

DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, July 6, 2016 – 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order
2. Approval of June 1, 2016 Minutes
3. Sign Review Commission
68 Main Street - WWW, LLC
 - a. Relocate Freestanding Sign and Add Reader BoardAction Required:
 - b. Approval/Denial by Sign Review Commission
103 Charles Street - Gordon Mack
 - a. Install One New Freestanding SignAction Required:
 - b. Approval/ Denial by Sign Review Commission
4. Planning and Zoning Commission
Rally Vending
 - a. Approval/ Approve with Conditions/ Denial of the Vendor License for Motorcycle Audio Systems
5. Items from Staff
 - a. Welcome Center Update
 - b. Powerhouse Park
 - c. Whitewood Creek
 - d. DOT
 - e. Weed Ordinance
6. Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION
Wednesday, June 1, 2016

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Jim Shedd on Wednesday, May 18, 2016, 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: Jim Shedd, Marie Farrier, Tony Biesiot, Mel Allen and Brett Runge

Absent:

Board of Adjustments Present:

Staff Present:

Bob Nelson, Jr., Trent Mohr, and Jerity Krambeck

Approval of May 18, 2016 Minutes:

It was moved by Mr. Biesiot and seconded by Mr. Allen to approve the May 18, 2016 meeting minutes. Aye - All. Motion carried.

Sign Review Commission:

624 Main Street - Wild Bill Bar

Mr. Mohr informed the Commission the applicant is requesting permission to install "Wild Bill Bar" projecting sign in its original location on this building from building located at 610 Main Street. *It was moved by Mr. Biesiot and seconded by Mrs. Runge to approve the installation of the projecting "Wild Bill Bar" sign as proposed at 624 Main Street. Aye - All. Motion carried.*

168 Charles Street

Mr. Mohr informed the Commission the applicant is requesting to install one new wall sign, which would require two variances. The first variance is for the vertical dimension of the sign; the ordinance limits it to 3 feet of height and the applicant is requesting 4 feet of height. The second variance is for the location of the sign on the building. The ordinance calls for the wall sign to be no higher than the lowest point of the roof and the applicant is requesting to place it higher. *It was moved by Mrs. Runge and seconded by Mr. Allen to approve the new sign at 168 Charles Street as proposed. Aye - All. Motion carried.*

Vendor Application Vormehr and Youngquist Gallery

Mr. Nelson, Jr. informed the Commission of a Temporary Vendor Application for Vormehr and Youngquist Gallery at the Celebrity Hotel. *It was moved by Mr. Allen and seconded by Ms. Farrier to approve the Temporary Vendor Application for Vormehr and Youngquist Gallery as proposed. Aye - All. Motion carried.*

Planning and Zoning Commission:

Items From Staff (no action taken)

- Mr. Mohr discussed the Welcome Center Project progress; sidewalk and curb installation on the north end and stonework on the retaining wall is continuing in preparation for the parking lot.
- Mr. Mohr discussed Powerhouse Park progress; Mr. Mohr stated footings have been poured for the creek access trails and the interpretation of the chimney has been completed.
- Mr. Mohr discussed the DOT project; paving has begun and the second layer has been started in the areas where two layers of pavement are being placed.
- Mr. Nelson, Jr. informed the Commission of the Game, Fish, and Park doing a walk-through tomorrow of Whitewood Creek.

- Mr. Nelson, Jr. discussed the Lodge submitting a parking lot expansion request, expanding to the west.
- Mr. Nelson, Jr. discussed TIF #10; Cadillac Jack's expansion.
- Mr. Nelson, Jr. discussed the Mickelson Trail Marathon is coming up this weekend.

Adjournment:

It was moved by Ms. Farrier 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 5:26 p.m.

ATTEST:

Chairman, Planning & Zoning Commission
Bonny Fitch, Planning & Zoning Office/Recording Secretary

Secretary, Planning & Zoning Commission



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SIGN PERMIT STAFF REPORT

Sign Review Commission
July 6, 2016

Applicant: WWW, LLC.

Address: 68 Main Street, Deadwood, SD 57732

Site Address of Proposed Signage: 68 Main Street (Deadwood Station)

Computation of Sign Area

Building Frontage: 113 Feet

Total Available Signage: 226 Square Feet

Existing Signage: One Freestanding (64 Square Feet)

Remaining Available Signage Area: 162 Square Feet

Proposed Sign Project: Relocate Freestanding Sign and add reader board (16 Square Feet)

Proposed Building Materials: Metal and Plastic.

Proposed Lighting of the Signs: Externally Illuminated.

Location of Proposed Sign: Attached are renderings of the proposed new location of the sign and the reader board added.

