

All Planning Commission Meetings are recorded.

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

**Tuesday February 12th, 2019 at 5:00 P.M.
Custer City Hall, 622 Crook Street, Custer, SD 57730**

Call to Order - Roll Call:

Approve Agenda: February 12th, 2019

Approve Minutes: January 8th, 2019

Declaration of Conflict of Interest:

New Business:

Sketch Plan – Balance of W1/2 SE ¼ of Section 22 T3S R4E (Mr. Cleve Trimble)

Sketch Plan – South West Summit Street Area

Block 89 –Int of 10th St and Pine St Right of Way Vacation Request (Adjacent to the S/W Corner of Lot 1)

Old Business:

Minor Plat – A Plat of Calvird Tract of Block 89

Discussion Items:

Residential Conditional Use Permit – Group Review

Revisions to the Extraterritorial Area Policy

Planning Administrator Updates:

Communications from The Public:

Adjournment:

ADA Compliance: The City of Custer City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the Finance Office 24 hours prior to the meeting so that appropriate services are available.

DRAFT
MINUTES OF THE January 8th, 2019 MEETING OF THE OF THE CITY OF CUSTER
PLANNING COMMISSION

Roll Call: 5:00 pm

*Commissioner Maciejewski joined the meeting at 5:02pm.

Members Present: Jerad Tennyson-Chairman; Joe Uhrich-Vice Chairman; Larry Maciejewski; Joe Harbach; Rick Hudson; Marc Moore – Alternate (voting in place of Commissioner Olson).

Members Absent: Scott Olson; Fred Mills – Alternate.

Other Parties Present: Tim Hartmann–Planning Administrator; Mayor Herman; Dixie Whittaker – Council Representative; Public Attendees - See sign in sheet, On file with Planning Administrator

Agenda: Commissioner Uhrich moved, with a second by Commissioner Hudson to approve the agenda. Motion unanimously carried.

Minutes: Commissioner Maciejewski moved, with a second by Commissioner Uhrich to approve the December 11th, 2018 minutes. Motion unanimously carried.

Declaration of Conflict of Interest: None stated.

New Business:

Minor Plat – Custer Park Subdivision Planning Administrator, Planning Commissioners and Mayor Herman discussed the minor plat. Discussion included, but was not limited to location of the parcel, topography of the parcel, United States (USFS) easements, and the shown section line Right of Way crossing BHNH just west of the proposed Tract 2. Such Right of Way should not be shown as it does not exist across BHNH land. After the discussion, Commissioner Harbach moved, with a second by Commissioner Uhrich to recommend approval of the minor plat by the Council contingent upon the section line crossing BHNH being addressed. Motion unanimously carried.

Block 82 – Park Avenue Right of Way Vacation Request (Adjacent to Lot 14) Planning Administrator, Planning Commission, Mayor Herman, Council Rep, and public attendees reviewed the proposed park avenue street vacation, such proposal being 10' in width contiguous to the east side of Lot 14, Block 82. Discussion included but was not limited to the situation of the proposal, nearby right of ways, nearby right of way vacations and applicable City standards. After the initial discussion Commissioner Uhrich moved to recommend approval by the Council of a street vacation having dimensions of 8' x 150' contiguous to the east side of Lot 14 Block 82. Motion died due to lack of second. Minor questions raised pertaining to City minor road standards. Commissioner Harbach moved, with a second by Commissioner Uhrich to recommend approval by the Council of a street vacation having dimensions of 8' x 150' contiguous to the east side of Lot 14 Block 82. Motion passed with 4 members voting yay, 1 member voting nay.

Old Business:

*Commissioner Harbach left the meeting at 5:42pm.

Discussion Items:

Rewrite of Custer City's Comprehensive Plan Planning Administrator provided an update and reminder of the community survey and upcoming stakeholder meetings. Planning Administrator also explained public notification on such continued, including mailing approximately 1000 post cards to all active water counts with the City.

Planning Administrator Updates

Planning Administrator and commission members gave various updates.

Communications from The Public

No communications from the public were heard.

Adjournment:

Being no further business before the Commission, Commissioner Uhrich moved, with a second by Commissioner Moore to adjourn. Motion unanimously carried. The meeting adjourned at 5:52 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: Sketch Plan, Balance of W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22 T3S R4E
Applicant: Cleve Trimble
Authorized Rep: Sheila Green
Location: Little Italy Road. Near Stagecoach Sub and Buckhorn Mt Estates
Date Prepared: February 6, 2019
Planning Commission Meeting: February 12, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

Mr. Cleve Trimble and Representative Sheila Green have inquired concerning a possible subdivision not within the City, but within the City's extraterritorial jurisdiction. Mr. Trimble currently owns the 72.50 parcel located in the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 22 Township 3S Range 4E. Mr. Trimble's proposal consists of dividing off approximately 13.56 acres from the far north side of the existing parcel, leaving approximately 59 acres remaining of the existing parcel. The property as a whole is affected by some topography challenges. The proposed parcel is rather separated from the remainder of the property due to a large rock outcropping and ridge near the south side of the proposed 13.5 acre parcel.

COMPREHENSIVE PLAN

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

ACCESS & EASEMENTS

Complete access to the proposed parcel is in process. The access plan is as follows;

Little Italy Road to Deadwood Trail
Deadwood Trail to Rawhide Court

From Rawhide Court, the parcel being discussed is then located along the South property lines of the parcels connected to the South side of the Rawhide Court cul-de-sac. The applicant and the owners of the neighboring Lot 3 have entered into an agreement to establish an easement through Lot 3 to the North side of the proposed subdivision.

Staff feels this easement shall be granted as a public easement as it will be an access point for 2 parcels and would be available should future development occur with the property.

