DEADWOOD PLANNING AND ZONING COMMISSION

Wednesday, August 19, 2015 - 5:00 p.m.

City Hall, 102 Sherman Street, Deadwood, SD

AGENDA

- 1. Call Meeting to Order
- 2. Approval of August 5, 2015 Minutes
- 3. Sign Review Commission

Carol Tellinghuisen - 629 Main - Miss Kitty's Pour House

- 1. Install New Sign
 - Action Required:
 - a. Approval/Denial of Hanging Sign
- 4. Planning and Zoning Commission and Board of Adjustments

Dunbar Inc. - 100 Watertower Road - Transfer Property

Tract B of the Dunbar Subdivision of the City of Deadwood, Being a Part of Government Lots 11, 14, and 15, Excepting there from Highway Right-of-Way, Lots H2 and H3 of Government Lot 11; All Located in the NE1/4 and SE1/4 of Section 14, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota

Action Required:

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

City of Deadwood - Rear of 600 Block Main Street - Define Boundaries

Lot 23A, Block 16, O.T. Deadwood; Formerly the Tract in the rear of Lot 23, Block 16, Located between Lot 23 and the Bulkhead of Highway 85 and Red Creek, also known as Whitewood Creek, of Equal Width of Lot 23, All in the City of Deadwood, Lawrence County, South Dakota.

Action Required:

- a. Approval/Denial by Planning and Zoning
- b. Approval/Denial by Deadwood Board of Adjustments
- 5. Items from Staff
 - Highway 85 Reconstruction Update
 - Mickelson Trail Boardwalk
- 6. Adjourn

<u>CITY OF DEADWOOD</u> PLANNING AND ZONING COMMISSION

Wednesday, August 5, 2015

Planning and Zoning Commission Present: Jim Shedd, Marie Farrier, Mel Allen and Sheree Green.

Planning and Zoning Commission Absent: Tony Biesiot

Board of Adjustments Present: Dave Ruth Jr.

Staff Present: Bob Nelson Jr., Trent Mohr and Bonny Fitch.

A quorum present Chair Shedd called the Planning and Zoning Commission meeting to order Wednesday, August 5, 2015 at 5:00 p.m. in Deadwood City Hall at 102 Sherman Street, Deadwood, SD.

Approval of July 1, 2015 Minutes:

It was moved by Ms. Farrier and seconded by Ms. Green to approve the July 1, 2015 meeting minutes. Aye – All. Motion carried.

Sign Review Commission:

Dustin and Laura Floyd - 21 Lincoln Avenue - 1899 Inn

Mr. Mohr informed the Commission that Dustin and Laura Floyd want to install a new hanging sign on their front porch. The sign is constructed of metal. The sign request is compliant with the sign ordinance and requires no variances. It was moved by Ms. Farrier and seconded by Ms. Green to approve the sign permit application to install a hanging sign at 21 Lincoln Avenue. Aye – All. Motion carried.

Jeanette Tice - 671 Main Street - Dakota Sky Stone

Mr. Mohr informed the Commission that Jeanette Tice with the Dakota Sky Stone Company wants to install a new projecting sign in the middle of the building façade above the awning. The sign will be constructed out of wood and wrapped in vinyl and is compliant with the sign ordinance. It was moved by Ms. Green and seconded by Mr. Allen to approve the new projecting sign at 671 Main Street as submitted. Aye – All. Motion carried.

Americas Bikers Inc. DBA Ava Apparel - 614 Main Street

Mr. Mohr informed the Commission that Americas Bikers Inc. is requesting permission to paint existing sign and add wording for a new business. The existing sign was granted a variance in 2013 for its height due to the awnings on the building. The proposed new sign requires no new variance. It was moved by Ms. Green and seconded by Mr. Allen to approve the proposed changes to the existing sign with existing variance at 614 Main Street. Aye – All. Motion carried.

Pineview Group, LLC - 25 Lee Street - The Hotel by Gold Dust

Mr. Mohr informed the Commission that the Pineview Group wishes to install one projecting sign and one wall sign. The signs are compliant with the sign ordinance. It was moved by Mr. Allen and seconded by Ms. Green to approve the two signs at 25 Lee Street. Aye – All. Motion carried.

