



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, February 21, 2024 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call to Order

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, February 21, 2024 at 4:00 p.m. in the Deadwood City Hall Meeting Room, located at 102 Sherman Street, Deadwood, SD 57732.

2. Roll Call

PRESENT

Commissioner (Chair) John Martinisko
Commissioner (Vice-Chair) Josh Keehn
Commissioner (Secretary) Dave Bruce
Commissioner Ken Owens
Commissioner Charles Eagleson
City Commissioner Mike Johnson

STAFF PRESENT

Kevin Kuchenbecker, Planning, Zoning and Historic Preservation Officer
Trent Mohr, Building Inspector
Leah Blue-Jones, Zoning Coordinator

3. Approval of Minutes

- a. Approval of the January 17, 2024 Minutes

It was moved by Commissioner Owens and seconded by Commissioner Keehn to approve the January 17, 2024 minutes. Voting yea: Martinisko, Keehn, Bruce, Owens, Eagleson.

4. Sign Review Commission

5. Planning and Zoning Commission

- a. Final Plat - Division of property and creating property lines - Miller Street - City of Deadwood

PLAT OF TRACT 3 OF BLOCK 30, O.T. DEADWOOD; BEING A PORTION OF TRACT 1 OF THE MILLER STREET SUBDIVISION; CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

Action Required:

1. Approval/Denial by the Deadwood Planning and Zoning Commission

Mr. Kuchenbecker shared the Final Plat - Division of property and creating property lines - Miller Street - City of Deadwood.

Mr. Kuchenbecker stated that the applicant for the plat is the City of Deadwood; the purpose is to facilitate a transfer of land and creation of property lines. The plat is currently zoned Public Use. The City of Deadwood desires to have this plat on the tax roll. This plat will create Tract 3 of the Miller Street Subdivision and consists of 0.024 acres +/-, is located outside of a flood zone, has facilities, and is located in an area of both Commercial and Public Use.

Mr. Keehn asked if the property would be for sale. Mr. Kuchenbecker stated that it would be up to the City of Deadwood to make that decision. If put up for sale, it would most likely be transferred to Deadwood-Lead Economic Development.

It was moved by Commissioner Bruce and seconded by Commissioner Keehn to approve the Final Plat - Division of property and creating property lines - Miller Street - City of Deadwood. Voting Yea: Martinisko, Keehn, Bruce, Owens, Eagleson.

- b. Act as Planning & Zoning Commission to approve/deny Findings of Fact and Conclusion - Conditional Use Permit - RV Park - 20577 Highway 85 - B & L Properties (Brad Kooiker) legally described as Lot A in Lot H2 of H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, Lawrence County, South Dakota and Lot C in H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota. Recommended Approval by Planning and Zoning Commission on July 19, 2023 and Approval by Board of Adjustment on August 7, 2023.

Mr. Kuchenbecker shared Findings of Fact and Conclusion - Conditional Use Permit - RV Park - 20577 Highway 85 - B & L Properties (Brad Kooiker) legally described as Lot A in Lot H2 of H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, Lawrence County, South Dakota and Lot C in H.E.S. No. 613 in the NE1/4 of Section 11, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota. Recommended Approval by Planning and Zoning Commission on July 19, 2023 and Approval by Board of Adjustment on August 7, 2023.

Mr. Kuchenbecker stated that there were conditions with the Conditional Use Permit pertaining to access to the property. A concurrence with no change necessary was approved by the Department Of Transportation for access off a state highway, meeting the final conditions required for the Conditional Use Permit.

It was moved by Commissioner Keehn and seconded by Commissioner Bruce to approve the Findings of Fact and Conclusion for the Conditional Use Permit for B&L Properties (Brad Kooiker) - RV Park at 20577 Highway 85, Deadwood, Lawrence County, South Dakota. Voting Yea: Martinisko, Keehn, Bruce, Owens, Eagleson.

- c. Discussion and general acceptance of proposed street names for Stage Run Palisades Tract (Phase III - Stage Run Development). Names proposed as Palisades Stone, Bavarian Lode, and Blarney Stone as shown in packet.

Mr. Kuchenbecker began the discussion by stating that Stage Run, Phase 3 is progressing. In Phase 3, there will be an extension of Mystery Wagon Road, and there are three roads that will come off it. Possible street names have been chosen based on the names of historic Mineral Surveys in the general vicinity: Palisades

Stone will come off Mystery Wagon Road. From Palisades Stone, a right turn can be made onto Bavarian Lode, and a left can be made onto Blarney Stone. No action is needed at this time with regard to the proposed street names.

