

DEADWOOD PLANNING AND ZONING COMMISSION

BOARD OF ADJUSTMENTS

Wednesday, May 18, 2016 – 5:00 p.m.
City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

1. Call Meeting to Order
2. Approval of April 20, 2016 Minutes
3. Sign Review Commission
 - 610 Main Street (Eagle Bar) - Nugget Saloon LLC**
 - a. Replace Existing Projecting Sign with New Projecting SignAction Required:
 - b. Approval/Denial by Sign Review Commission
 - 696 Main Street - Nugget Saloon, LLC**
 - a. Install New Wall SignAction Required:
 - b. Approval/ Denial by Sign Review Commission
4. Planning and Zoning Commission and Board of Adjustments
5. Items from Staff
 - a. Welcome Center Update
 - b. Powerhouse Park
 - c. Whitewood Creek
 - d. DOT
6. Adjourn

CITY OF DEADWOOD
PLANNING AND ZONING COMMISSION
Wednesday, April 20, 2016

The meeting of the Deadwood Planning and Zoning was called to order by Chairperson Jim Shedd on Wednesday, April 20, 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: Dave Ruth, Jr.

Staff Present:

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

Approval of April 6, 2016 Minutes:

It was moved by Mr. Biesiot and seconded by Mrs. Runge to approve the April 6, 2016 meeting minutes. Aye – All. Motion carried.

Sign Review Commission:

137 Charles Street – Best Western Hickok House

Mr. Mohr informed the Commission the applicant is requesting to replace an existing freestanding sign with new cabinet and face with new franchise logo located at the south end of the property. The reason for the change in sign is the franchise changed logos. The sign as proposed will require a variance to section 15.352.200 of the sign ordinance. Mrs. Runge asked if it is too difficult to externally illuminate to come into compliance. Mr. Pat Roberts stated per Best Western Franchise, he is required to use this specific sign. Mr. Biesiot asked how bright the new sign would be. Mr. Roberts stated he has not seen it, but it is not too bright. Mr. Nelson Jr. stated internally illuminated lights are permitted outside the district and we granted a variance to Taco Johns. *It was moved by Ms. Farrier and seconded by Mr. Biesiot to approve a new freestanding sign granting a variance for internal illumination, at 137 Charles Street. Aye – All. Motion carried.*

225 Cliff Street – Comfort Inn/Gulches of Fun

Mr. Mohr informed the Commission the applicant is requesting to install a new freestanding sign in the miniature golf area. The sign and the location are compliant with the sign ordinance. *It was moved by Mr. Biesiot and seconded by Mr. Allen to approve a new freestanding sign at 225 Cliff Street as proposed. Aye – All. Motion carried.*

Planning and Zoning Commission:

Define Property Lines, Create a Single Parcel, Library, 435 Williams Street

Mr. Nelson, Jr. informed the commission the purpose is to define property lines, create a single parcel of land for the library; legally described as the Library Lot, Block 23, Formerly Lots 4, 6, and the Remaining Portions of Lots 8, 10, & 12, Block 23, O.T., City of Deadwood, Lawrence County, South Dakota. The land is zoned public use and the acreage is compliant with the zoning code and it's outside of the floodzone. Mr. Nelson, Jr. stated this is part of the process of replatting city properties. *It was moved by Ms. Farrier and seconded by Mrs. Runge to approve the Library Lot, Block 23, Formerly Lots 4, 6, and the Remaining Portions of Lots 8, 10, & 12, Block 23, O.T., City of Deadwood, Lawrence County, South Dakota. Aye – All. Motion carried.*

Define Property Lines, Shine Street

Mr. Nelson, Jr. informed the Commission the purpose is to define property lines and eventually transfer property; legally described as Lots 2A, 2B, 2C and 2D of Block 23, Formerly the North Half and South Half of the Southwesterly 20 Feet of Lot 2 and the Northeasterly Five Feet of Lot 21, Block 23, O.T., City of Deadwood, Lawrence County, South Dakota. This land is zoned C1-Commercial. The very small lots are non-complaint, however owned by the City of Deadwood which is permissible. They would be transferred and then replatted due to being lost in deeds. *It was moved by Ms. Farrier and seconded by Mr. Allen to approve the Lots 2A, 2B, 2C and 2D of Block 23, Formerly the North Half and South Half of the Southwesterly 20 Feet of Lot 2 and the Northeasterly Five Feet of Lot 21, Block 23, O.T., City of Deadwood, Lawrence County, South Dakota. Aye - All. Motion carried.*

Items From Staff (no action taken)

- Mr. Mohr stated the Welcome Center is moving along with work being done on the demolition of the paved surfaces. The next significant thing will be the closure of the lane against the construction site. They continue to work on retaining walls and foundation of the building.
- Mr. Nelson Jr. stated the Powerhouse Park Project preconstruction meeting was held 4/19/16, with plans to be completed before August 1, 2016.
- Mr. Nelson Jr. stated the Whitewood Creek project is in its preliminary stages, from 76 Drive to McKinley Street bridge with vegetation management, fish habitat, and stabilization of the bank to give us an idea of what the creek could look like throughout Deadwood.
- Mr. Nelson Jr. reported on the DOT project, stating there is only one water shut off scheduled and storm sewers are nearly complete. DOT would like to start pouring concrete next week.
- Mr. Nelson, Jr. stated the 76 Drive alignment has begun which will result in two way traffic in and out of the football field.
- Mr. Nelson, Jr. stated they are putting finishing touches on painting at the ball park and the complex has been improved dramatically.

