

**CITY OF CUSTER PLANNING AND ZONING COMMISSION
AGENDA**

Tuesday July 10th, 2018 at 5:00 P.M.

Custer City Hall, 622 Crook Street, Custer, SD 57730

Call to Order - Roll Call:

Approve Agenda: July 10, 2018

Approve Minutes: June 26, 2018

Declaration of Conflict of Interest:

Oath of Office – Planning Commission Member Joe Harbach

Oath of Office – Planning Commission Member Larry Maciejewski

New Business:

Minor Plat – Keupp Subdivision (Tract Spargur and Tract Kitty Revised)

Potential Development of Lots 1,2,3,10,11 & 12 of Block 108

~~Old Business:~~

Discussion Items:

Discussion of the Feb 2018 Custer Comprehensive Housing Study

Planning Administrator Updates:

Communications from The Public:

Adjournment:

DRAFT
MINUTES OF THE June 26th, 2018 MEETING OF THE OF THE CITY OF
CUSTER PLANNING COMMISSION

Roll Call: 5:00 pm

Members Present: Jerad Tennyson-Chairman; Jerry Stites; Scott Olson.

Members Absent: Joe Uhrich-Vice Chairman; John Dvorak; Rick Hudson – 3 Mile Representative; Tim Behlings – Alternate.

Other Parties Present: Tim Hartmann–Planning Administrator; Bob Morrision – Public Works Director; Chris Beesley - City Attorney; Kim Kirkvliet – Custer County; Mayor Herman.

Agenda: Commissioner Stites moved, with a second by Commissioner Olson to approve the agenda. Motion unanimously Carried.

Minutes: Commissioner Olson moved, with a second by Commissioner Stites to approve the June 12th, 2018 minutes. Motion unanimously carried.

Declaration of Conflict of Interest: None stated.

New Business:

Old Business:

Discussion Items:

Revisions to the Extraterritorial Area Policy. A discussion was held concerning various topics of the Extraterritorial Area Policy. Bob Morrision provided information relating to city water services and past and potential source water protection issues. City attorney also provided legal input on plat review within the three-mile area. Planning Commission discussed with input from Custer County, and hopes to hold a meeting in conjunction with the Custer County Planning Commission for input from that body.

Discussion of the Feb 2018 Custer Comprehensive Housing Study. Planning Administrator and Commission had a discussion concerning the local housing study that was recently completed. Commissioner Stites provided a summary of recommendations for potential housing development and improvements.

Planning Administrator Updates

Planning Administrator and commission members gave various updates.

Communications from The Public

No public comments were heard.

Adjournment:

Being no further business before the Commission, Commissioner Stites moved, with a second by Commissioner Olson to adjourn. Motion unanimously carried. The meeting adjourned at 6:24 pm.

Approved:

Attest:

Jerad Tennyson, Chairman

Tim Hartmann, Planning Administrator



Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: Minor Plat, Keupp Subdivision (2018)
Applicant: Kitty & Lloyd Aman
Location: South Side of Mount Rushmore Road, at the intersection of Aman Road
Legal Desc.: Keupp Subdivision, Plat of Tract Spargur and Tract Kitty Revised - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: June 25, 2018
Planning Commission Meeting: July 10, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a lot line adjustment with two parcels that are within the corporate limits of the City of Custer. City utilities serve the current parcels. Individual wells and wastewater systems are also available on site in proposed Tract Kitty Revised.

The area was annexed into the city in 2008 but currently has no zoning.

The plat is performing a lot line adjustment between proposed Tract Kitty Revised and Tract Spargur to resolve a building encroachment(s) concern between the two landowners. Tract Kitty Revised is proposed to contain 8.71 acres and Tract Spargur will contain 0.47 acres. Tract Rita and Aman is currently located within the plat. No change will occur with this parcel.

COMPREHENSIVE PLAN

The land use section of the Comprehensive Plan identifies this area as Suburban Residential.