Discussion

The sign project 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 signage project proposed in the current applications 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 is relocating an existing freestanding sign to an area outside of the highway right of way as required by the South Dakota Department of Transportation. At the same time the applicant wishes to add a reader board to the sign. The reader board as proposed would require a variance to the sign ordinance, specifically 15.32.210 paragraphs A and C referenced below.

15.32.210 Materials.

A. Sign faces shall generally be made of wood or metal within the federally designated Deadwood National Historic Landmark District, as indicated on the zoning map (see 17.68.010(B)). However, the decision as to which material is most appropriate shall be based upon historical evidence. In all cases the selection of such materials shall be based upon the historic evidence, the historic style of the architecture of the structure, and overall appropriateness. All exposed metal sign faces shall be painted.

C. Plastic shall not be allowed unless the historical evidence shows otherwise and is completely documented by the applicant. Raised letters on wood or metal signs shall be made of high density, closed cell, polyurethane if the letters are painted.

Please see also the applicants variance request letter attached.

Variances

The sign 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 granting a variance allowing plastic in the reader board addition to the existing sign at 68 Main Street as proposed

OR

Motion to deny proposed sign permit application as submitted.

Deadwood Station

BUNKHOUSE &
GAMING HALL

Campfire Coffee

CONCERT SPECIALS
ROOMS AT \$45.99

2X8 WITH 2 LINES OF 8" READER BOARD



2 MILES



Sign's new location

6/28/2016

TO: Sign Review Commission

RE: Request for sign variance for Deadwood Station

I respectfully ask the sign committee for a variance for traditional plastic letters for my 2 line reader board at Deadwood Station. I asked Eric Farrar at Rosenbaum Signs what the price difference would be for metal letters vs the traditional plastic. He responded a week later that he could not find metal or wood letters to even give me a price. I feel that asking me to find metal letters would put a UN do burden on my business to compete against the other properties in Deadwood. I imagine that Rosenbaum Signs does at least 60% of the sign business in the Black Hills and if they have not done a letter board with metal or wood letters and do not know where to even source them, then I would be one a very small group to be held to this standard.

I am located outside of the core historical area for Deadwood but I still try to maintain my property with Historical Deadwood in mind and have worked hard (and will continue to) maintain and upgrade my property so that it looks nice as the 1st property that guests see entering Deadwood.

I ask that the committee grant me a variance and allow me to use the traditional plastic letters with my reader board. I will assure all of you that I will keep the sign up and constantly police our property to ensure there are not letters on the ground or have the potential to be blown around.

Thank you for your time and consideration.

Sincerely,

Lonnie Strong
Owner/GM
Deadwood Station
68 Main St.
Deadwood, SD 57732
605-391-1772



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SIGN PERMIT STAFF REPORT

Sign Review Commission
July 6, 2016

Applicant: Gordon Mack

Address: 103 Charles Street, Deadwood, SD 57732

Site Address of Proposed Signage: 103 Charles Street (Cedar Wood Inn)

Computation of Sign Area

Building Frontage: 94 Feet

Total Available Signage: 188 Square Feet

Existing Signage: One Freestanding (96 Square Feet)

Remaining Available Signage Area: 92 Square Feet

Proposed Sign Project: Install one new freestanding sign- VACANCY (21 Square Feet).

Proposed Building Materials: Metal and wood (see attached renderings).

Proposed Lighting of the Signs: Neon letters.

Location of Proposed Sign: Attached is a photo depicting the proposed location of the new sign.

Discussion

The sign project 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 signage project proposed in the current applications 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 wishes to add a freestanding vacancy sign to his property. The applicant previously had a vacancy sign on the freestanding sign that he replaced in 2015. The sign as proposed will require a variance from the sign ordinance, specifically section 15.32.200 paragraph B (reference below).

15.32.200 Illumination.

*B. Exterior signs shall not be illuminated by neon, the sole exception to this being historic landmark signs. Window signs may be illuminated by neon, but will be counted at one hundred (100) percent of their actual size for the purposes of Article V of this chapter.
(Ord. 1170 (part), 2012; prior code § 26-500)*

Please also see applicant's variance request letter attached.

