



Planning and Zoning Commission Regular Meeting Minutes

Wednesday, August 20, 2025 at 4:00 PM

City Hall, 102 Sherman Street, Deadwood, SD 57732

1. Call to Order

The Planning and Zoning Commission Meeting was called to order by Chairman Martinisko on Wednesday, August 20, 2025, 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 (Secretary) Dave Bruce
Commissioner Ken Owens
Commissioner Jim Williams

ABSENT

Commissioner (Vice-Chair) Josh Keehn
City Commissioner Blake Joseph

STAFF PRESENT

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

3. Approval of Minutes

- a. Approve the minutes of the July 2, 2025, Planning and Zoning Commission Meeting.

It was moved by Commissioner Owens and seconded by Commissioner Williams to approve the minutes from the July 2, 2025, Planning and Zoning Commission Meeting. Voting yea: Martinisko, Bruce, Owens, Williams.

4. Sign Review Commission

- a. Application for Sign Permit - 50 Tatanka Drive - RCS Construction. Applicant is requesting permission to install a new freestanding sign. Proposed sign and location are compliant with sign ordinance.

Actions:

1. Approve/deny Application for Sign Permit as submitted

Mr. Mohr introduced Application for Sign Permit - 50 Tatanka Drive - RCS Construction. The sign is for the Lawrence County Public Safety and Services Center. The sign will be located near the entrance of the property.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to approve Application for Sign Permit - 50 Tatanka Drive - RCS Construction. Voting yea: Martinisko, Bruce, Owens, Williams.

- b. Application for Sign Permit - 666 Main Street - Cem Iskender (Deadwood Rustic). Applicant is requesting permission to install a projecting sign. Proposed sign and location are compliant with sign ordinance.

Actions:

1. Approve/deny Application for Sign Permit as submitted

Mr. Mohr discussed Application for Sign Permit - 666 Main Street - Cem Iskender (Deadwood Rustic). The proposed sign will display the new business name.

It was moved by Commissioner Williams and seconded by Commissioner Owens to approve Application for Sign Permit - 666 Main Street - Cem Iskender (Deadwood Rustic). Voting yea: Martinisko, Bruce, Owens, Williams.

5. Planning and Zoning Commission

- a. Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 7 Burlington Street – Burlington B&B, legally described as Lots 3 and 4 of Peck's Garden subdivision of part of Probate Lots 138 and 327, Deadwood City, Lawrence County, SD, according to the recorded plat thereof.

Action Required:

1. Public Hearing
2. Approval/Denial of continued use by Planning and Zoning Commission

Mr. Kuchenbecker discussed Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 7 Burlington Street – Burlington B&B. It is recommended by staff to approve the continued use of the property as a Bed and Breakfast Establishment with nine (9) conditions.

It was moved by Commissioner Owens and seconded Commissioner Williams to approve Annual Review - Conditional Use Permit for Bed and Breakfast Establishment – 7 Burlington Street – Burlington B&B with nine (9) conditions. Voting yea: Martinisko, Bruce, Owens, Williams.

- b. Annual Review - Conditional Use Permit for Specialty Resort – 20577 Hwy 85 – Can Am 85 VRBO-RV, legally described as Lot 34 in Block 15, being a part of Mineral Lot 38, and also known as Lot A in Lot H2 of H.E.S. No. 613 in the NE 1/4 of Section 11, T5N, R3E, BHM, Lawrence County, South Dakota

And

Lot C in H.E.S. No. 613 in the NE 1/4 of Section 11, T5N, R3E, BHM, City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Public Hearing

2. Approval/Denial of continued use by Planning and Zoning Commission

Mr. Kuchenbecker introduced Annual Review - Conditional Use Permit for Specialty Resort – 20577 Hwy 85 – Can Am 85 VRBO-RV.

Property owner, Bradley Kooiker, was introduced to the Commission and inquired about the use of fire pits at his property. Mr. Mohr and Mr. Kuchenbecker explained a burn permit is required for solid fuel burning, but not for propane. Burn permits are no longer being issued by the Fire Department to Vacation Home Establishments or Specialty Resorts due to safety concerns.

Staff recommend continuation of the property as a Specialty Resort with eight (8) conditions.