ITEMS TO CONSIDER

Lot sizes
Legal access leading to the parcels involved in this sketch plan
Legal access through the parcels involved in this sketch plan
Topography

Sketch Plan for Custer City, by Cleve Trimble

Mr Trimble is seeking guidance from the City of Custer Planning and Zoning, and from the Custer City Council if needed, to implement the following subdivision of land:

To subdivide an approximately 13.56 acre lot, currently the northern portion of Parcel # 618, and to provide access via Lot 3, of Stagecoach Crossings Estates Subdivision. Owners of Lot 3 have entered into an agreement with Mr. Trimble to accomplish the access via their lot.

Mr. Trimble is seeking an indication from the city authorities as to whether this subdivision would likely be approved.

Mr. Trimble seeks this subdivision because he is currently unable to access this portion of his land from the south for firewise efforts due to geographical obstruction by large rock formations. The forest in this area of his land is thick and overgrown and in Mr. Trimble's opinion, presents a fire danger to his neighbors to the west, north, and east. As a responsible land owner, Mr. Trimble is concerned especially about those occupants in Stagecoach Crossings Estates, because they have no second egress if a fire were to block Little Italy Road directly to the west of this 13.56 acre tract.

Before proceeding further with surveying and fulfillment of the access to the property, Mr. Trimble needs an indication from the City as to whether they would approve an application for this subdivision.

No future subdivision of the 13.56 acre lot is anticipated or sought. However, it will likely be offered for sale as a whole at sometime in the future.

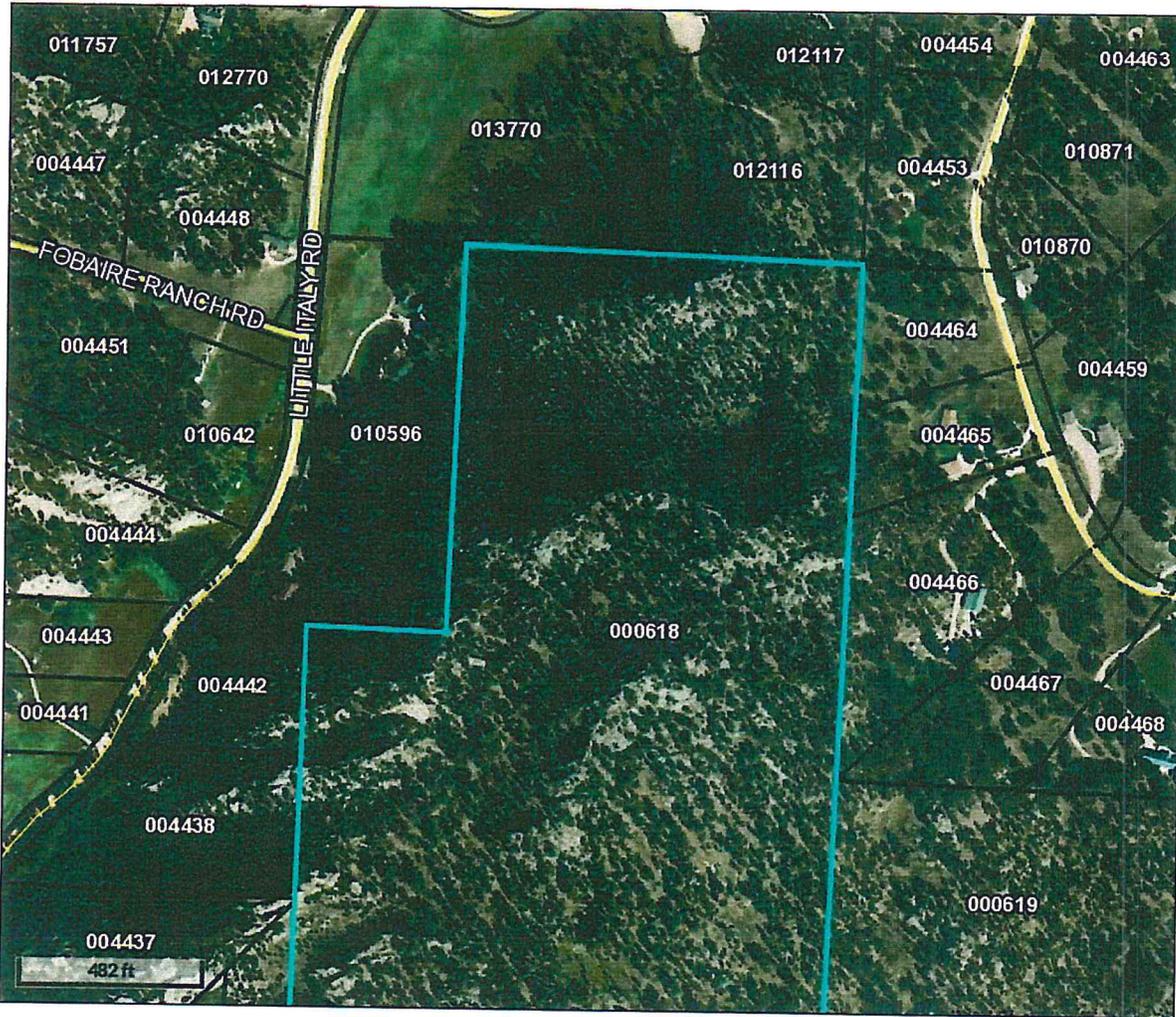
Name of legal owner: Cleve Trimble

Address: 12136 Aspen Gove, Custer, SD 57730

Phone number: cell—402-376-1330; home: 673-3455

Authorized representative: Sheila Green, Broker Owner, Green Real Estate & Investments Group, LLC
17 N. 5th Street, Custer, SD 57730