Adjournment:

It was moved by Mrs. Runge and seconded by Ms. Farrier 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
Jerity Krambeck, Planning & Zoning Office/Recording Secretary

Secretary, Planning & Zoning Commission



"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

OFFICE OF
PLANNING, ZONING
AND HISTORIC PRESERVATION
108 Sherman Street
Telephone (605) 578-2082
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DEADWOOD CITY HALL
102 Sherman Street
Telephone (605) 578-2600

SIGN PERMIT STAFF REPORT

Sign Review Commission
May 18, 2016

Applicant: Nugget Saloon LLC

Address: 696 Main Street, Deadwood, SD 57732

Site Address of Proposed Signage: 610 Main Street (Eagle Bar)

Computation of Sign Area

Building Frontage: 50 Feet

Total Available Signage: 100 Square Feet

Existing Signage: One projecting sign (to be replaced).

Remaining Available Signage Area: 100 Square Feet

Proposed Sign Project: Replace existing projecting sign with new projecting sign (54 Square Feet counted as 27 Square Feet)

Proposed Building Materials: Metal (see attached renderings).

Proposed Lighting of the Signs: Neon.

Location of Proposed Sign: Same location as existing sign, centered on façade above first story windows.

Discussion

The sign project 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 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 install a new projecting sign in the current location of the "Wild Bill Bar" sign. The Applicant's business at this location is not named "Wild Bill Bar" and he wishes to advertise his business name, "Eagle Bar". The existing sign cannot be altered without losing its status as a landmark sign. Any sign that loses its landmark sign designation must comply with the current sign ordinance. The proposed sign is a replication of a landmark sign which is regulated by 15.32.330 of the Sign Ordinance, reference below.

15.32.330 Replication of landmark signs advertising business names.

Any sign, advertising a business name, which existed in the city prior to 1940, but is no longer extant, may be replicated. Such replication must include size, shape, method of illumination (if any), materials, and text. When used on the building where the sign was originally located, such sign shall be counted at fifty (50) percent of its actual size when computing the sign area pursuant to Article V of this chapter. When used on a building other than the building where the sign was originally located, such sign shall be counted at seventy-five (75) percent of its actual size when computing the sign area pursuant to Article V of this chapter.

Also please see the attached memo and documentation from Kevin Kuchenbecker, Historic Preservation Officer. The application in review is for removal of the existing projecting sign and the installation of a new projecting sign in its place. The sign and its location are compliant with the sign ordinance.

Variances

The sign 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 new projecting sign at 610 Main Street as proposed