Gordon Mack - 103 Charles Street - Cedar Wood Inn

Mr. Mohr informed the Commission that Gordon Mack wishes to replace an existing free standing sign with a new 96 square foot freestanding sign. The new sign and its location are compliant with the sign

ordinance. It was moved by Ms. Green and seconded by Ms. Farrier to approve the new sign at 103 Charles Street. Aye – All. Motion carried.

Planning and Zoning Commission and Board of Adjustment:

Dunbar Inc. - Water Tower Road - Deadwood Hill

Mr. Nelson stated due to lack of a Mylar for review he recommend continuing this until the August 19, 2015 meeting. It was moved by Ms. Green and seconded by Ms. Farrier to continue the Dunbar Inc., Water Tower Road, to the August 19, 2015 meeting. Aye – All. Motion carried.

Items From Staff (no action taken)

- Highway 85 Reconstruction Update Mr. Nelson stated construction will begin again after rally.
- Mickelson Trail Boardwalk Mr. Nelson stated the contractors have been working through the rally. They are about 75% done. Mr. Mohr stated the contractor did the last pour on the pier. The forms have been stripped and are waiting for backfill because no trucks would haul gravel during rally.
- Days of 76 Grand Stands Mr. Nelson stated the new concessions were a huge success.

Adjournment:

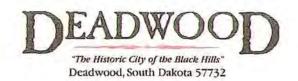
It was moved by Ms. Farrier and seconded by Ms. Green to adjourn the Regular Meeting of the Planning and Zoning Commission. Aye - All. Motion carried.

There being no further business, the Planning and Zoning Commission adjourned at 5:11 p.m.

ATTEST:

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

Sheree Green
Secretary, Planning & Zoning Commission



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 August 19, 2015

Applicant: Carol Tellinghuisen

Address: 629 Main Street, Spearfish, SD 57783

Site Address of Proposed Signage: 647 Main Street, Deadwood (Miss Kitty's Pour House)

Computation of Sign Area

Building Frontage: 24 Feet

Total Available Signage: 48 Square Feet

Existing Signage: One awning valance = (8 Square Feet) Remaining Available Signage Area: 40 Square Feet

Proposed Sign Project: Install new hanging sign (5.5 Square Feet).

Proposed Building Materials: Vinyl wrapped metal attached to the awning frame with

chain. (see attached rendering and photograph)

Proposed Lighting of the Signs: None.

Location of Proposed Sign: Attached is a photograph showing the location.

Discussion

The sign project application in review is proposed at a location inside the locallydesignated 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 application is regulated by 15.32.090 of the Sign Ordinance, reference below.

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 sign to advertise a recently opened business at this location. 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 sign permit application to install new sign at 647 Main Street as proposed

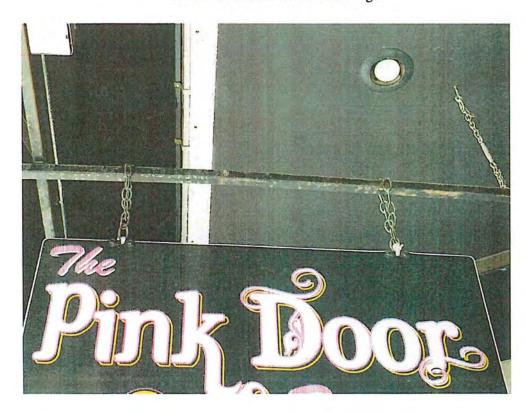
OR

Motion to deny proposed sign permit application as submitted.