Cell: 605-440-1112



Overview



Legend

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

North ↑

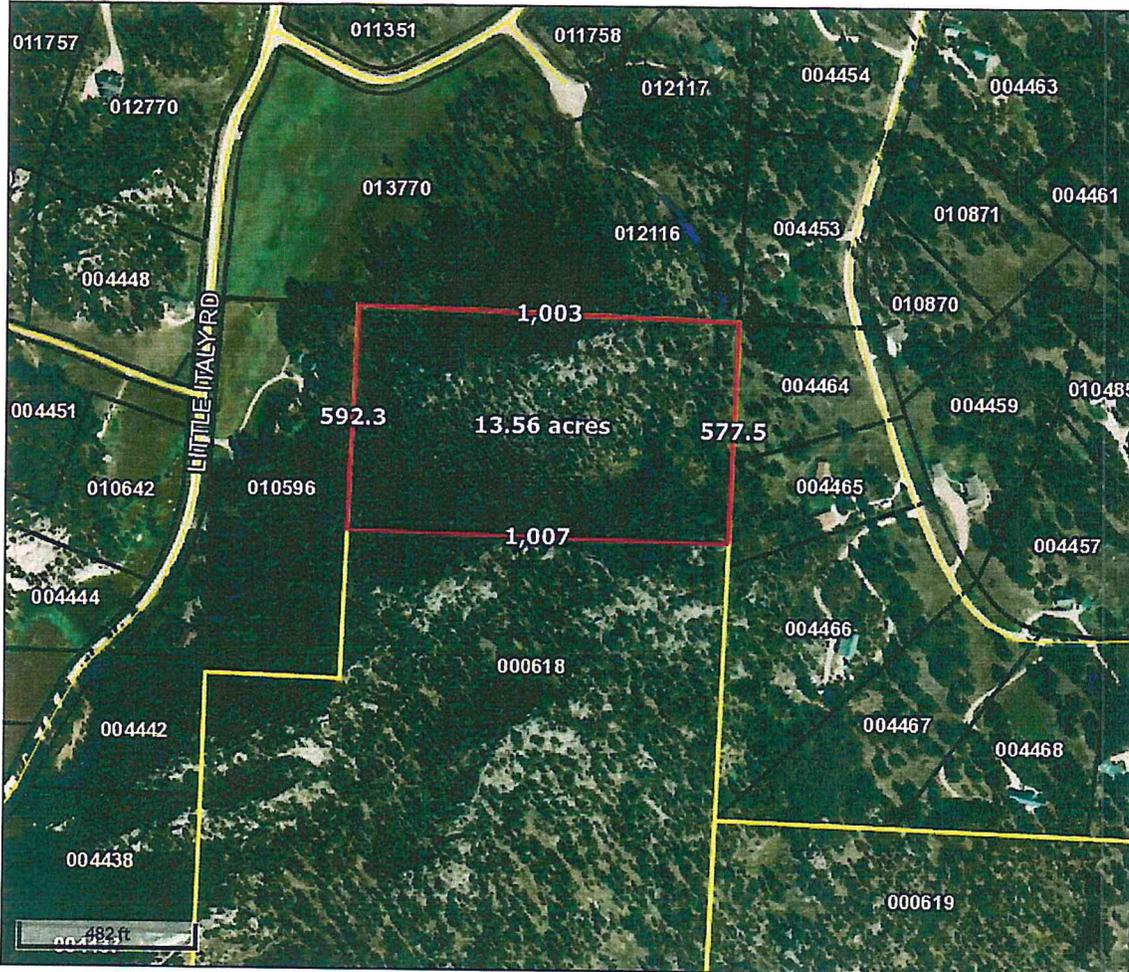
Parcel ID	000618	Alternate ID	n/a	Owner Address	TRIMBLE CLEVELAND
Sec/Twp/Rng	022/0003/004	Class	Agricultural		PO BOX 427
Property Address		Acreage	72.5		VALENTINE NE 69201-0427
District	16.1-1-1-1-0-0				
Brief Tax Description	BALANCE OF W2SE4 SEC 22 T3 R4 72.5 AC 1330402200000800 (LESS W2NW4NW4SE4 = 5 AC) (LESS NW4SW4NW4SE4 = 2.5 AC) (Note: Not to be used on legal documents)				

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.

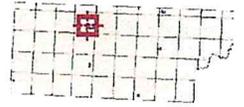
Date created: 12/19/2018

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Developed by  Schneider
GEOSPATIAL



Overview



Legend

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

North ↑

Parcel ID	000620	Alternate ID	n/a	Owner Address	TRIMBLE CLEVELAND
Sec/Twp/Rng	022/0003/004	Class	Agricultural		PO BOX 427
Property Address	12136 ASPEN GROVE LN CUSTER	Acres	20		VALENTINE NE 69201-0427
District	16.1-1-1-0-0				
Brief Tax Description	S2SE4SE4 SEC 22 T3 R4 20 AC (BLDGS) 133 04 022 000 010 00 <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.

Date created: 12/20/2018

Last Data Uploaded: 12/20/2018 12:52:47 AM

Developed by  Schneider
GEOSPATIAL

IGS ESTATES SUBDIVISION

37, 38, AND 39 OF STAGECOACH CROSSINGS
 GOV'T LOT 5, ALL IN
 T3, SOUTH DAKOTA

CERTIFICATE OF SURVEYOR

I, Keith E. Andersen, Registered Land Surveyor No. 2842 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Keith E. Andersen, SDLS
 Keith E. Andersen, SDLS

