



# Planning and Zoning Commission Regular Meeting Minutes

Wednesday, September 07, 2022 at 5:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

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## 1. Call to Order

The meeting of the Deadwood Planning and Zoning Commission was called to order by Chairman Martinisko on Wednesday, September 7, 2022 at 5:00 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 Charles Eagleson

David R. Ruth, Jr., Mayor

Sharon Martinisko, City Commissioner

Charlie Struble, City Commissioner

ABSENT

Commissioner Kevin Wagner

STAFF PRESENT

Jeramy Russell, Planning and Zoning Administrator

Trent Mohr, Building Inspector

Cindy Schneringer, Administrative Assistant

## 3. Approval of Minutes

- a. Approval of August 17, 2022 Minutes

***It was moved by Commissioner Eagleson and seconded by Commissioner Bruce to approve the August 17, 2022 minutes. Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

## 4. Sign Review Commission

- a. 32 Charles Street - Alicia Miller - Install New Wall Sign

Mr. Mohr stated for your consideration tonight is one sign permit application for 32 Charles Street. I would note there is a representative present for the business here. If you could identify yourself for the Commission and minutes, please.

Valerie Sandidge introduced herself as the compliance consultant for Trailhead Cannabis.

Mr. Mohr stated the applicant has been remodeling this property in order to create a retail space. This sign is a new addition to that building to advertise the business.

The sign and its location are compliant with the ordinances and requires no variances.

***After discussion of sign verbiage, it was moved by Commissioner Bruce and seconded by Commissioner Keehn to approve the parameters of the sign as described pending legal review of verbiage with determination there are no state prohibitions that would prevent it being accepted.***

***Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

## **5. Planning and Zoning Commission**

- a. Public Comment - Change of Zoning - The Ridge Development

There were no citizens present for comment.

- b. Change of Zoning - The Ridge Development - TRD, LLC (Randy Horner)

LOTS 1 & 2, BLOCK 1B OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT LOCATED IN GOV'T LOTS 10 AND 12 OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 3 EAST, BLACK HILLS MERIDIAN, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA.

Mr. Russell stated before you guys this evening we have a request for a zoning amendment for a change of zoning. Our applicant today is TRD, LLC which is the Ridge Development owned by Randy Horner. Leah Berg is here representing Mr. Horner in case you have any questions. This area is located approximately northeast of the Preacher Smith monument and is legally described as LOTS 1 & 2, BLOCK 1B OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT LOCATED IN GOV'T LOTS 10 AND 12 OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 3 EAST, BLACK HILLS MERIDIAN, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. The applicant has submitted a request for zoning amendment to change from park forest zoning district to a residential multi-family also known as R-2. The purpose of this zoning amendment is for workforce housing planned for that area. We have a great working relationship with Leah and her developers keeping us posted on what's going on.

***It was moved by Commissioner Keehn and seconded by Commissioner Bruce to approve the change of zoning from park forest zoning district to residential multi-family (R-2) legally described as LOTS 1 & 2, BLOCK 1B OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT LOCATED IN GOV'T LOTS 10 AND 12 OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 3 EAST, BLACK HILLS MERIDIAN, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

- c. Final Plat - Adjusting Lot Lines - Deadwood Stage Run Addition - Palisades LLC

PLAT OF LOT 24 REVISED AND LOT 25 REVISED, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOTS 24 AND 25, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4 NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA

Mr. Russell stated the next one is a final plat for our applicants Merle and Dawn Carpenter, Corey and Allie Schultz, and Palisades LLC. The purpose of this plat is the final plat adjusting the property lines. Located in the Deadwood Stage Run Addition legally described as PLAT OF LOT 24 REVISED AND LOT 25 REVISED, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOTS 24 AND 25, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4 NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. For the record, there are a couple of errors on the exhibits for the final plat. Have been unsuccessful in getting a hold of Loren Brim, the surveyor, to get an updated copy. A couple of things identified is the legal description on the actual document in your packet shows Plat of Lot 124 that should be Lot 24. There are also only two signature sections but there should be a third as Palisades LLC needs to transfer the plat. According to Quentin, this should not hold up our approval process. The purpose of this plat is they've worked with the developer for Palisades LLC to expand their current lots, so they are just revising this plat. Those lots are going to become much larger, so they are adjusting the property lines.