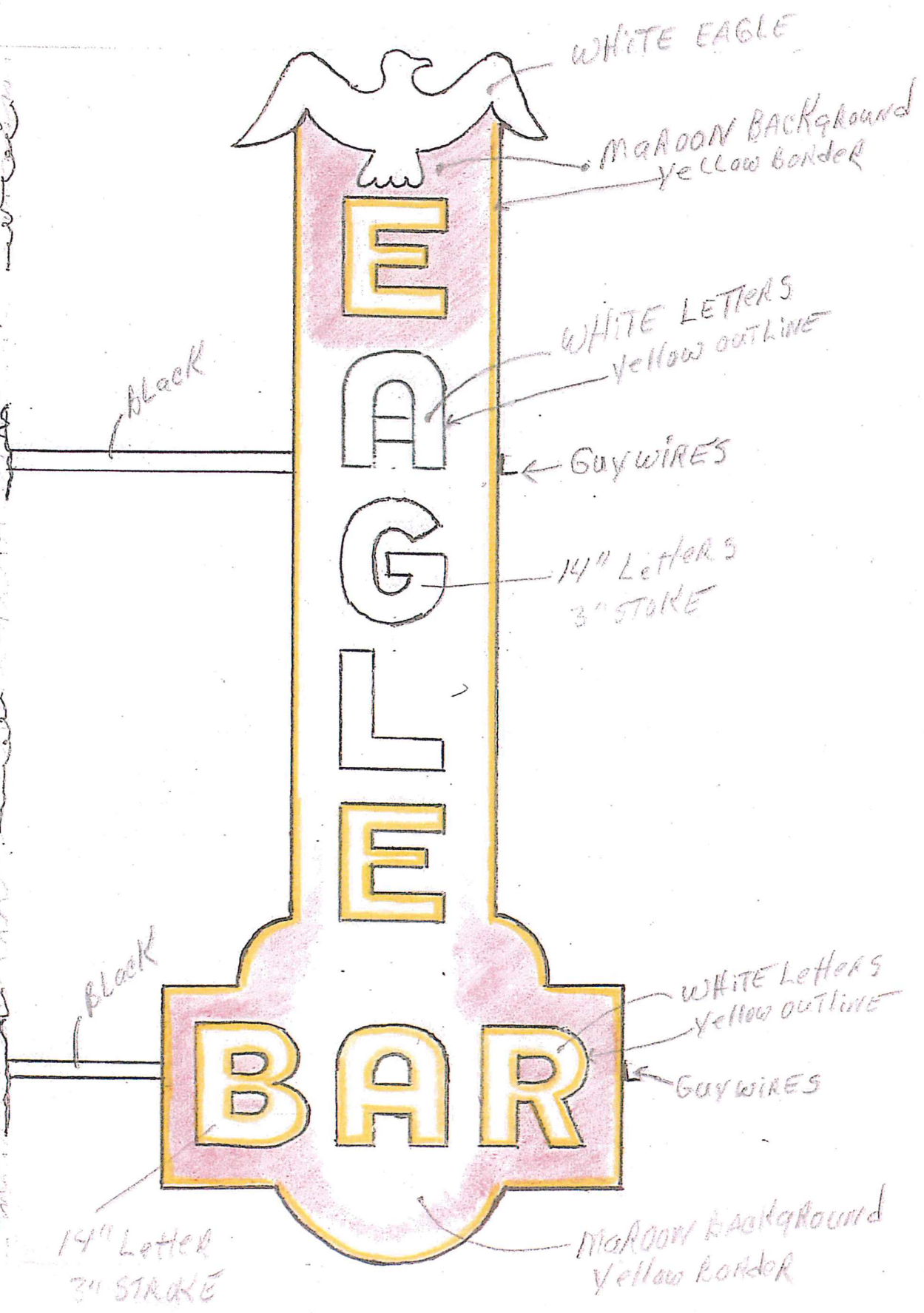
OR

Motion to deny new projecting sign at 610 Main Street as proposed

11-15-16

PAINT: COLOR? Double FACE
 WHITE LETTERS with yellow outline
 Maroon background with yellow trim
 Letter: standard block style
 14" 3" stroke