It was moved by Commissioner Bruce and seconded by Commissioner Owens to approve Annual Review - Conditional Use Permit for Specialty Resort – 20577 Hwy 85 – Can Am 85 VRBO-RV with eight (8) conditions. Voting yea: Martinisko, Bruce, Owens, Williams.

- c. Annual Review - Conditional Use Permit for Vacation Home Establishment – 64 Cliff Street – Owson Properties LLC, legally described as Lot X2 of Riverside Addition City of Deadwood, Lawrence County, South Dakota, formerly Lot X of Riverside Addition located in the NE 1/4 of Section 27, T5N, R3E, B.H.M.

Action Required:

1. Public Hearing
2. Approval/Denial of continued use by Planning and Zoning Commission

Mr. Kuchenbecker discussed Annual Review - Conditional Use Permit for Vacation Home Establishment – 64 Cliff Street – Owson Properties LLC and advised that staff recommend the continued use of the property as a Vacation Home Establishment with nine (9) conditions.

It was moved by Commissioner Williams and seconded by Commissioner Owens to approve Annual Review - Conditional Use Permit for Vacation Home Establishment – 64 Cliff Street – Owson Properties LLC with nine (9) conditions. Voting yea: Martinisko, Bruce, Owens, Williams.

- d. Annual Review - Conditional Use Permit for Vacation Home Establishment – 36 Water Street – Deadwood Rentals - Creekside, legally described as Tract A, an 8' platted alley and a portion of Lot R-1 of the City of Deadwood railroad property all located in the Hillsdale Addition to the City of Deadwood, in the NW 1/4 of Section 26, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

And

Tract B-1, McGovern Hill Addition of the City of Deadwood, located in the NW 1/4 NW 1/4 of Section 26 T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota.

Action Required:

1. Public Hearing

2. Approval/Denial of continued use by Planning and Zoning Commission

Mr. Kuchenbecker introduced Annual Review - Conditional Use Permit for Vacation Home Establishment – 36 Water Street – Deadwood Rentals - Creekside and stated staff recommend approval to continue use of the property as a Vacation Home Establishment with nine (9) conditions.

It was moved by Commissioner Owens and seconded by Commissioner Bruce to approve Annual Review - Conditional Use Permit for Vacation Home Establishment – 36 Water Street – Deadwood Rentals - Creekside with nine (9) conditions. Voting yea: Martinisko, Bruce, Owens, Williams.

- e. Annual Review - Conditional Use Permit for Vacation Home Establishment – 819 Main Street – Deadwood Rentals - Main, legally described as Lot 12 in Block A of Sunnyside Addition to the City of Deadwood as set out in Plat Book 3 Page 251, Lawrence County, South Dakota, except that part deeded to the State of South Dakota for highway purposes as set out in Book 372 Page 58 and Page 168.

And

Tract A-1 in Block A, a replat of Tracts "A" and "B" of the subdivision of Lot 13, Block A of Sunnyside Addition, located in the NW 1/4 NE 1/4 of Section 27, T5N, R3E, B.H.M., City of Deadwood, Lawrence County, South Dakota, according to Plat filed in Document No. 2001-4003.

Action Required:

1. Public Hearing

2. Approval/Denial of continued use by Planning and Zoning Commission

Mr. Kuchenbecker discussed Annual Review - Conditional Use Permit for Vacation Home Establishment – 819 Main Street – Deadwood Rentals - Main and stated staff recommend continued use of the property as a Vacation Home Establishment with nine (9) conditions.

It was moved by Commissioner Bruce and seconded by Commissioner Williams to approve Annual Review - Conditional Use Permit for Vacation Home Establishment – 819 Main Street – Deadwood Rentals - Main with nine (9) conditions. Voting yea: Martinisko, Bruce, Owens, Williams.

- f. Application for Conditional Use Permit - 138 Sherman Street - Laundromat (Deadwood Laundry Co.) legally described as Lot Twenty-Two (22) in Block Forty (40), Original Town of the City of Deadwood, Lawrence County, South Dakota, according to the P.L. Rogers Map of said City of Deadwood.