ROUTING SHEET RESPONSES

CC ROD - Various corrections needed, these have been addressed in Planning Administrators red line version of the plat.

SD DOT - No concerns

ENCROACHMENT

The lot line adjustment plat is presented to resolve encroachments of the home and outbuildings on proposed Tract Spargur. The home is the main encroachment of concern as the outbuildings are smaller and movable type structures. The home encroaches approximately 2.5 feet onto proposed Tract Kitty Revised. The lot line in which the encroachment exists has been shifted south approximately 15 feet to resolve the home encroachment, the outbuildings encroaching, and provide a 6-foot interior lot line setback for residential zoning compliance.

ACCESS

Existing access to the area is provided from Mount Rushmore Road/ Hwy 16.

Tract Kitty will continue to be accessed directly from Mount Rushmore Road/ Hwy 16

Tract Spargur will continue to be accessed from Mount Rushmore Road to O'Connor Road.

PRIVATE AND PUBLIC UTILITIES

Tract Kitty currently contains one residence and an active auto repair shop. Tract Spargur contains one residence and a few storage buildings. Each building has been connected to public services, but some upgrades are needed with the home on Proposed Tract Kitty Revised. Public Works staff is working to address the issues with the applicant.

REVISIONS NEEDED TO PRELIMINARY PLAT

Red line corrections found during staff review and routing responses have been addressed.

REGULATORY FLOODPLAIN

Approximately the west half of proposed Tract Spargur and a small portion of proposed Tract Kitty Revised are in the floodway. The presence of the flood hazard has been noted on the plat.

SUMMARY AND STAFF RECCOMENDATION

The plat is a lot line adjustment presented solely to address a structure encroachment. Access remains unchanged with the parcels involved in the plat. The easements providing access and utility easement to the neighboring Tract Lloyd and Rita Tract also remain unchanged. Staff supports a recommendation to Council for approval of the minor plat.

KEUPP SUBDIVISION

PLAT OF TRACT SPARGUR AND TRACT KITTY REVISED (FORMERLY SOUTH 1/2 OF LOT 7 AND ALL OF GLEN O'CONNOR TRACT OF SHEEHAN SUBDIVISION OF TRACT SHEEHAN AND TRACT KITTY OF KEUPP SUBDIVISION OF TRACT KEUPP), LOCATED IN GOVERNMENT LOT 3 AND NW 1/4 SW 1/4 OF SECTION 26, T3S, R4E, BHM, CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA

WATER PROTECTION STATEMENT

PURSUANT TO SDCL 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 ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

NOTE

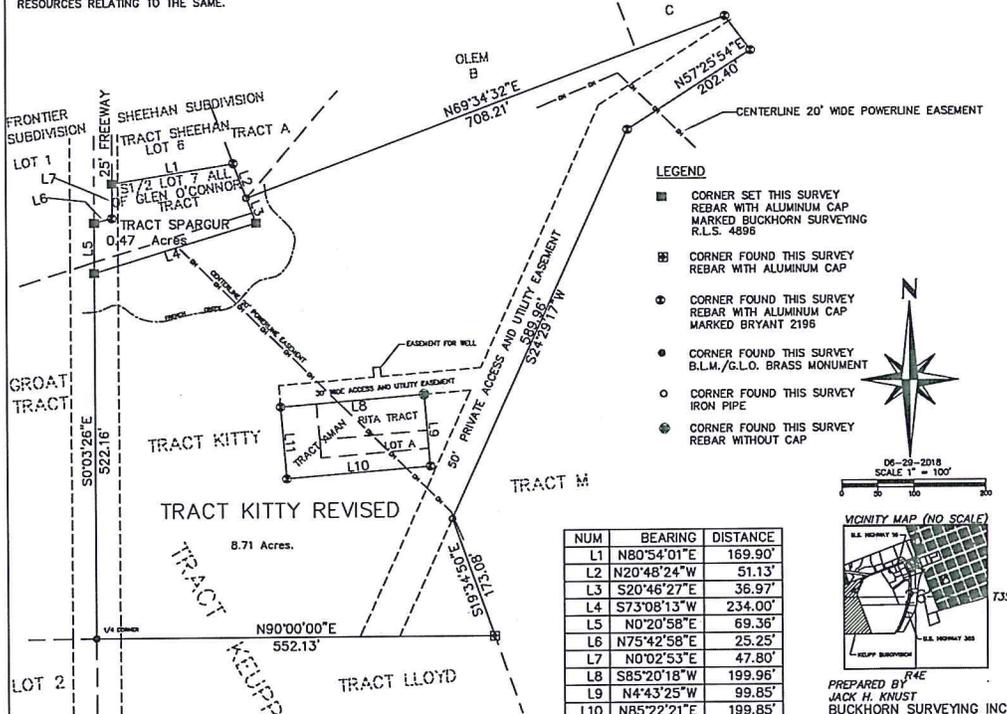
TRACTS LLOYD AND KITTY ARE RECORDED IN PLAT BOOK 12 PAGE 693.
TRACT AMAN IS RECORDED IN PLAT BOOK 10 PAGE 119.
LOT A IS RECORDED IN PLAT BOOK 4 PAGE 61
RITA TRACT IS RECORDED IN PLAT BOOK 2 PAGE 123
LOT 7 AND GLEN O'CONNOR TRACT OF SHEEHAN SUBDIVISION ARE RECORDED IN PLAT BOOK PAGE 140