Variances

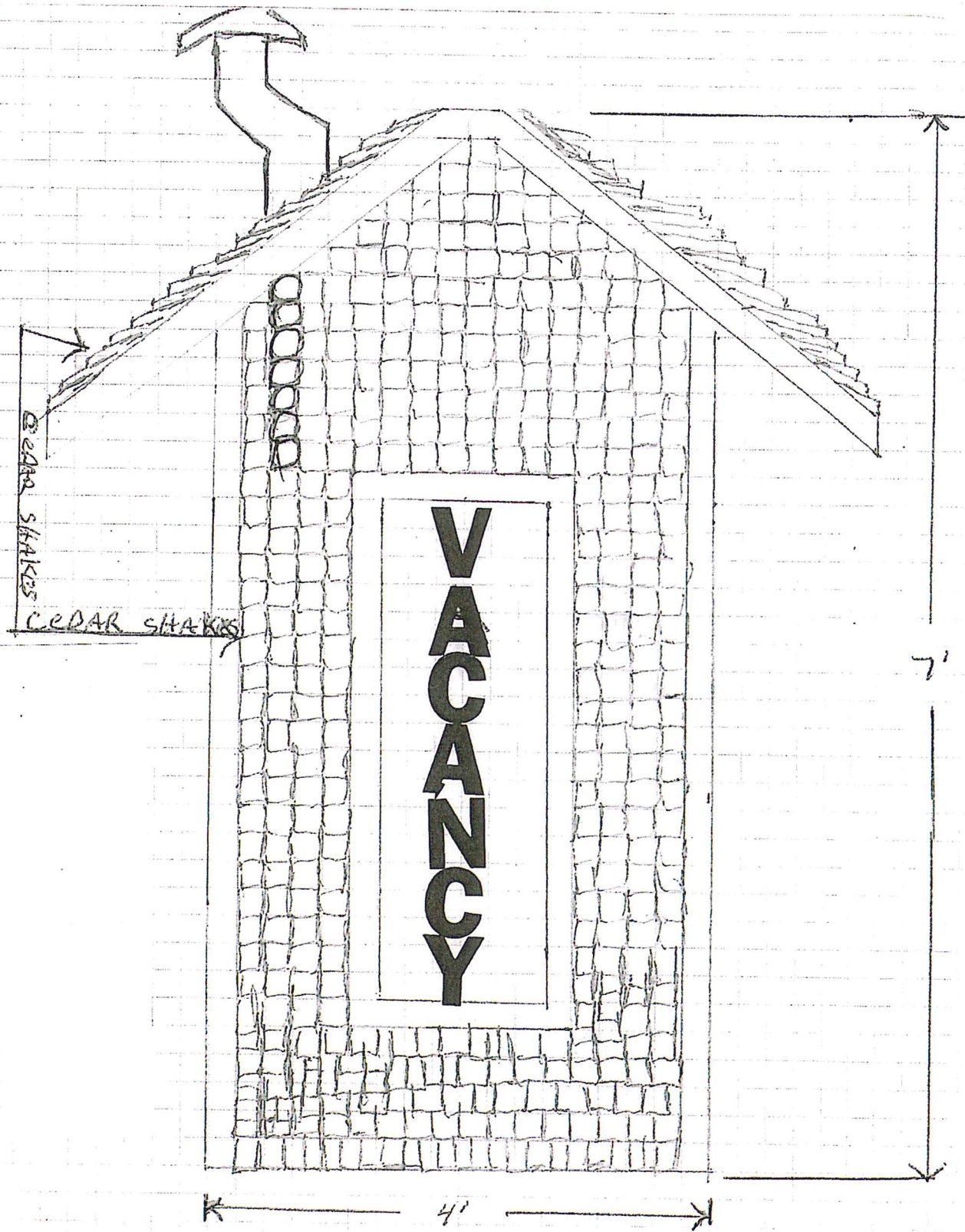
The sign application in review as proposed requires a variance from the sign ordinance. Signage variances may be obtained if the sign review commission is able to find "special circumstances or conditions such as the existence of buildings, topography, vegetation, sign structures, distance or other matters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