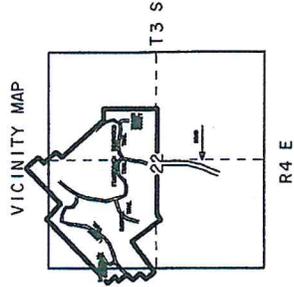
DRAWING NUMBER
12 PLAT 261

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
 REORDER BY NUMBER 075A1

ONE 1 PG 74

DRAWING NUMBER
12 PLAT 261

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
 REORDER BY NUMBER 075A1



CURVE	RADIUS	LENGTH	DELTA	CHORD	CHLBEARING
C-1	65.00'	57.28'	50°20'21"	53.45'	N 69°16'46"E
C-2	65.00'	75.76'	66°46'58"	71.54'	N 03°39'16"E
C-3	167.00'	97.40'	33°25'08"	96.03'	N 09°29'11"E
C-4	202.00'	135.35'	19°15'43"	134.53'	N 12°30'37"E
C-5	202.00'	135.35'	19°15'43"	134.53'	N 12°30'37"E
C-6	65.00'	84.28'	74°17'43"	74.50'	N 01°31'15"E
C-7	333.00'	230.02'	39°34'38"	225.46'	S 82°22'19"W
C-8	65.00'	67.63'	59°37'08"	64.68'	N 87°44'14"W
C-9	65.00'	67.63'	59°37'08"	64.68'	N 03°59'08"E
C-10	433.00'	64.98'	85°45'41"	73.86'	N 03°59'08"E
C-11	433.00'	113.30'	14°59'30"	112.97'	N 27°45'39"E
C-12	787.00'	436.33'	32°58'21"	431.00'	S 43°28'50"W
C-13	65.00'	134.89'	18°56'48"	132.00'	S 59°45'03"W
C-14	65.00'	134.89'	18°56'48"	132.00'	S 59°45'03"W
C-15	167.00'	153.87'	48°32'41"	151.87'	S 11°30'40"W

COURSE	BEARING	DISTANCE
L-1	N 11°12'29"W	124.97'
L-2	N 28°57'19"E	168.54'
L-3	N 44°22'08"E	138.00'
L-4	N 44°22'08"E	138.00'
L-5	N 77°50'28"W	245.55'
L-6	S 62°54'49"W	162.40'
L-7	N 42°03'05"E	174.32'
L-8	N 44°10'11"E	177.10'
L-9	N 44°10'06"E	177.10'
L-10	S 27°09'40"W	418.08'
L-11	S 27°09'40"W	418.08'
L-12	S 59°45'03"W	363.46'
L-13	S 59°45'03"W	363.46'
L-14	N 70°41'24"E	230.25'
L-15	S 29°45'03"W	230.25'
L-16	N 59°45'03"E	230.25'
L-17	N 59°45'03"E	230.25'
L-18	S 59°45'03"W	243.91'
L-19	N 54°08'30"E	110.37'
L-20	S 16°09'41"E	86.03'
L-21	S 64°22'30"E	332.25'
L-22	S 64°22'30"E	332.25'
L-23	S 11°41'25"E	172.28'
L-24	S 35°15'03"W	28.10'
L-25	S 35°15'03"W	28.10'

- LEGEND**
- ⊠ Found USFS Aluminum Monument
 - △ Found BLM Brass Cap Monument
 - ⊞ Found Pitch Post in Mound of Stone
 - ⊕ Found Rebar w/Al. Cap Marked "Francis-Meador 1019"
 - Found Rebar w/Al. Cap Marked "Bryant LS 2196"
 - Found Hole Chiselled in Stone Ledger
 - ⊠ Set Rebar w/Al. Cap Marked "ANDERSEN LS 2842"
 - × Angle Point - Not Monumented
 - Set Rebar w/o Cap at ROW PC's and PT's

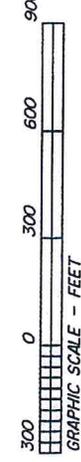
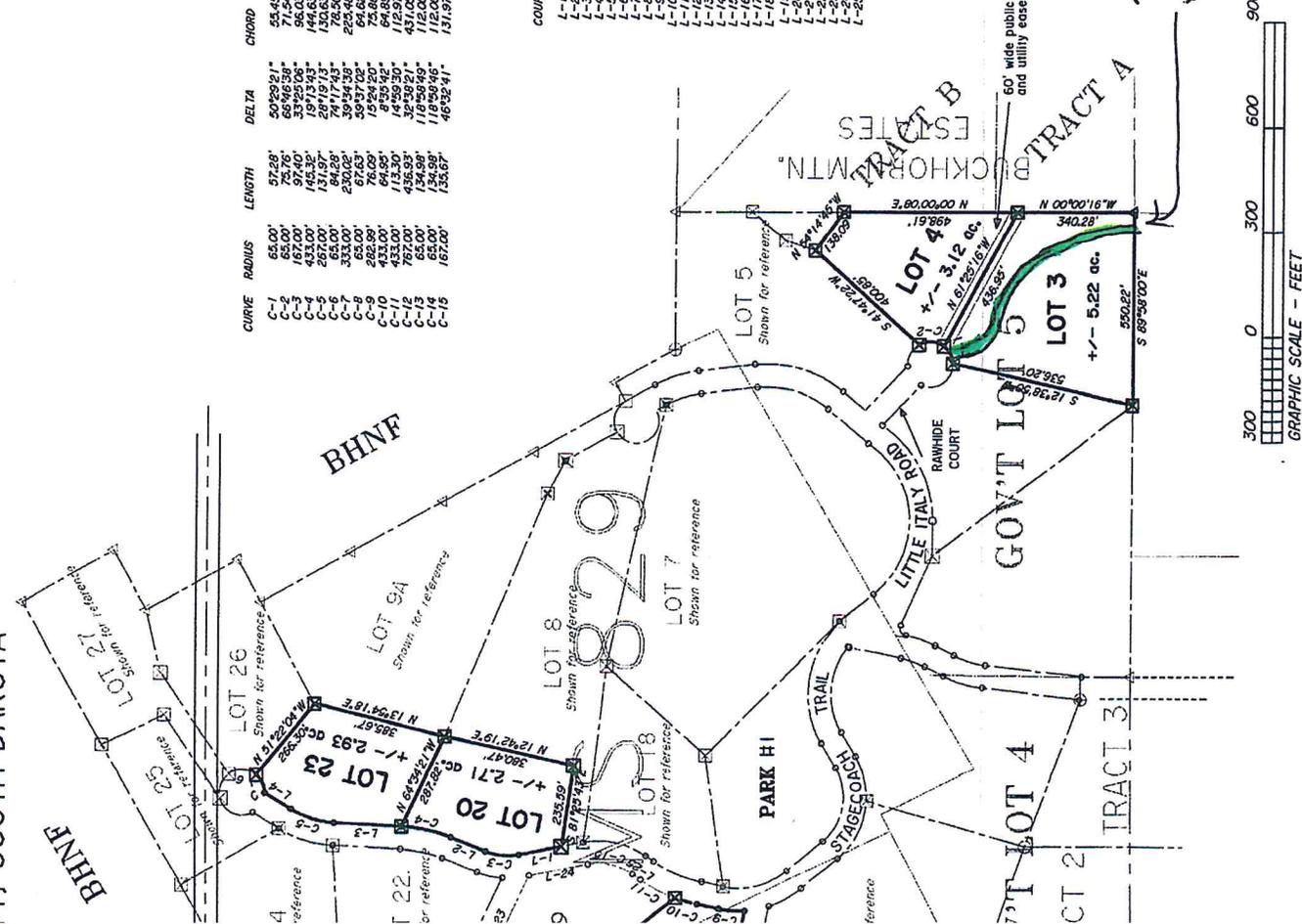
A 10' wide utility easement is reserved along the inside of all interior lot lines. Where the line adjoins National Forest, a 20' wide easement is reserved.