***It was moved by Commissioner Keehn and seconded by Commissioner Eagleson to approve final plat for adjusting lot lines legally described as PLAT OF LOT 24 REVISED AND LOT 25 REVISED, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOTS 24 AND 25, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4 NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

- d. Final Plat - Transfer of Property - The Ridge Development - TRD, LLC (Randy Horner)

LOT 1 OF BLOCK 1A OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT. LOCATED IN GOV'T LOTS 13 AND 19 OF SEC. 11, AND GOV'T LOT 5 OF SEC. 11, T.5.N., R.3.E., B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA.

Mr. Russell stated again our applicant today is TRD, LLC also known as Randy Horner. Leah Berg is here as a representative. The purpose of this is to transfer property. The lot is located near the Preacher Smith monument and is legally described as LOT 1 OF BLOCK 1A OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT. LOCATED IN GOV'T LOTS 13 AND 19 OF SEC. 11, AND GOV'T LOT 5 OF SEC. 11, T.5.N., R.3.E., B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. This lot is compliant with all of our zoning ordinances and I will let Leah fill you in on what the purpose of this lot is for.

Leah Berg stated on the Ridge Development this is a piece of the commercial area. We have someone looking to purchase a section of it for future development in a commercial use which fits into our master plan with the TIF district. We need to be able to plat it to transfer that property.

Mr. Russell stated obviously if it's a commercial use, we understand the zoning district is park forest and they will still have to go through an additional zoning change. The size of that lot is compliant with our current zoning ordinance for park forest.

***It was moved by Commissioner Bruce and seconded by Commissioner Eagleson to approve the final plat for transfer of property legally described as LOT 1 OF BLOCK 1A OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT. LOCATED IN GOV'T LOTS 13 AND 19 OF SEC. 11, AND GOV'T LOT 5 OF SEC. 11, T.5.N., R.3.E., B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. Voting Yea: Martinisko, Keehn, Bruce, Eagleson***

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

### **Board of Adjustments**

Mayor Ruth called the meeting of the Board of Adjustments to order.

***It was moved by Commissioner Martinisko and seconded by Commissioner Struble to approve the change of zoning from park forest zoning district to residential multi-family (R-2) legally described as LOTS 1 & 2, BLOCK 1B OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT LOCATED IN GOV'T LOTS 10 AND 12 OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 3 EAST, BLACK HILLS MERIDIAN, CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. Voting Yea: Ruth, Martinisko, Struble***

***It was moved by Commissioner Martinisko and seconded by Commissioner Ruble to approve final plat for adjusting lot lines legally described as PLAT OF LOT 24 REVISED AND LOT 25 REVISED, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION TO THE CITY OF DEADWOOD FORMERLY LOTS 24 AND 25, BLOCK 2 OF PALISADES TRACT OF DEADWOOD STAGE RUN ADDITION ALL LOCATED IN THE SW1/4 OF SECTION 14, THE SE1/4 OF SECTION 15, THE NE1/4 NE1/4 OF SECTION 22 AND THE N1/2NW1/4 OF SECTION 23, T5N, R3E, B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH DAKOTA. Voting Yea: Ruth, Martinisko, Struble***

***It was moved by Commissioner Martinisko and seconded by Commissioner Struble to approve the final plat for transfer of property legally described as LOT 1 OF BLOCK 1A OF THE RIDGE DEVELOPMENT. FORMERLY A PORTION OF PREACHER SMITH TRACT. LOCATED IN GOV'T LOTS 13 AND 19 OF SEC. 11, AND GOV'T LOT 5 OF SEC. 11, T.5.N., R.3.E.,***

***B.H.M., CITY OF DEADWOOD, LAWRENCE COUNTY, SOUTH  
DAKOTA. Voting Yea: Ruth, Martinisko, Struble***

***It was moved by Commissioner Martinisko and seconded by Commissioner Struble to adjourn the Board of Adjustment. Voting Yea: Ruth, Martinisko, Struble***

**Planning and Zoning Commission**

Chairman Martinisko called the Planning and Zoning Commission meeting to order.

**6. Items from Citizens not on Agenda**

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

**7. Items from Staff**

Mr. Russell thanked the Board of Adjustments for attending as well as Leah Berg. There will be a PUD coming forward in a couple of weeks. All have been super busy.

**8. Adjournment**

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

There being no further business, the Planning and Zoning Commission adjourned at 5:25 p.m.

ATTEST:

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Chairman, Planning & Zoning Commission

*Cindy Schneringer, Planning & Zoning Office/Recording Secretary*

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Secretary, Planning & Zoning Commission