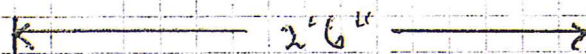
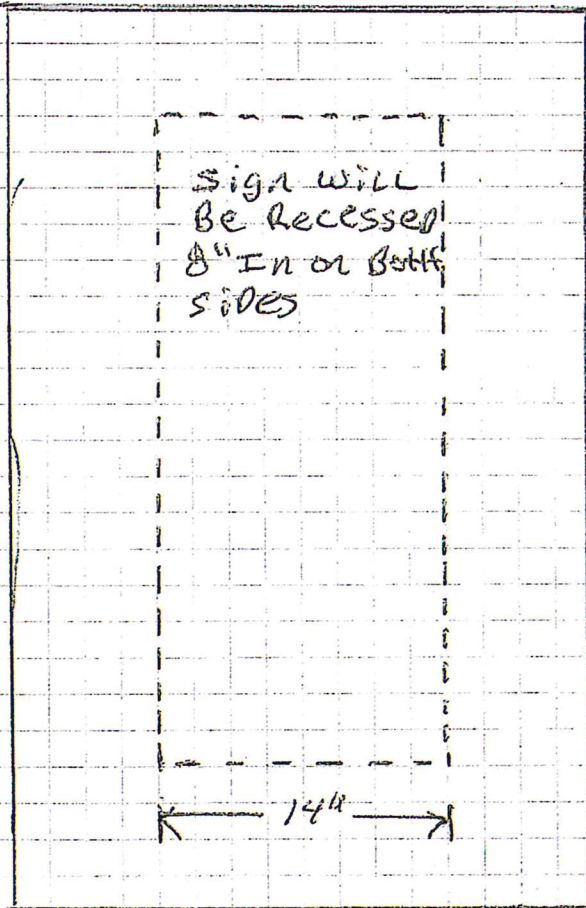
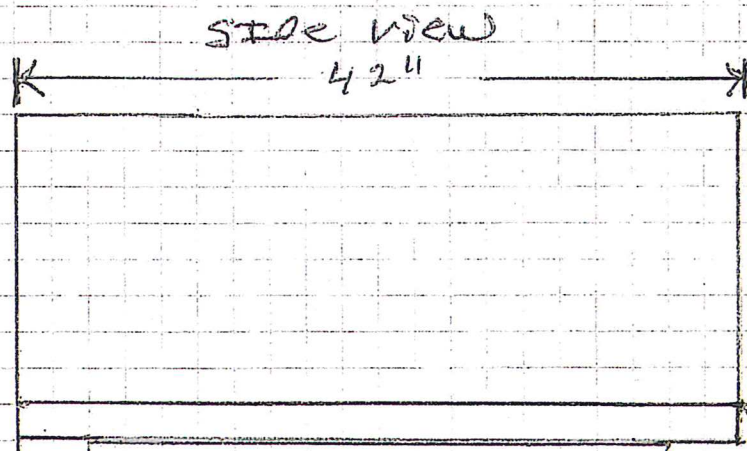
Sign Review Commission Action

Motion to approve sign permit, thereby granting a variance for a new freestanding sign located at 103 Charles Street as proposed

OR

Motion to deny proposed sign as submitted.







CEDAR WOOD INN

I am applying for a variance for a neon vacancy sign that was on my original sign. The old sign has been removed and replaced with a new sign. I thought I would try operating my business without the neon sign like some of the larger hotels in town. My business is currently down nearly 10% compared to last year and yet road construction is complete. I attribute this to not having a vacancy sign. When people book rooms, chain hotels are the first ones they call and when the chains are full they assume my motel, being smaller, that I am full as well. I rely on walk in tourists and I know from the past that when people drive around town only to find that everyone has full occupancy but they remember seeing my vacancy sign and come back. Attached is a rendering of what I will build to make the vacancy sign as appealing as possible to the surrounding environment.

Thank you,

Gordon Mack

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VENDOR APPLICATION

Date: May 31, 2016
To: Planning and Zoning Commission
From: Robert E. Nelson, Jr., Zoning Administrator
Re: Rally Vending

The vendor permit before you has met the conditions of temporary vending within the city limits of Deadwood. The application was received before the review deadline, payment for the permit was received, and the vending is to be indoors. Cycle Audio Works has been a vendor in Deadwood and has done business in South Dakota and has reported sales tax to the state in the past. They do have a current sales tax number with the State Revenue Office in process. The location is to be at 616 Main Street. Staff recommends approval of the vendor permits for Wendy Morales dba Cycle Audio Works.

Merchandise: Motorcycle Audio Systems

Action:

Approval /denial of the vendor license for Cycle Audio Works

Application Date: 5/31/16
Payment Received: 5/31/16

Application for Temporary Vendors License

The Deadwood Zoning Administrator and Planning & Zoning Commission review all applications.

Applicant: WENDY MORALES

Name of Business: CYCLE AUDIO WORKS

Applicant's mailing address: 1930 NE 23RD AVENUE GAINESVILLE, FLORIDA 32609

Telephone: (352) 672-4781

Cell: (352) 231-0198

Please select your type of vending:

* Outside of a structure - \$750.00

* Inside of an existing structure - \$250.00 \$250.00

For a period of fourteen (14) days: Beginning: AUGUST 1, 2016

Ending: AUGUST 14, 2016

South Dakota Sales Tax Number: _____

Physical street address of vending location: 616 MAIN ST DEADWOOD, SD 57732

Contact Name and phone number of property owners: DOUG AND MISTY ASERMEY

DOUG (401) 965-5954 MISTY (401) 965-8866

Complete description of goods and/or services: MOTORCYCLE AUDIO SYSTEMS

PHONE HOLDERS, DRINK HOLDERS

I agree that any falsification, misstatements or omissions, including those related to location and goods to be sold, shall result in immediate revocation of this license and forfeiture of the right to operate within the City Limits of Deadwood. It is further understood that payment of applicable state and city sales tax is made a provision of this license.

Applicant's signature: [Signature]

Date submitted: 5/27/16