Commissioner Martinisko stated that the Planning and Zoning Commission generally accept the proposed street names for Stage Run Palisades Tract, Phase III - Stage Run Development.

6. Items from Citizens not on Agenda

(Items considered but no action will be taken at this time.)

7. Items from Staff

a. Fassbender Photographic Collection Newsletter 4th Quarter 2023

Mr. Kuchenbecker stated that the Fassbender Photographic Collection Newsletter 4th Quarter 2023 allows the public to know what is happening with the Fassbender collection. With the change of leadership at DHI, we will continue to see more information and progress being made with that collection. Commissioner Martinisko stated that putting a display at the Days of 76 Museum has been a big project. Jim Williams has been doing a good job of incorporating the Fassbender collection into the other city museums and things are coming along well.

b. Annual Report on Building Permits - Trent Mohr

Mr. Mohr discussed Building Permits for the last five (5) years and explained the number of permits in 2023 went down, but valuations increased, which is explained by the Lawrence County Public Safety Center which was a big-ticket item. Generally, people are building less, but paying more to build.

c. Mr. Kuchenbecker stated that the bi-weekly FEMA meeting (#10) was today, and substantial progress is being made on that project. Staff is very pleased with the contractor, the design team, and FEMA has been very cooperative. Over the next couple of weeks, the steps will be poured to provide creek access from the Sherman Street parking lot. Utilities should be completed in approximately 30 days. The project will remove 6 power poles in the vicinity of Taco Johns to Conrad's old hardware store. The final grade on the wall from Oberlander's to the end of the project upstream is ready for topsoil and landscaping. A temporary parking surface for Deadwood Dental & Deadwood Eye Care is open already. We will be going out to bid in a March for 1A - the retaining wall around the Deadwood Mountain Grand, and 1B - the utilities around City Hall and the Dollar Store. These projects will also include sidewalk, railings and pedestrian lights so we will have a direct connection for pedestrians from Sherman Street to the core downtown. It will look a lot like what we have by the Deadwood Welcome Center. Commissioner Eagleson asked for clarification on where the route for the path will be. Mr. Kuchenbecker explained that it will go along Water Street and allow pedestrians to either walk under the parking garage or by Deadwood Mountain Grand. Water Street will be narrowed slightly, and a walking path will be created behind the guardrail. All the utilities will be buried. The biggest impact of buried utilities will be a transformer that will be in the City Hall parking lot. Mr. Mohr stated that to be above the base flood elevation, the base of the transformer will be 4 feet high.

- d. Mr. Kuchenbecker stated that all thirty-six Short-Term Rentals who are licensed have paid their annual fees. The city is considering a move to Deckhart Technologies as a third-party monitoring system for STRs. It would be a cost savings to the city and offer a more robust search engine.
- e. Commissioner Bruce asked the status of State of South Dakota House Bill 1149. Mr. Kuchenbecker stated that the bill was defeated.
- f. Mr. Kuchenbecker stated that we have a couple of Conditional Use Permit applications coming within the next month or so.
- g. Mr. Kuchenbecker stated that The Ridge is still stalled.
- h. Mr. Kuchenbecker stated that the Parking Study has been drafted.
- i. Commissioner Eagleson shared that the Deadwood Cracker Barrel would be held Saturday, February 24, 2024, at 11:00 a.m. at Deadwood Mountain Grand. Mr. Kuchenbecker said that Mr. Odenbach has introduced a bill to secure funding that could be used for creek clean up, clean water, and the creation of an environmentally friendly pathway to Devils Bathtub and along Whitewood Creek. In addition, Senate Bill 86 would allow five additional off sale liquor licenses to hotels and convention centers within a gaming community. The bill has passed the Senate and is in the House. Mr. Mohr stated a bill was introduced forcing municipalities to allow campaign signs for a certain length of time. We will have to update our ordinances to reflect the new law when it takes effect July 1, 2024.

8. Adjournment

It was moved by Commissioner Owens and seconded by Commissioner Bruce to adjourn the Planning and Zoning Commission Meeting. Voting Yea: Martinisko, Keehn, Bruce, Owens, Eagleson

There being no further business, the Planning and Zoning Commission adjourned at 4:26 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Leah Blue-Jones, Zoning Coordinator