Northern Hills Neon Signs
 1301 ASH ST.
 Whitewood, SD 57793
 P1 605-642-3405



44-1

WHITE NEON

Paint Color?
WHITE EAGLE

Paint Color?
MAROON BACKGROUND
YELLOW BORDER

Paint Color?
WHITE LETTERS
YELLOW OUTLINE

GREEN NEON
WHITE NEON

RED NEON

Paint Color?
WHITE LETTERS
YELLOW OUTLINE

Paint Color
MAROON BACKGROUND
YELLOW BORDER

GREEN NEON

RED NEON

BLACK

BLACK

GREEN NEON
WHITE NEON

NORTHERN HILLS NEON SIGNS

Neon: Letters

15m clear Red

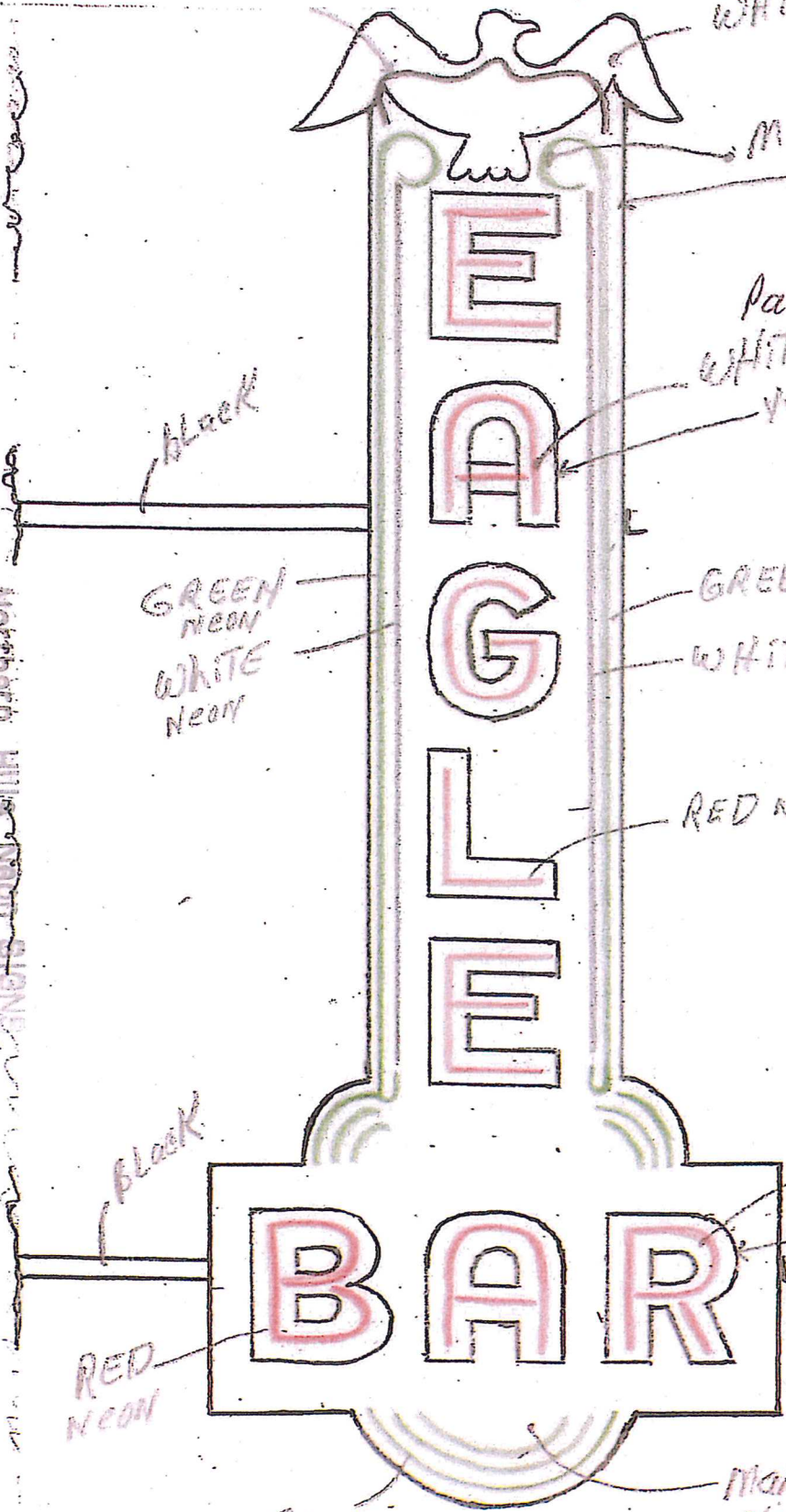
Border Neon: 15m

Green, white

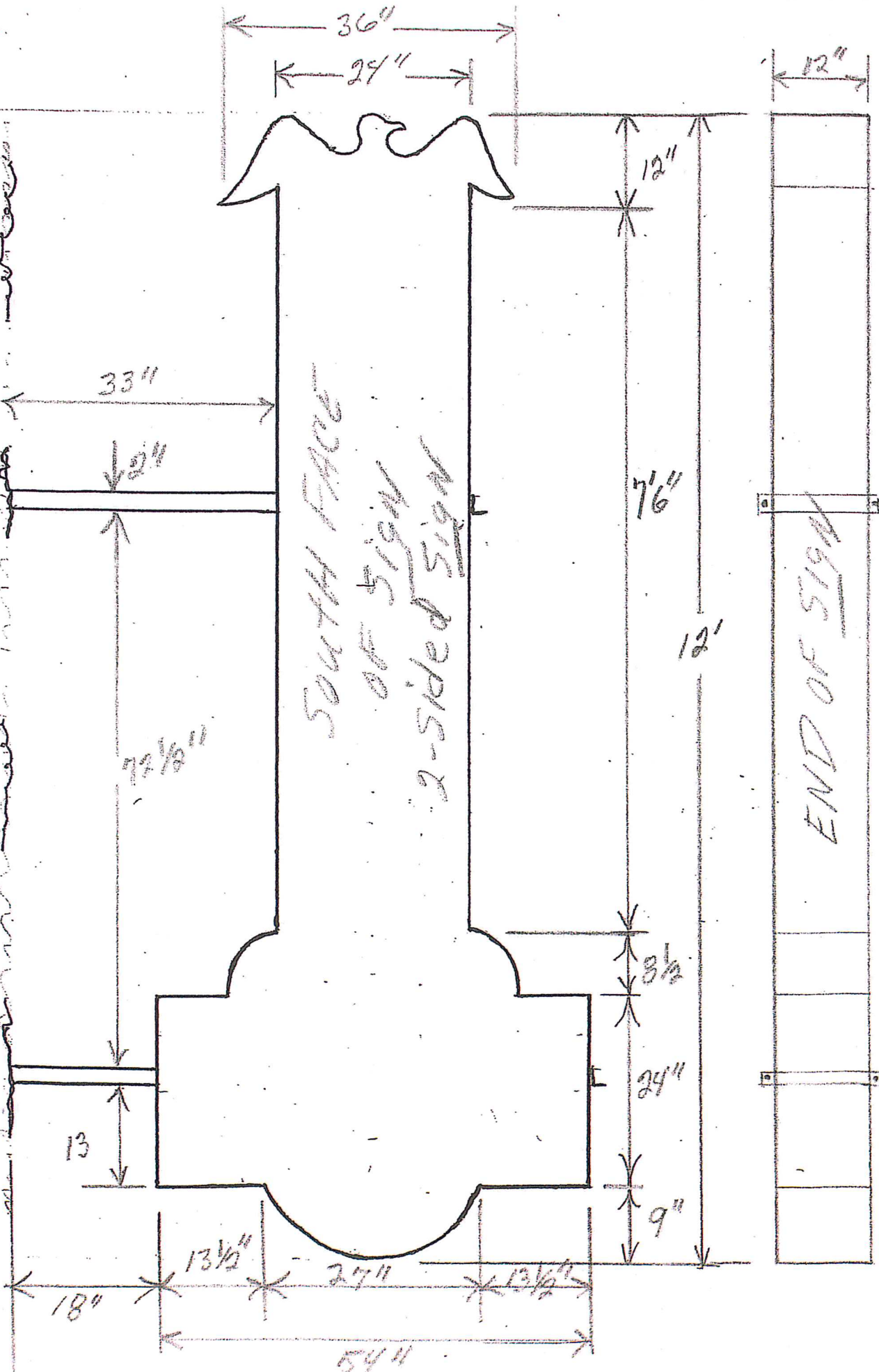
1301 ASH ST.

