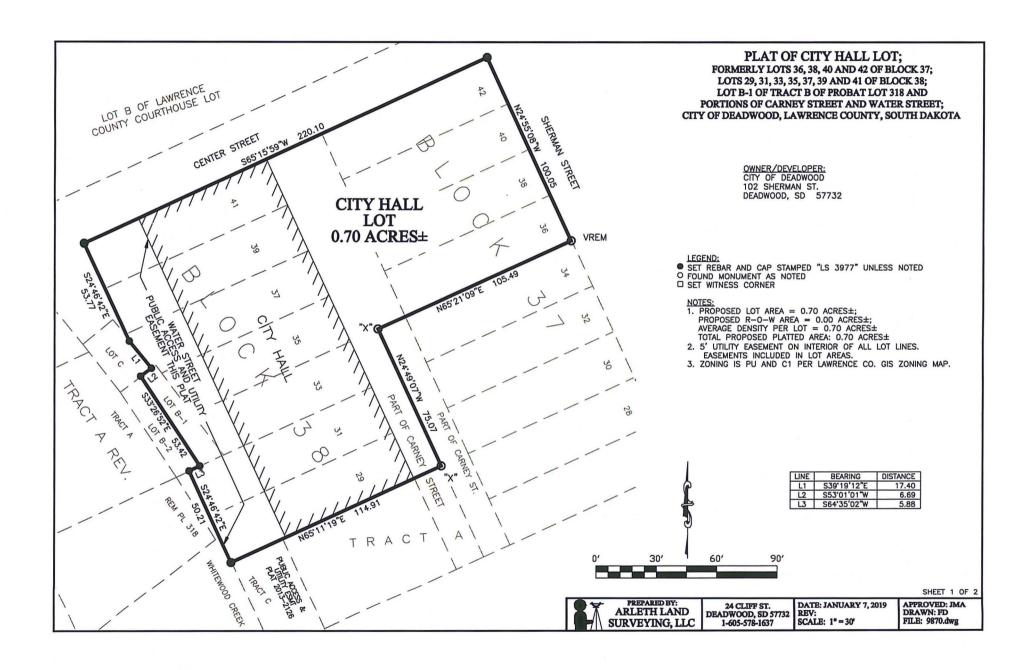
STAFF DISCUSSION

The subject property currently is the location of Deadwood City Hall. This plat will consolidate twelve lots to one and define the property boundaries of City Hall.

- 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.



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 _____, 20__, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED ____ ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE. MY COMMISSION EXPIRES: NOTARY PUBLIC:___ CERTIFICATE OF COUNTY TREASURER COUNTY OF LAWRENCE STATE OF SOUTH DAKOTA ___,LAWRENCE COUNTY TREASURER, DO HEREBY CERTIFY _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:___

SURVEYOR'S CERTIFICATE

PLAT OF CITY HALL LOT;

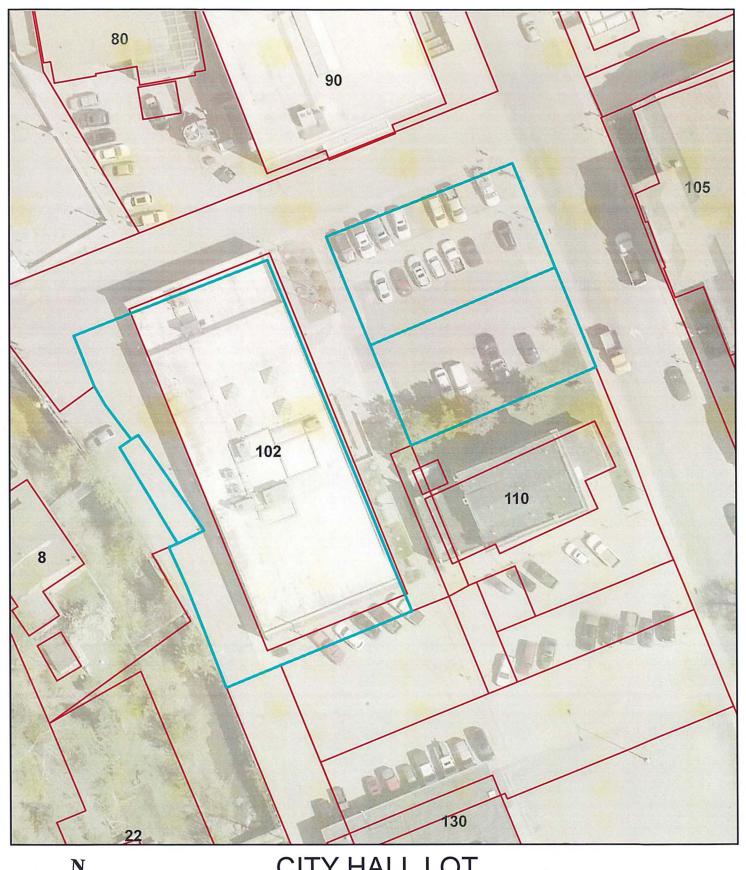
FORMERLY LOTS 36, 38, 40 AND 42 OF BLOCK 37; LOTS 29, 31, 33, 35, 37, 39 AND 41 OF BLOCK 38; LOT B-1 OF TRACT B OF PROBAT LOT 318 AND PORTIONS OF CARNEY STREET AND WATER STREET; CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

APPROVAL OF THE CITY OF DEADWOOD PL STATE OF SOUTH DAKOTA COUNTY OF THIS PLAT APPROVED BY THE CITY OF DE 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 THISDAY OF				
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 THISDAY OF				
LAWRENCE COUNTY DIRECTOR OF EQUALIZA	ATION			
OFFICE OF THE REGISTER OF DEEDS STATE OF SOUTH DAKOTA COUNTY OF FILED FOR RECORD THIS DAY OF	LAWRENCE, 20,ATO'CLOCK,M., AND			
LAWRENCE COUNTY REGISTER OF DEEDS	FEE:\$			
	SUEET 2 OF			

PREPARED BY:
ARLETH LAND
SURVEYING, LLC

24 CLIFF ST.
DEADWOOD, SD 57732
1-605-578-1637
DATE REV:
SCAL

DATE: JANUARY 7, 2019 REV: SCALE: 1"=30' APPROVED: JMA DRAWN: FD FILE: 9870.dwg





CITY HALL LOT
Planning and Zoning Meeting
1/16/2019