Rendering of new sign

MISS KITTY'S POUR HOUSE PUB & PIZZA

Means of attachment for new sign



Location of new sign





OFFICE OF Deadwood, South Dakota 57732

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

STAFF REPORT PLANNING AND ZONING **AUGUST 5, 2015 JOINT MEETING**

APPLICANT:

DUNBAR INC

PO Box 472

Deadwood, SD 57732

PURPOSE:

To Transfer Property

GENERAL LOCATION: Water Tower Road / Deadwood Hill

LEGAL DESCRIPTION: Tract B of the Dunbar Subdivision of the City of Deadwood, Being a Part of Government Lots 11, 14, and 15, Excepting there from Highway Right-of-Way, Lots H2 and H3 of Government Lot 11; All Located in the NE1/4 and SE1/4 of Section 14, 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:

North: CH - Commercial Highway

South: PF - Park Forest

East: CH - Commercial Highway

West: PF - Park Forest

Surrounding Land Uses:

Vacant Land

Vacant Land

Lodge at Deadwood

Vacant Land

SUMMARY OF REQUEST

The Final Plat for Tract B of the Dunbar Subdivision has been submitted for transfer purposes. The property is located on Water Tower Road near the Lodge at Deadwood property on Deadwood Hill.

FACTUAL INFORMATION

- The property is currently zoned PF Park Forest 1.
- Tract B, is comprised of 31.59 Acres+. 2.

- 3. The subject property is located within the Open Space 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 and forest.

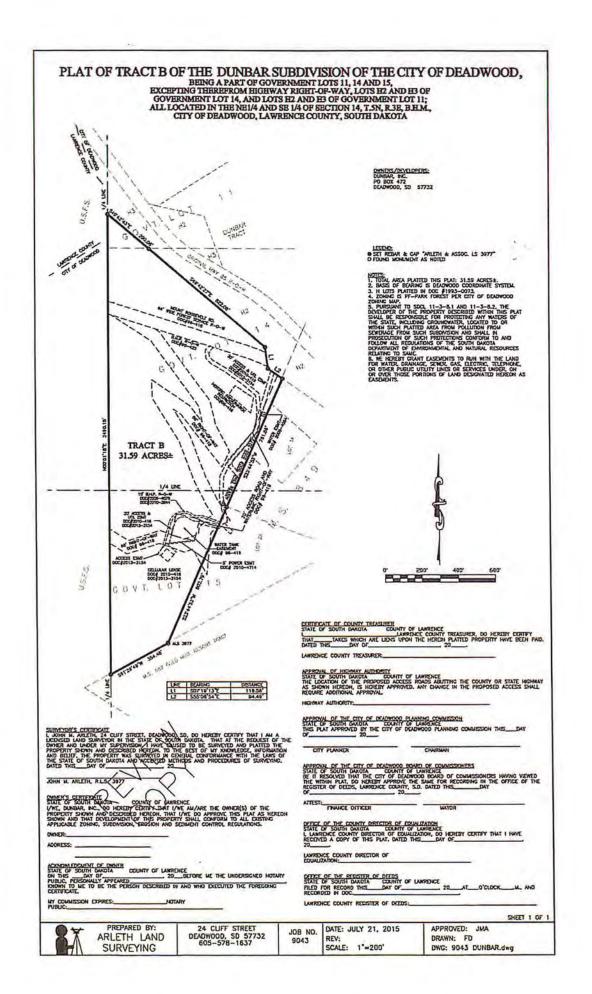
STAFF DISCUSSION

The subject property is currently unoccupied, with that said there are various easements, right-of-ways, and a lease tied to the property involved in this plat. The lot meets the area and bulk requirements for square footage.

- 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.
- 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.
- 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.



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



Bob Nelson, Jr.

Planning & Zoning Administrate
Telephone (605) 578-2082
bobjr@cityofdeadwood.com

STAFF REPORT PLANNING AND ZONING August 19, 2015 JOINT MEETING

APPLICANT: CITY OF DEADWOOD

PURPOSE: Define City Owned Property Boundaries

GENERAL LOCATION: Rear of 600 Block of Main Street

LEGAL DESCRIPTION: Lot 23A, Block 16, O.T. Deadwood; Formerly the Tract in the rear of Lot 23, Block 16, Located between Lot 23 and the Bulkhead of Highway 85 and Red Creek, also known as Whitewood Creek, of Equal Width of Lot 23, All in the City of Deadwood, Lawrence County, South Dakota.

FILE STATUS: All legal obligations have been completed.