SLANT LETTERING DENOTES RECORD CALLS

Note: All Roads Shown are to be Dedicated as 66' Wide Public Rights-of-Way

PREPARED BY:
 ANDERSEN ENGINEERS, INC.
 P.O. BOX 446
 BISMARCK, SOUTH DAKOTA 57735
 (605) 662-5500

Proposed
 easement thru
 lot 3 (Neppel)
 to proposed +/- 13.56 acre
 lot owned by Cleveland Trimbale





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

Staff Report

Request: Sketch Plan, South West Summit Street Area, Old City Park
Applicant: Custer City and Custer County
Location: N/E Corner of the Original City
Date Prepared: February 8, 2019
Planning Commission Meeting: February 12, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

City and County staff have begun property line adjustment work involving 5 existing parcels near the South West area of Summit Street. One of the main objectives with this project is to expand the existing Tract Clinic (the new headquarters of Custer County Search and Rescue) to create a larger building envelope for such operations and create a closed campus with other nearby emergency services, the Custer Ambulance Service. The proposed TR S&R on the Southeast edge of the sketch plan meets such needs of the County.

While work continued on this, City staff also began work on possible resolutions to address some of the small "slivers" of property cut from adjacent parcels by the Summit Street Right of Way. When platted like this sketch plan, the City property (currently Lot D and Tract Hospital) would incorporate the nearby small piece of the existing Lot C to the West and the long slender piece of Custer Athletic Field to the North. City Staff has had correspondence with the property owners of the adjacent parcels, and all are open to beginning the process of "cleaning up" such property lines. This will also help to address a structure and property line issue with the garage structure located near the North West corner of the existing Tract Hospital.

COMPREHENSIVE PLAN

The land use section of the Comprehensive Plan identifies this area as Suburban Commercial and Public.

CURRENT PARCELS AND OWNERSHIP

Tract Clinic, 0.467 Acres – Custer County
Tract Hospital, 4.065 Acres – Custer City
Lot D Formerly City Park, 2.946 Acres – Custer City
Lot C Formerly City Park, 2.155 Acres – Regional Health Network, Inc
The Custer Athletic Field, 11.94 Acres – Custer School District

ACCESS & EASEMENTS

Access to the area is provided by Montgomery Street to the South, Summit Street through the area, and Grunewaldt Drive through the existing Custer Athletic Field.

Some utility easements are present.

SUMMARY

Staff decided to begin with a sketch plan of the area to begin discussion phases with the multiple party's involved and establish a plan with the Custer County Search and Rescue campus as they are planning to proceed with building plans soon. Work on the official plat is underway and will be reviewed under City plat review process.

Sketch Plan S/W Summit Street Area

NOTE

Summit St is a 66' Dedicated Public R.O.W
 Montgomery St is a 120' Dedicated Public R.O.W
 Grunewaldt Dr is a 20' Dedicated Public R.O.W