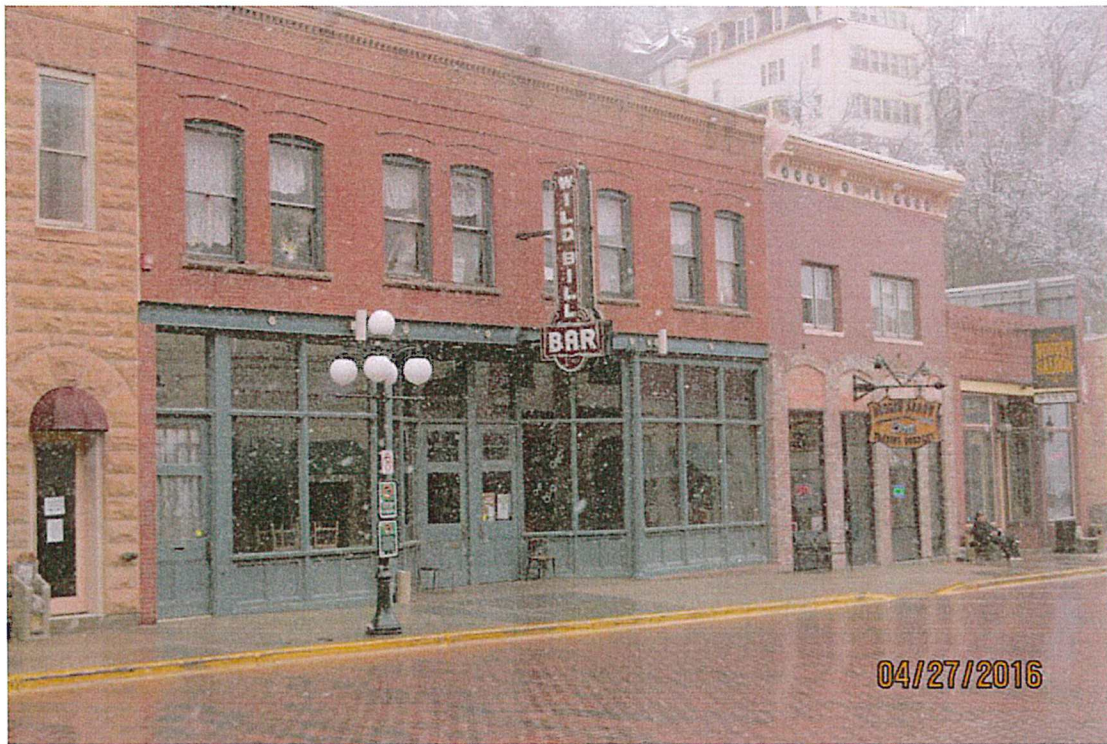
Whitewood, SD 57193

Ph. 605-642-3405



Northern Hills Neon Signs
1301 ASH ST.
Whitewood, SD 57793
Ph. 605-642-3405





Existing Sign Location



MEMORANDUM

Date: April 22, 2016
To: Deadwood Historic Preservation Commission
From: Kevin Kuchenbecker, Historic Preservation Officer
Re: Wild Bill Bar Sign

Request:

On April 13, 2016, Matt Steiner representing the ownership group at 610 Main Street formally requested the Deadwood Historic Preservation Commission consider purchasing the Wild Bill Bar Sign currently located at 610 Main Street. This request was continued by the commission to have staff put together additional historical information on the sign and garner a formal appraisal of the sign to determine value.

Overview:

Under Deadwood Codified Ordinance 15.32 (Sign Ordinance), the Deadwood Historic Preservation Office has the authority to either certify the sign as a landmark or signs that have reached twenty-five (25) years of age or more are assumed to have provisional landmark status.

While no certification from previous Historic Preservation Officers have been discovered, this sign has provisional landmark status per Deadwood Codified Ordinance due to the age of the sign. It is easily documented the sign has reached twenty-five (25) years of age or more.

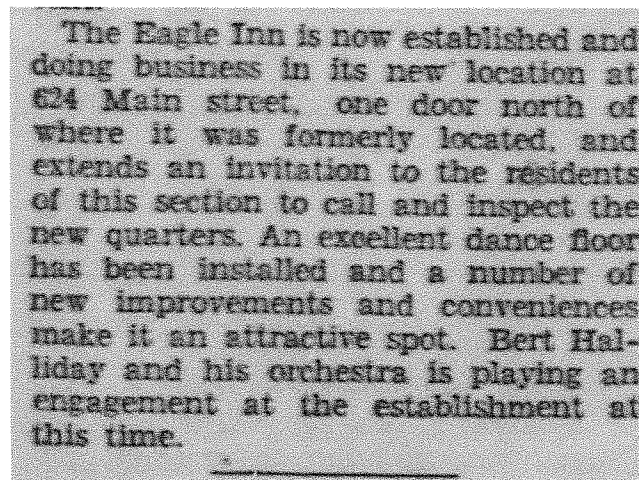
Based on the research of this office, the Eagle Inn opened on Saturday, May 12, 1934 at 626 Main Street. (See article and ad below)

and more to above the wall.
The Eagle Inn, 626 Main street, will be formally opened to the public tonight by John and Tony Trucano with a cordial invitation extended the general public to call and inspect the premises and avail themselves of the facilities offered. The building has been completely remodeled and redecorated with new bar and fixtures installed, and is one of the bright spots in that section of the city.



Deadwood Pioneer-Times (Deadwood, South Dakota) · Sat, May 12, 1934 · Page 4

The location of The Eagle Inn then changed from 626 Main Street to 624 Main Street (currently 620 Main Street) in late October – early November 1934. (see article below)



Deadwood Pioneer-Times (Deadwood, South Dakota) · Mon, Nov 5, 1934 · Page 4

There are several articles and advertisements in the local newspapers throughout the 1930's and 1940 are advertising The Eagle Inn including a variety of entertainment options available to their patrons. On the following page is an interesting advertisement from September 7, 1941 advertising The Eagle Inn and the Kenny Rineveld Band.