ZONE: C1 – Commercial District

STAFF FINDINGS:

Surrounding Zoning:

Surrounding Land Uses

North: C1 – Commercial Retail Business
South: C1 - Commercial Highway 85

East: C1 - Commercial Various Businesses West: C1 - Commercial Various Businesses

SUMMARY OF REQUEST

The Final Plat of Lot 23A has been submitted to define property boundaries and identify the location of City owned property. The property is located between Highway 85 and rear of 643 Main Street.

FACTUAL INFORMATION

- 1. The property is currently zoned C1 Commercial
- 2. Lot 23A is comprised of 0.015 Acres+
- The subject property is located within an area designated "City Center" by the City of Deadwood's Comprehensive plan of 2001. This area is intended to contain a mixture of uses in an urbanized environment.
- 4. The subject lot is located within the 500 year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile.
- 5. Public facilities are not available to serve the property.
- 6. The area is currently being used as an access for Main Street businesses.

STAFF DISCUSSION

The property involved in this plat is zoned C1 – Commercial and there are no size requirements in the City of Deadwood code of ordinances area and bulk requirements for this district. This plat will establish clean property boundaries and legal description for the property.

- 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.
- 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.

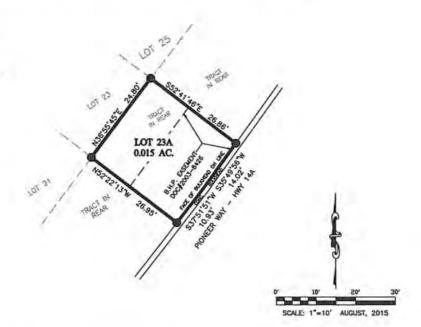
ACTION REQUIRED:

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

PLAT OF LOT 23A, BLOCK 16, O.T. DEADWOOD;

FORMERLY THE TRACT IN THE REAR OF LOT 23, BLOCK 16, LOCATED BETWEEN LOT 23

AND THE BULKHEAD OF HIGHWAY IS AND RED CREEK, ALSO KNOWN AS WHITEWOOD CREEK,
OF EQUAL WIDTH OF LOT 23, ALL IN THE CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA



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

COUNTY OF LAWRENCE

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 CONFORN TO ALL EXISTING APPLICABLE ZONING, SUBDMISON, EROSION AND SEDIMENT CONTROL REQUILATIONS.

OWNER ADDRESS:

APPEARED.

KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES:

CERTIFICATE OF COUNTY TREASURER
STATE OF SOUTH DAKOTA

COUNTY OF LAWRENCE
LAWRENCE COUNTY TREASURER, DO HEREBY
CERTIFY THAT

TAXES WHICH ARE LIENS UPON THE HEREIN PLATTED
PROPERTY HAVE BEEN PAID.

DAY OF.

20

20

LAWRENCE COUNTY TREASURER:

APPROVAL OF HIGHWAY AUTHORITY
STATE OF SOUTH DAXOTA 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

CITY PLANNER

ATTEST:

FINANCE OFFICER

MAYOR



NOTES:

1. TOTAL AREA PLATTED THIS PLAT: 0.015 ACRES±.

10TAL AREA LOTS THIS PLAT: 0.015 ACRES±.

10TAL AREA RO-0-W THIS PLAT: 0.000 ACRES±.

2. S' DRAINAGE AND UTILITY EASEMENTS HEREBY GRANTED ALONG INSIDE OF ALL COTINES.

3. BASIS OF BEAGING IS DEADWOOD COORDINATE SYSTEM.

4. PURSUANT TO SOCL 11-3-8.1 AND 11-3-8.2, THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE, INCLUDING GROUNDWATER, LOCATED TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWERAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKKOTA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES RELATING TO SAME.

LAWRENCE COUNTY DIRECTOR OF

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 DO ___.M., AND RECORDED IN DOC.

LAWRENCE COUNTY REGISTER OF DEEDS:

PREPARED BY: ARLETH LAND SURVEYING

24 CUFF STREET DEADWOOD, SD 57732 605-578-1637

JOB NO. 9053

DATE: JULY 28, 2015 REV: SCALE: 1"=10"

APPROVED: JMA DRAWN: FD DWG: 9053.dwg