NOTE

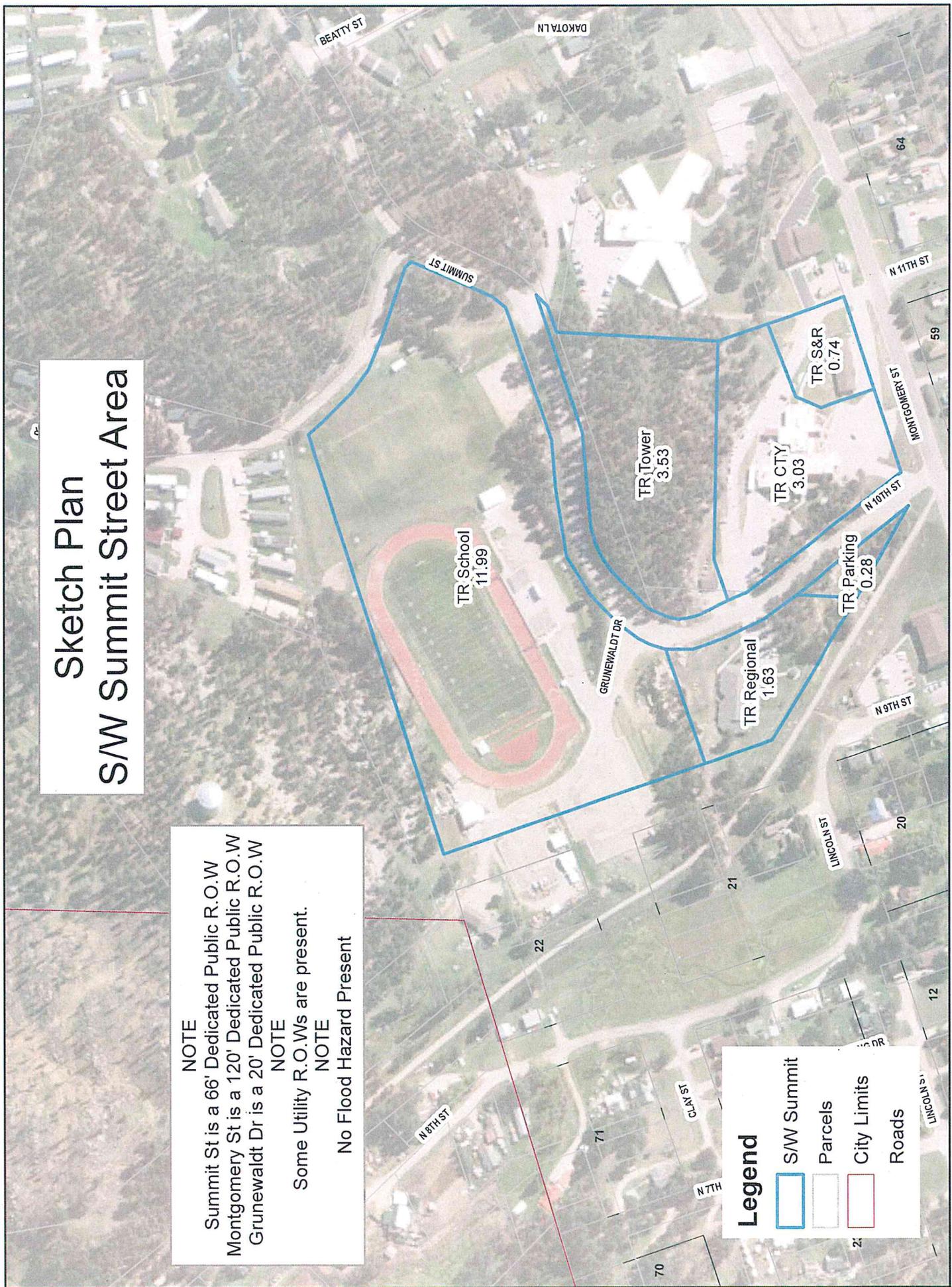
Some Utility R.O.Ws are present.

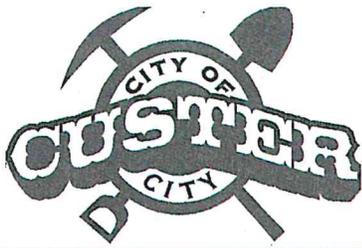
NOTE

No Flood Hazard Present

Legend

- S/W Summit
- Parcels
- City Limits
- Roads





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

Staff Report

Request: Vacation of an area of the Intersection of 10th Street and Pine Street
Applicant: Ronni Calvird
Location: See Information Below and attached "Exhibit A"
Fee: \$100.00
Date: February 6, 2019
Planning Commission Meeting: February 12, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

The applicant has requested by application and petition to vacate that area of the intersection of South 10th Street and Pine Street located at the South West Corner of Lot 1 in Block 89. Such area being contiguous to the previously vacated 10th Street and previously vacated Pine Street and having a dimension of 25' x 25'.

Should such street vacation be granted, it will then be incorporated within a plat currently under review by the City.

PUBLIC HEARING

A Public Hearing will be held at the next available City Council meeting in conjunction with the appropriate public notifications.

RESOLUTION DATED AUGUST 20TH, 1990

Resolution dated August 20th, 1990 and on file with the Custer County Register of Deeds formally vacated the North 25' of Pine Street located contiguous to lots 1,2,3,4,5 and 6 of Block 89 and the East 25' of 10th Street located contiguous to Lot 1 of Block 89. Such vacations are subject to existent future easements and rights of way for private and public utilities.

SUMMARY & RECOMMENDATIONS

As previously discussed by the PC during plat review, the proposed street vacation would vacate the 25' x 25' square, possible left behind in the 1990 resolution. Staff supports a recommendation of approval to the City Council.

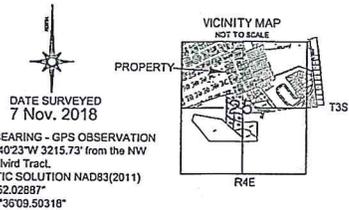


12/5/18

A PLAT OF
**CALVIRD TRACT OF BLOCK 89, CUSTER CITY, CUSTER COUNTY,
 SOUTH DAKOTA**
 (FORMERLY LOT 1, BLOCK 89 THE N 25' OF PINE STREET AND THE E
 25' OF 10TH ST. CONTIGUOUS TO LOT 1)

NOTE: See Book 10 of
 Plats on Page 360 for a
 Map of Custer City.

NOTE: FOR THE
 RESOLUTION VACATING
 PORTIONS OF 10TH ST.
 AND PINE ST. SEE MISC.
 BOOK 34M ON PAGE 547.