Actions:

1. Public Hearing

2. Approve/Deny Application for Conditional Use Permit

Mr. Kuchenbecker introduced Application for Conditional Use Permit - 138 Sherman Street - Laundromat (Deadwood Laundry Co.) and reviewed the Staff Report.

Commissioner Owens inquired about hours of operation. Business owner, Trinity Conrad introduced herself to the Commission and responded hours being considered for operation are 6 a.m. to 10 p.m.

Commissioner Bruce asked about parking. Ms. Conrad stated there are two (2) parking spots available with additional parking in the rear.

Commissioner Martinisko inquired about entry into the building. Ms. Conrad explained the side door would be utilized by employees and customers would enter through the front of the building.

Further discussion occurred about the size of the machines that would be utilized and the need for a Laundromat within the community.

Mr. Kuchenbecker thanked Ms. Conrad for her patience through the process of allowing a Laundromat to operate at the location, which required an ordinance update as well as a Conditional Use Permit.

It is recommended by staff to approve the Conditional Use Permit with five (5) conditions as notated in the Staff Report.

It was moved by Commissioner Williams and seconded by Commissioner Bruce to approve Application for Conditional Use Permit - 138 Sherman Street - Laundromat (Deadwood Laundry Co.) with five (5) conditions. Voting yea: Martinisko, Bruce, Owens, Williams.

- g. Application for Conditional Use Permit - 5 Charles Street - Vacation Home Establishment (Ole Grey Barn LLC) legally described as The southwesterly one-half of Lot 2 and all of Lot 3 in Block 69 of the City of Deadwood, Lawrence County, South Dakota, according to P.L. Rogers plat.

Actions:

1. Public Hearing
2. Approve/Deny Application for Conditional Use Permit

Mr. Kuchenbecker introduced Application for Conditional Use Permit - 5 Charles Street - Vacation Home Establishment (Ole Grey Barn LLC). The property is under new ownership and it is the intention of the owners to work with the Historic Preservation team to update the property.

Ms. Blue-Jones explained public comments were received pertaining to the requested use of the property as a Vacation Home Establishment. Mark Spiers, local resident, expressed concern that the exterior of the property may not be maintained. A second call by local resident John Beck, a member of the Deadwood Volunteer Fire Department, expressed safety concerns related to fire and the possibility of outdated electrical wiring within the home. Mr. Beck also stated his desire to have the property remain a residential property instead of being used for commercial purposes.

Mr. Mohr stated any inspections related to wiring within the home would be handled by the State of South Dakota and not by the City of Deadwood.

Property owner, Darin Buskohl, introduced himself to the Commission and stated he would have a lawn service maintain the front of the property. Mr. Kuchenbecker said

that during an earlier visit to the property, lawn work was being done by the property owners. Ordinances are in place to address the situation if the property is not maintained.

It was recommended by staff to approve the Conditional Use Permit with ten (10) conditions.

It was moved by Commissioner Owens and seconded by Commissioner Williams to approve Application for Conditional Use Permit - 5 Charles Street - Vacation Home Establishment (Ole Grey Barn LLC) with ten (10) conditions. Voting yea: Martinisko, Bruce, Owens, Williams.

6. Items from Citizens not on Agenda

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

7. Items from Staff

a. Fassbender 2025 Summer Newsletter

Mr. Kuchenbecker advised the Commission that two (2) ordinances are being updated and will have first readings on September 2, 2025. The ordinances pertain to displays of merchandise on building exteriors and the use of sandwich boards for the purposes of advertising.

The first reading of an ordinance to allow rideshare services to operate within city limits occurred at the last City Commission meeting.

Retaining walls in the Presidential neighborhood and McGovern Hill are proceeding nicely.

The parking lot below the lodge should be ready to be paved by October 15.

Phase 3 of the Stage Run development continues to see improvements, including water, generator, curb and gutter and final grading of roads. These items should be completed around October 1.

The waterline for the Ridge apartments is being installed and should be completed by October.

The twelve (12) inch redundancy waterline should also be completed by October. Pavement of the parking lots that were dug up should start next week.

8. Adjournment

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

There being no further business, the Planning and Zoning Commission adjourned at 4:39 p.m.

ATTEST:

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Minutes by Leah Blue-Jones, Zoning Coordinator