NOTE

FIRM PANEL 46033C 0113 F DATED JANUARY 6, 2012 INDICATES THE PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THIS PLAT

NOTE

AMAN ROAD IS A 50' WIDE PRIVATE ACCESS AND UTILITY EASEMENT
FREEWAY IS A 25' RIGHT-OF-WAY



NUM	BEARING	DISTANCE
L1	N80°54'01"E	169.90'
L2	N20°48'24"W	51.13'
L3	S20°46'27"E	36.97'
L4	S73°08'13"W	234.00'
L5	N0°20'58"E	69.36'
L6	N75°42'58"E	25.25'
L7	N0°02'53"E	47.80'
L8	S85°20'18"W	199.96'
L9	N4°43'25"W	99.85'
L10	N85°22'21"E	199.85'
L11	S4°47'01"E	99.73'

STATE OF SOUTH DAKOTA
COUNTY OF CUSTER S.S.

I, WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WEIRN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

OWNERS: _____
ON THE _____ DAY OF _____ 20____, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED

BEFORE ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC: _____
MY COMMISSION EXPIRES: _____

I, WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WEIRN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

OWNERS: _____
ON THE _____ DAY OF _____ 20____, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED

BEFORE ME TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC: _____
MY COMMISSION EXPIRES: _____

STATEMENT OF SURVEYOR FOR BUCKHORN SURVEYING INC

I, JACK H. KNUST, REGISTERED LAND SURVEYOR NO. 4896 OF THE STATE OF SOUTH DAKOTA, DO HEREBY STATE THAT WEIRN AND DO HEREBY APPROVE THE SURVEY AND WEIRN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

THIS _____ DAY OF _____ 20____

BUCKHORN SURVEYING INC.
BY JACK H. KNUST, REGISTERED LAND SURVEYOR



CERTIFICATE OF HIGHWAY AUTHORITY:

IT APPEARS THAT EVERY LOT HAS AN ACCEPTABLE APPROACH LOCATION ONTO A PUBLIC ROAD AND THE LOCATION OF THE INTERSECTION(S) OF ANY PROPOSED SUBDIVISION ROAD(S) ON PRIVATE ACCESS ROAD(S) WITH THE EXISTING PUBLIC ROAD IS HEREBY APPROVED

HIGHWAY AUTHORITY: _____

RESOLUTION OF GOVERNING BOARD

STATE OF SOUTH DAKOTA
CITY OF CUSTER S.S.