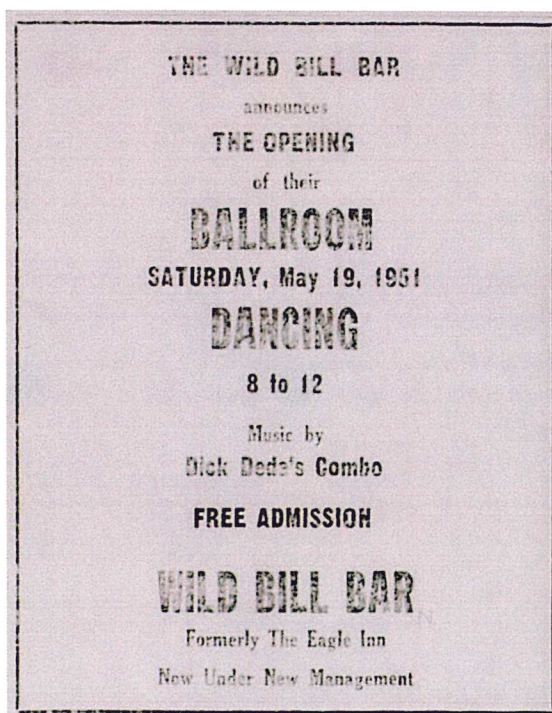


Deadwood Pioneer-Times (Deadwood, South Dakota) · Sun, Sep 7, 1941 · Page 4

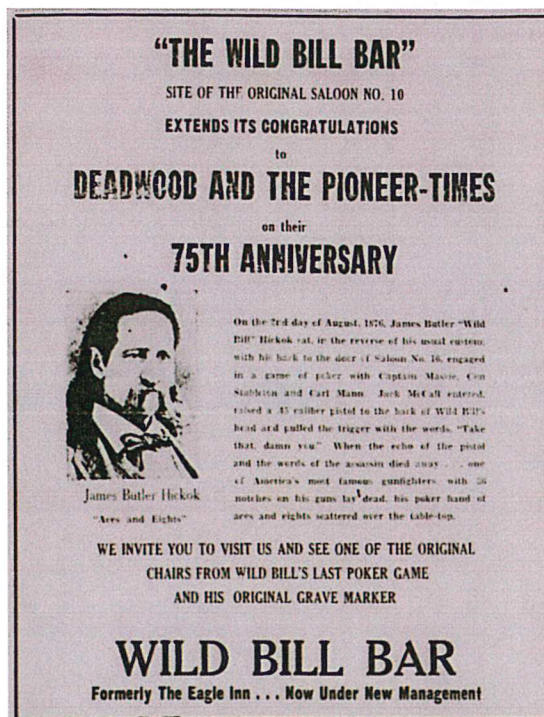
The photographs below are from a fire at the Schwaswald Furniture fire from May 25, 1948, which clearly shows a neon sign for the "Eagle Bar".



Within a few years of the 1948 fire and after some apparent liquor license issues with the City of Deadwood, the ownership of The Eagle Inn again changed hands. On Saturday, May 19, 1951 this establishment reopened as The Wild Bill Bar. The next month, June 19, 1951, The Wild Bill Bar advertised in the Deadwood Pioneer-Times as the "Site of the Original Saloon No. 10". (See ads below)



Lead Daily Call · Fri, May 18, 1951 · Page 2



Deadwood Pioneer-Times · Tue, Jun 19, 1951 · Page 27

Based on this research in the local newspapers along with research in the historic phone directories this neon sign is associated with the address 624 Main Street (currently 620 Main Street) and the business appears to have begun in 1934 as the Eagle Inn and continued until 1951. The sign was changed from the Eagle Bar to the Wild Bill bar sometime after 1951.

Below is a sampling of the Historic Phone Directories

Street Address	Business name	Year of Phone Directory
624 Main	Eagle Inn	1941 Phone Directory
624 Main	Eagle Inn	1947 Phone Directory
624 Main	Wild Bill Bar	1953 Phone Directory
624 Main	Wild Bill Bar	1955 Phone Directory
624 Main	Wild Bill Bar	1957 Phone Directory
624 Main	Wild Bill Bar	1959 Phone Directory
624 Main	Wild Bill Bar	1960 Phone Directory

Unfortunately, this sign was moved from its original location at 620 Main Street to the current location at 610 Main Street. The moving of this sign was completed prior to the current owners and appears to have been completed without City approval.

Circumstances of the sign's relocation apparently without City review and approval was brought to the attention of First Interstate Bank (previous steward of the current location) through correspondence from the City's legal counsel; however, no remedy was able to be finalized prior to the transfer of ownership of the building to the new owners.

Under DCO 15.32.320 existing landmark signs shall not be removed or altered. This application is to alter the sign and reinstall the sign in its current, not original, location; therefore, the sign should not have been moved from 620 Main Street

Landmark signs can be restored under the guidance of this office and are exempt from compliance with the regulations of the entire sign ordinance, provided they are structurally sound and are not hazardous due to fire, electrical shock or other reasons.

After reviewing the existing City Ordinance's, it is staff opinion; the sign should not have been moved from its original location without City approval.

The following is the Deadwood Codified Ordinance's under Chapter 15.32 dealing with Historic Landmark Signs.

Article VI. Historic Landmark Signs

15.32.320 Existing landmark signs.

To be considered a landmark sign, the sign must be so certified by the historic preservation officer of the city. Until such certification, all signs in the city that are twenty-five (25) years of age or more are assumed to have provisional landmark status.