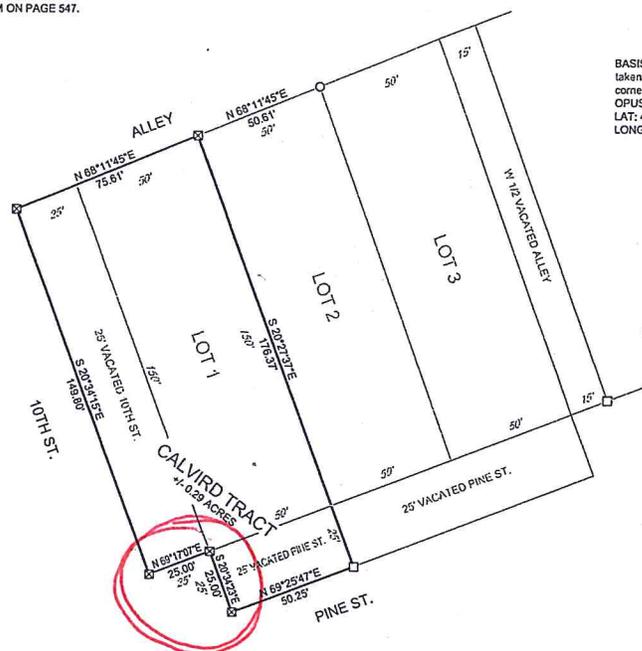
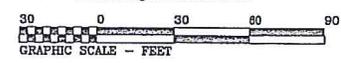


DATE SURVEYED
 7 Nov. 2018

BASIS OF BEARING - GPS OBSERVATION
 taken N 88°40'23"W 3215.73' from the NW
 corner of Calvird Tract,
 OPUS STATIC SOLUTION NAD83(2011)
 LAT: 43°45'52.02887"
 LONG: -103°36'09.50318"

LEGEND

- Set rebar w/aluminum cap marked
 "ANDERSEN ENG PLS 5906"
 - Found rebar w/aluminum cap marked
 "BRYANT PLS 2196"
 - Found iron pipe
- 322.05' Slant lettering denotes record calls



No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0114F, effective date: Jan. 6, 2012.

The placement of fill, any new construction, substantial improvements, or another development within the 100-year flood plain as designated by the County's Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, shall be in conformity with Custer City's Flood Ordinance.

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.

CERTIFICATE OF SURVEYOR
 I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.
 Dated this ___ day of ___, 2018.

John D. McBride SDRLS No. 5906

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 the proposed subdivision road(s) with the existing public road(s) is hereby approved.
 Date: _____
 Highway Authority _____

STATE OF _____ COUNTY OF _____
 I, Ronni Calvird, do hereby certify that I am the owner of the within described lands and that the within plat was made at my direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2018.

Ronni Calvird

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION
 I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
 Dated this ___ day of ___, 2018.
 Director of Equalization of Custer County _____

ACKNOWLEDGMENT OF OWNERSHIP
 STATE OF _____ COUNTY OF _____
 On this ___ day of ___, 2018, before me, a Notary Public, personally appeared Ronni Calvird, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public _____
 My commission expires _____

RESOLUTION OF THE CITY COUNCIL
 Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore,
BE IT RESOLVED, that said plat is hereby approved in all respects.
 Dated at Custer, South Dakota this ___ day of ___, 2018.

CERTIFICATE OF CITY FINANCE OFFICER
 I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___ day of ___, 2018.
 Custer City Finance Officer _____

CERTIFICATE OF COUNTY TREASURER
 I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
 Dated this ___ day of ___, 2018.
 Custer County Treasurer _____

OFFICE OF THE REGISTER OF DEEDS
 Filed for record this ___ day of ___, 2018, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page _____.
 Custer County Register of Deeds _____

Prepared by
ANDERSEN ENGINEERS
 Land Surveyors, Professional Engineering, & Environmental Consultants

Drawn by DR	Date 11/15/2018	P.O. Box 446 Edgemont, SD 57735 (605)-662-5500
Approved by McB	Date 11/15/2018	andersenengineers@gvvc.net
Scale 1"=30'	Sheet 1 of 1	File Name: L1_B89_CUSTER



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

Staff Report

Request: Minor Plat, Calvird Tract of Block 89
Applicant: Ronni Calvird
Location: Intersection of 10th Street and Pine Street
Legal Desc.: A Plat of Calvird Tract of Block 89 - See Plat for full legal
Fee Paid: \$125.00
Date Prepared: February 6, 2019
Planning Commission Meeting: February 12, 2019
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a non-subdivision plat intended to incorporate adjacent street vacations into the total lot area of the existing Lot 1 Block 89. This incorporation will allow the vacations to be used in setbacks and open the building envelope for a proposed new home. Proposed Calvird Tract will contain all of Lot 1, 25' x 150' of vacated 10th Street and 25' x 50' of vacated Pine Street plus the proposed vacation of a 25' x 25' portion of the intersection of 10th and Pine (contingent upon approval by CC).

This property is within Custer City and is zoned Residential. The property is currently connected to City water and sewer services.

RESOLUTION DATED AUGUST 20TH, 1990

Resolution dated August 20th, 1990 and on file with the Custer County Register of Deeds formally vacated the North 25' of Pine Street located contiguous to lots 1,2,3,4,5 and 6 of Block 89 and the East 25' of 10th Street located contiguous to Lot 1 of Block 89. Such vacations are subject to existent future easements and rights of way for private and public utilities. This resolution has been noted on the plat.

COMPREHENSIVE PLAN

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

ROUTING SHEET RESPONSES

CC ROD – Minor redline changes
SDDOT – No comments

PREVIOUS ACTION BY PLANNING COMMISSION

The Planning Commission discussed this plat at their December 12th, 2018 meeting with discussion being centered around street vacations in the area, specifically the remaining 25' x 25' Right of Way contiguous the previous vacations adjacent to the property. At that meeting, a recommendation was made to discuss vacating the above mentioned remaining Right of Way contiguous to the S/W corner of the property.