WHEREAS THERE HAS BEEN PRESENTED TO THE CITY OF CUSTER, SOUTH DAKOTA, THE WEIRN PLAT OF THE ABOVE DESCRIBED DESCRIBED LANDS AND IT APPEARS TO THE COUNCIL THAT:

- 1. THE SYSTEM OF STREETS SET FORTH THEREON CONFORMS TO THE SYSTEM OF STREETS OF THE EXISTING PLATS OF THE MUNICIPALITY;
- 2. ALL PROVISIONS OF ANY THREE MILE LIMIT SUBDIVISION REGULATIONS HAVE BEEN COMPLIED WITH;
- 3. ALL TAXES AND SPECIAL ASSESSMENTS UPON THE SUBDIVISION HAVE BEEN FULLY PAID; AND
- 4. THE PLAT AND SURVEY THEREON HAVE BEEN CHECKED ACCORDING TO LAW.

NOW THEREFORE, BE IT RESOLVED THAT SAID PLAT IS HEREBY APPROVED IN ALL RESPECTS.

THIS _____ DAY OF _____ 20____

WALTER OF THE CITY OF CUSTER:
FINANCE OFFICER OF THE CITY OF CUSTER, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON _____ DAY OF _____ 20____ THE CUSTER CITY COUNCIL, BY RESOLUTION DO APPROVE THE PLAT AS SHOWN HEREON.

CERTIFICATE OF COUNTY TREASURER

I, TREASURER OF CUSTER COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE DUE UPON THE WEIRN DESCRIBED LANDS ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE. DATED THIS _____ DAY OF _____ 20____

TREASURER: _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, DIRECTOR OF EQUALIZATION OF CUSTER COUNTY DO HEREBY CERTIFY THAT I HAVE ON RECORD A COPY OF THE WEIRN DESCRIBED PLAT. DATED THIS _____ DAY OF _____ 20____

DIRECTOR OF EQUALIZATION: _____

CERTIFICATE OF REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____ 20____ AT _____ O'CLOCK _____ A.M. AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____

REGISTER OF DEEDS, CUSTER COUNTY:



Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: Potential Development in West $\frac{1}{2}$ of Block 108 (2018)
Inquirer: Paul Neseth, Locus Architecture
Date Prepared: July 05, 2018
Planning Commission Meeting: July 10, 2018
Prepared by Tim Hartmann, Planning Administrator

GENERAL

City staff has recently been contacted concerning some potential development plans on Lots 1-3, and 10-12 in Block 1-8. The developer has preliminary plans to construct 4 single family home units on the property. One per lot on lots 10, 11, & 12 and one total on lots 1-3. Units will need water, sanitary facilities and access.