- A. No existing landmark sign shall be removed or altered.
- B. Landmark signs can be restored under the guidance of the city's historic preservation officer. Such signs are exempt from compliance with the regulations of this chapter, provided they are structurally sound and are not hazardous due to fire, electrical shock or other reasons.
- C. Such signs shall be maintained in a safe condition by the owner of the signs or the buildings in which the signs are displayed. Failure to maintain a landmark sign in a safe condition shall be considered a violation of this chapter.
- D. Landmark signs shall be counted at fifty (50) percent of their actual size when computing sign area pursuant to Article V of this chapter.

15.32.330 Replication of landmark signs advertising business names.

Any sign, advertising a business name, which existed in the city prior to 1940, but is no longer extant, may be replicated. Such replication must include size, shape, and method of illumination (if any), materials, and text. When used on the building where the sign was originally located, such sign shall be counted at fifty (50) percent of its actual size when computing the sign area pursuant to Article V of this chapter. When used on a building other than the building where the sign was originally located, such sign shall be counted at seventy-five (75) percent of its actual size when computing the sign area pursuant to Article V of this chapter.

15.32.340 Replication of landmark signs other than business names.

- A. Any sign, advertising products or services other than a business name, which existed in the city prior to 1940, but is no longer extant, may be replicated. Such replication must include size, shape, method of illumination (if any), materials, and text. Such signs may be replicated only at their historic location, and do not count against the total allowable signage.
- B. This includes, but is not limited to signs painted on the sides of buildings.

At the request of the Historic Preservation Commission, this office has made contact with a certified appraiser. Staff has had communication with James O. Aplan with Antiques and Art in Piedmont, South Dakota regarding a formal appraisal of the sign; however, Mr. Aplan is in Texas for a week or more and we are unable to obtain a written cost for the appraisal or the formal appraisal until his return. During our conversation, Mr. Aplan did agree with staff's opinion the sign would probably be valued from \$15,000 to \$25,000 if not more. Staff has emailed him historical information as well as photos for his review.

Also, at the request of the Historic Preservation Commission, staff has met with the Rick and Margi Olesen, proprietors of the Wild Bill Bar and Matt Steiner, owner of the sign in question.

Mr. Steiner is requesting \$13,500 for the purchase of the sign. We also have a quote Northern Hills Neon and Signs for \$450.00 to remove the sign. It is estimated it would cost approximately another \$500.00 to install the sign at a new location.

Mr. Steiner's plans are to replicate an identical neon sign as The Eagle Bar. This is allowed under DCO15.32.330 of the sign code.

Rick and Margi Olesen are interested in having the sign reinstalled on their building, home of the Wild Bill Bar, and are willing to lease to own from the City of Deadwood at a rate of \$1,500 per year for 10 years. After the term of the lease-purchase, the Olesen's would provide the Deadwood Historic Preservation Commission a conservation easement to protect the sign in perpetuity.

For the Commission's information, the Deadwood Historic Preservation Commission owns the Tootsie sign (Spot Liquor) as well as stained glass windows within the local historic district.

Action:

The Deadwood Historic Preservation Commission is charged with accepting or rejecting the proposed request to purchase the sign at a cost of \$13,500 and then entering into a lease-purchase agreement with the Wild Bill Bar.



"The Historic City of the Black Hills"
Deadwood, South Dakota 57732

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

DEADWOOD CITY HALL
102 Sherman Street
Telephone (605) 578-2600

SIGN PERMIT STAFF REPORT

Sign Review Commission
May 18, 2016

Applicant: Nugget Saloon, LLC

Address: 696 Main Street, Deadwood, SD 57732

Site Address of Proposed Signage: 696 Main Street (Deadwood Winery)

Computation of Sign Area

Building Frontage: 104.5 Feet

Total Available Signage: 209 Square Feet

Existing Signage: One commemorative plaque (N/A Square feet).
All other existing signs are for a separate business.

Remaining Available Signage Area: 209 Square Feet

Proposed Sign Project: Install new wall sign (7.5 Square Feet)

Proposed Building Materials: Wood (see attached rendering).

Proposed Lighting of the Signs: No illumination proposed.

Location of Proposed Sign: Base of column to the right of the main entrance (see attached rendering).

Discussion

The sign project 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 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 opening a new business at this location and wishes to install signage advertising this new business.

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

Variances

The sign 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.