SUMMARY AND STAFF RECCOMENDATION

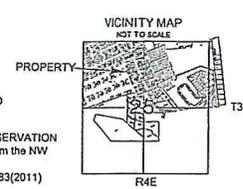
Staff supports a recommendation to Council for approval of the minor Plat contingent upon that 25' x 25' area of the intersection of 10th Street and Pine Street being vacated and incorporated within the plat.

12/5/18

A PLAT OF
**CALVIRD TRACT OF BLOCK 89, CUSTER CITY, CUSTER COUNTY,
 SOUTH DAKOTA**
 (FORMERLY LOT 1, BLOCK 89 THE N 25' OF PINE STREET AND THE E
 25' OF 10TH ST. CONTIGUOUS TO LOT 1)

NOTE: See Book 10 of
 Plats on Page 360 for a
 Map of Custer City.

NOTE: FOR THE
 RESOLUTION VACATING
 PORTIONS OF 10TH ST.
 AND PINE ST. SEE MISC.
 BOOK 34M ON PAGE 547.

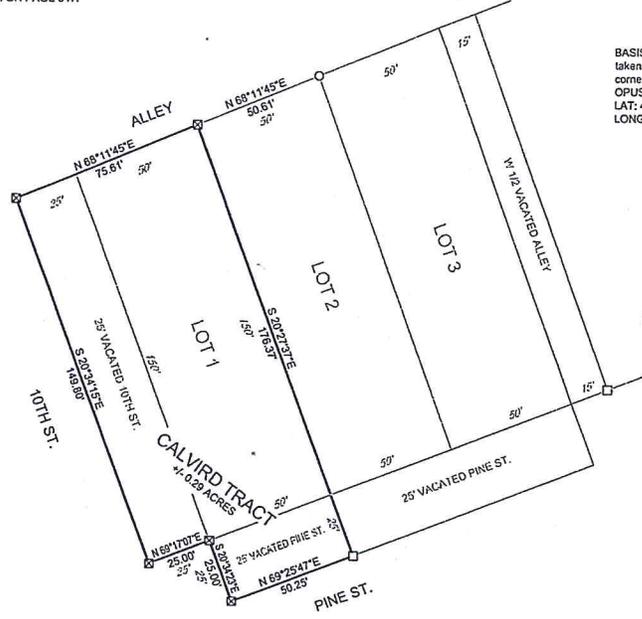
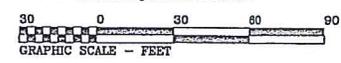


DATE SURVEYED
 7 Nov. 2018

BASIS OF BEARING - GPS OBSERVATION
 taken N 88°40'23"W 3215.73' from the NW
 corner of Calvird Tract,
 OPUS STATIC SOLUTION NAD83(2011)
 LAT: 43°45'52.02887"
 LONG: -103°36'09.50318"

LEGEND

- Set rebar w/aluminum cap marked
 "ANDERSEN ENG PLS 5906"
 - Found rebar w/aluminum cap marked
 "BRYANT PLS 2196"
 - Found iron pipe
- 322.061' Slant lettering denotes record calls



No area of special flood hazard exists within this
 subdivision according to Flood Hazard Insurance Rate Map
 Panel No. 46033C0114F, effective date: Jan. 6, 2012.
 The placement of fill, any new construction, substantial
 improvements, or another development within the 100-year
 flood plain as designated by the County's Flood Insurance
 Rate Maps and Flood Boundary and Floodway Maps, shall
 be in conformity with Custer City's Flood Ordinance.

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.

CERTIFICATE OF SURVEYOR
 I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being
 so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an
 actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the
 same is a true and correct representation of said survey.
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.
 Dated this ___ day of ___, 2018.

John D. McBride SDRLS No. 5906

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 the proposed subdivision road(s) with the existing public road(s) is hereby approved.
 Date: _____
 Highway Authority _____

STATE OF _____ COUNTY OF _____
 I, Ronni Calvird, do hereby certify that I am the owner of the within described lands and that the within plat was
 made at my direction for the purposes indicated therein, and that the development of this land shall conform to all
 existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2018.

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION
 I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of
 the within plat.
 Dated this ___ day of ___, 2018.
 Director of Equalization of Custer County _____

RESOLUTION OF THE CITY COUNCIL
 Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above
 described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the
 streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision
 regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid,
 and that said plat and the survey thereof have been executed according to law, now therefore,
BE IT RESOLVED, that said plat is hereby approved in all respects.
 Dated at Custer, South Dakota this ___ day of ___, 2018.

ACKNOWLEDGMENT OF OWNERSHIP
 STATE OF _____ COUNTY OF _____
 On this ___ day of ___, 2018, before me, a Notary Public, personally appeared Ronni Calvird, known to
 me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public _____
 My commission expires _____

Mayor _____
CERTIFICATE OF CITY FINANCE OFFICER
 I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and
 correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___
 day of ___, 2018.
 Custer City Finance Officer _____

CERTIFICATE OF COUNTY TREASURER
 I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the
 within described lands are fully paid according to the records of this office.
 Dated this ___ day of ___, 2018.
 Custer County Treasurer _____

OFFICE OF THE REGISTER OF DEEDS
 Filed for record this ___ day of ___, 2018, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page _____.
 Custer County Register of Deeds _____

Prepared by
ANDERSEN ENGINEERS
Land Surveyors, Professional Engineering & Environmental Consultants

Drawn by DR	Date 11/15/2018	P.O. Box 446 Edgemont, SD 57735 (605)-692-5500
Approved by McB	Date 11/15/2018	andersenengineers@gvvc.net
Scale 1"=30'	Sheet 1 of 1	File Name: L1_B89_CUSTER