CURRENT WATER SERVICES IN THE AREA

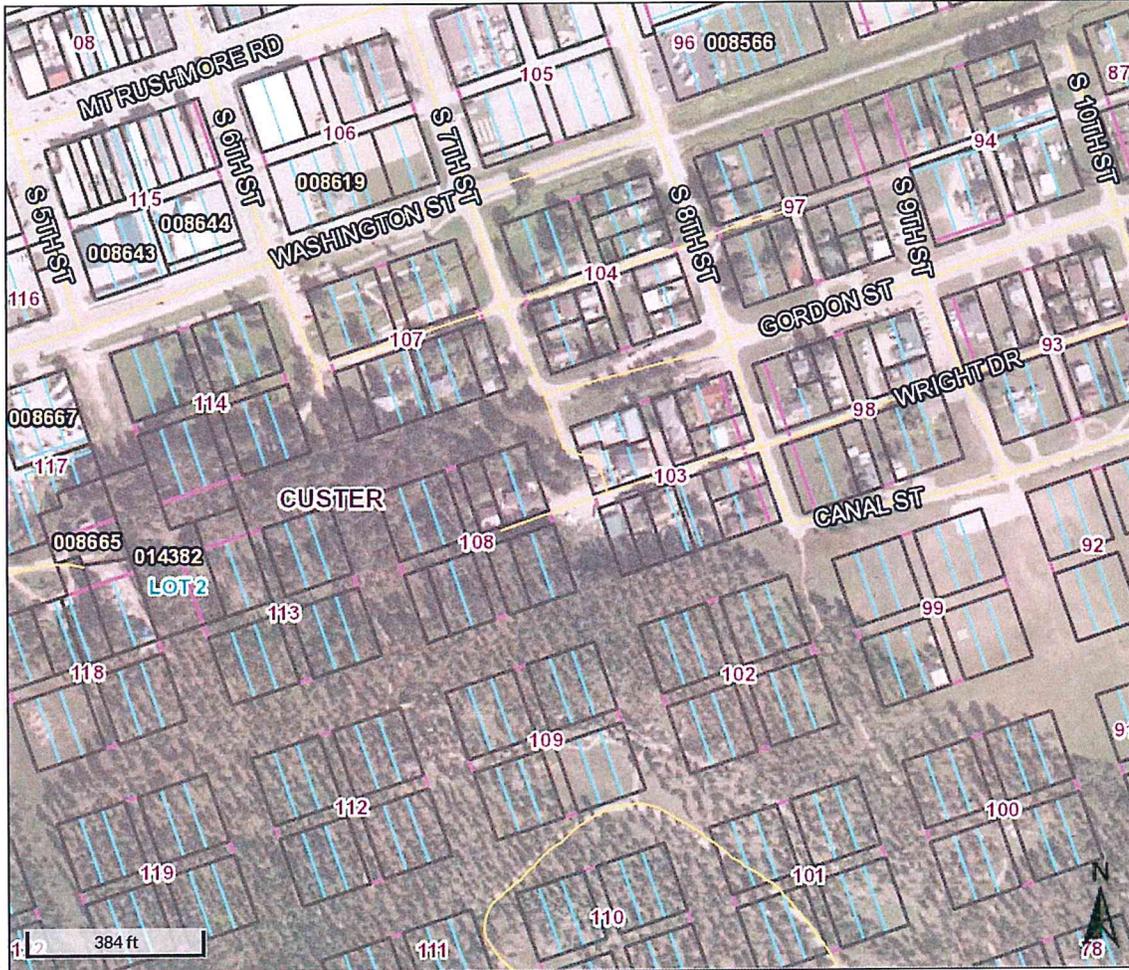
- 6" Water main at intersection of 7th and Wright Drive
- 8" Water main in E/W alley of Block 107
- 8' Water main at intersection of 8th and Canal

CURRENT SEWER SERVICES IN THE AREA

- 8" Sewer in middle of Block 107
- 8" Sewer in middle of Block 103, stubbed west to edge of Block 103
- 8" Sewer at intersection of 7th and Gordon
- 8" Sewer at intersection of 9th and Canal

DISCUSSION POINTS

- Access to the property(s)
 - Existing Right of Ways
 - Encroachment on Wright Drive
 - Topography
 - Vacation of N/S Alley in Block 107
- Physical Road – Design Requirements
- Service Upgrades
 - Services needed to supply the residences.
 - Feasible upgrades
- Fire safety and access



Overview



Legend

-  Corporate Limits
- Highways
 -  SD Hwy
 -  US Hwy
 -  Roads
-  Lots
-  Blocks
-  Parcels

Parcel ID	004579	Alternate ID	n/a	Owner Address	CITY OF CUSTER CITY
Sec/Twp/Rng	025/0003/004	Class	Exempt		622 CROOK ST
Property Address		Acreeage	0.26		CUSTER SD 57730-0000
District	16.1-1-1-1-0-0				
Brief Tax Description	WOOD SUBD - LOT A OF TR 2 OF SMITH PLACER MS #507 SEC 25 T-3 R-4 .26 AC 1330402500000101				
	<i>(Note: Not to be used on legal documents)</i>				

Parcels are not adjusted to match aerial background. GIS information is for reference purposes only and is not a legal document. Data may contain errors.

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