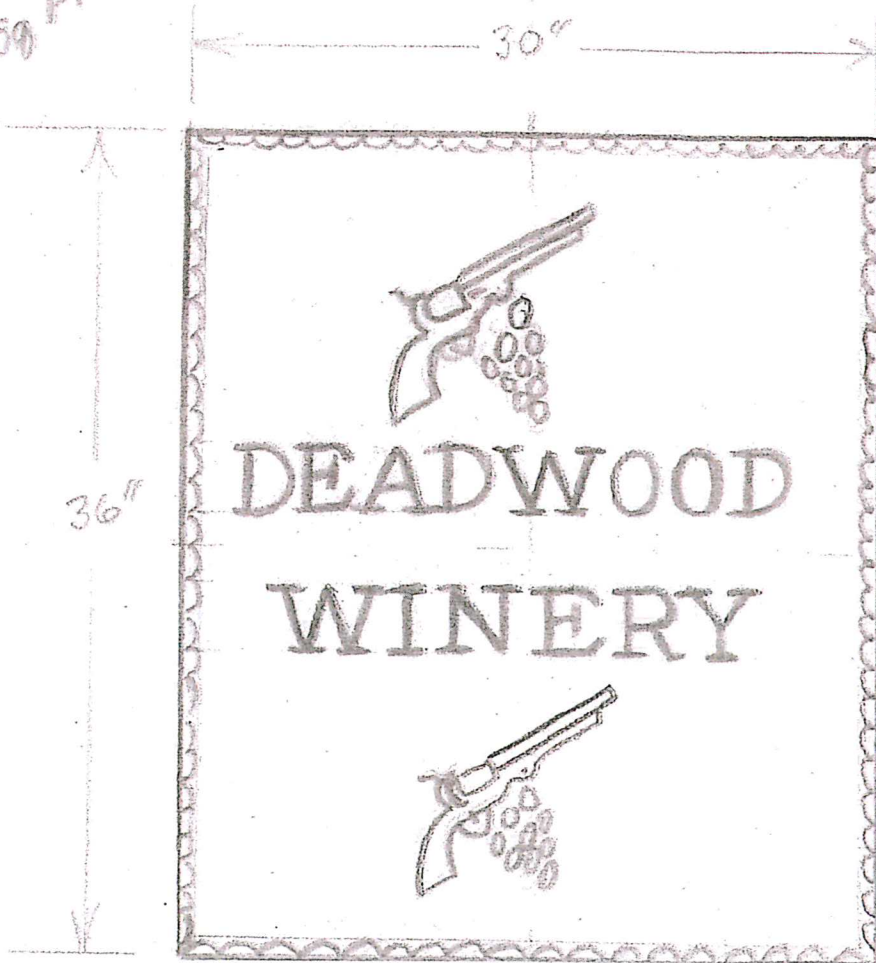
Sign Review Commission Action

Motion to approve new wall sign at 696 Main Street as proposed

OR

Motion to deny new wall sign at 696 Main Street as proposed

SCALE 1/2" = 1'
7'6" SQ FT TOTAL

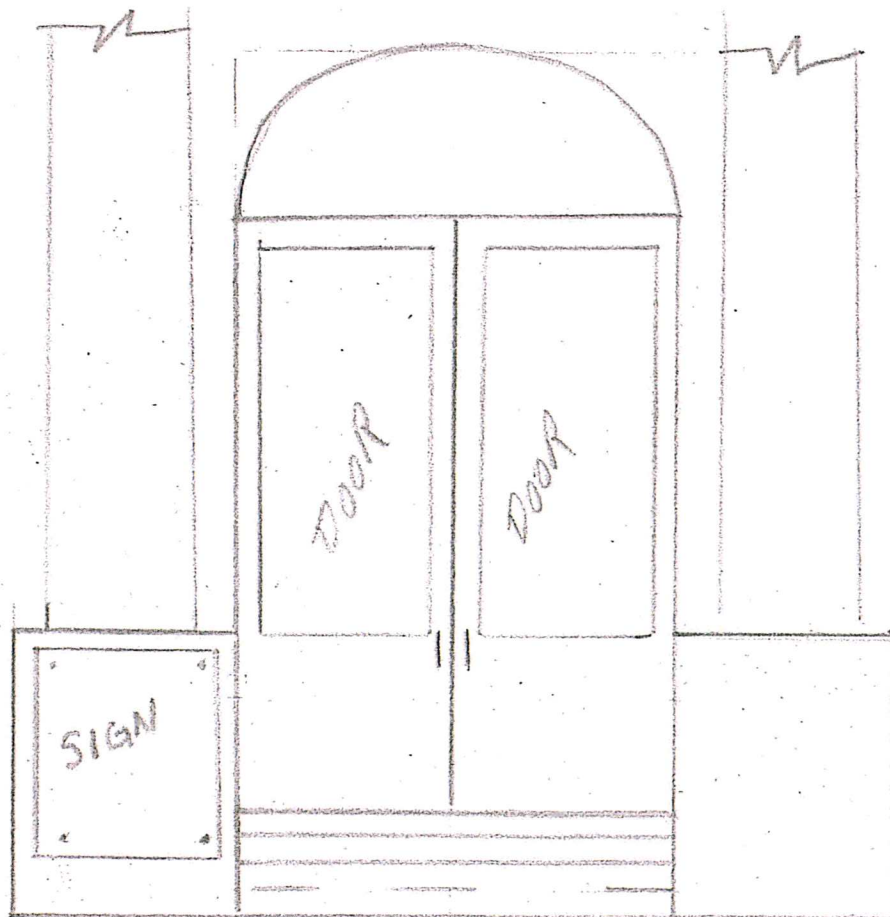


MAIN ST.
ENTRANCE

ROUTED RED WOOD 2" x 36" x 30"
PAINTED BLACK LETTER + LOGO
CLEAR FINISH
WALL MOUNT

Northern Hills Neon SIGNS
1301 ASH ST.
Whitewood, SD 57793
Ph. 605-642-3405

DEADWOOD WINERY



SIDE WALK
MAIN ST. ENTRANCE
SIGN: 2"X 36"X 30" REDWOOD
ROUTED LETTER & LOGO
BLACK
CLEAR FINISH

Northern Hills Neon SIGNS
1301 ASH ST.
Whitewood, SD 57793
Ph. 605-642-2405

