



Spearfish Planning Commission Staff Report
Meeting Location: 625 Fifth Street, Spearfish SD, Council Chamber of City Hall
and by Zoom Online Meeting

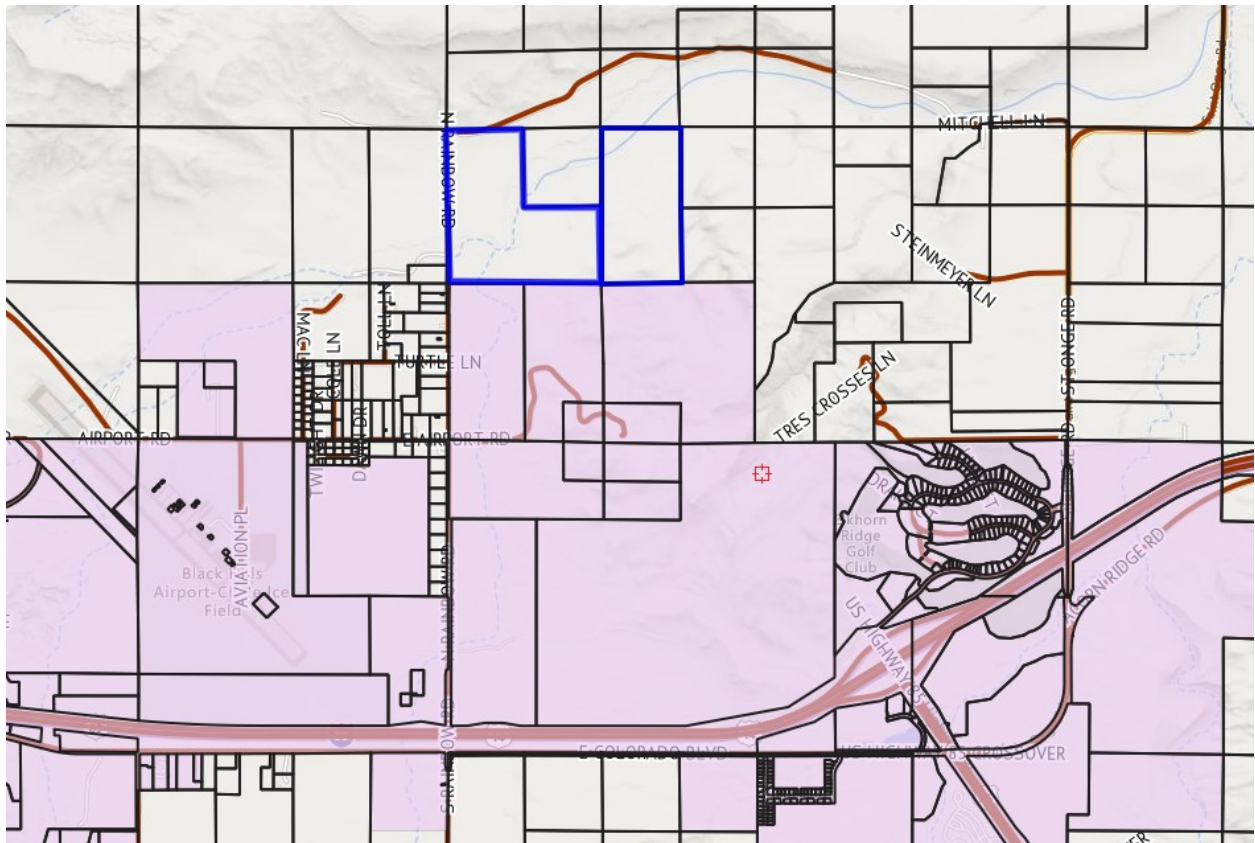
Meeting Date and Time: March 7, 2023 at 3:00 p.m.

Applicant: Interstate Engineering

Request: Approve a Final Plat for Tract S & Tract M of Section 9, T6N, R3E

Action: Approve Final Plat with stipulations

Location: Northeast of Intersection of N Rainbow Road and Turtle Lane;
Within 3-Mile Extraterritorial Jurisdiction Area



Proposal Summary: This property is currently unplatted. This plat would create 2 new lots: Tract M (2.25 acres) and Tract S (8.9 acres). The plat would also dedicate 40 feet of public right-of-way, including the existing 33 feet of section line right-of-way, along North Rainbow Road,

General Comments:

The proposed final plat is a minor plat within the 3-Mile Extraterritorial Jurisdiction area with Lawrence County. This property is currently unplatted. This plat would create two new lots. Proposed Tract M would be 2.25 acres, which would leave a 77.39 unplatted remainder. Tract S would be 8.9 acres, leaving a 70.62 acre unplatted remainder.

Staff Review:

Zoning: The property is currently zoned Rural Residential District. Both proposed lot sizes meet the minimum criteria of lot size and density requirements set forth within the Rural Residential District regulations. Both lots are currently undeveloped vacant lots.

Utilities: Both lots meet minimum DANR standards to support their own well and on-site wastewater systems.

Access: Tract M will access directly off of North Rainbow Rd, which is a section line road. North Rainbow Road is identified as an arterial street on the City's Major Street Plan, requiring a minimum right-of-way width of 80 feet. This final plat would dedicate 40 feet of dedicated public right-of-way (including 33-foot section line right-of-way) along the entirety of the west property boundary bordering North Rainbow Road. A 30-foot private access easement would be created per this plat for Tract S, partially following an existing driveway. A written access easement document must be recorded with this final plat.

Platting Process: Following Planning Commission approval of the final plat, a public hearing will be held by City Council for approval of the final plat.

Summary:

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations. Staff would recommend approval with the following stipulations:

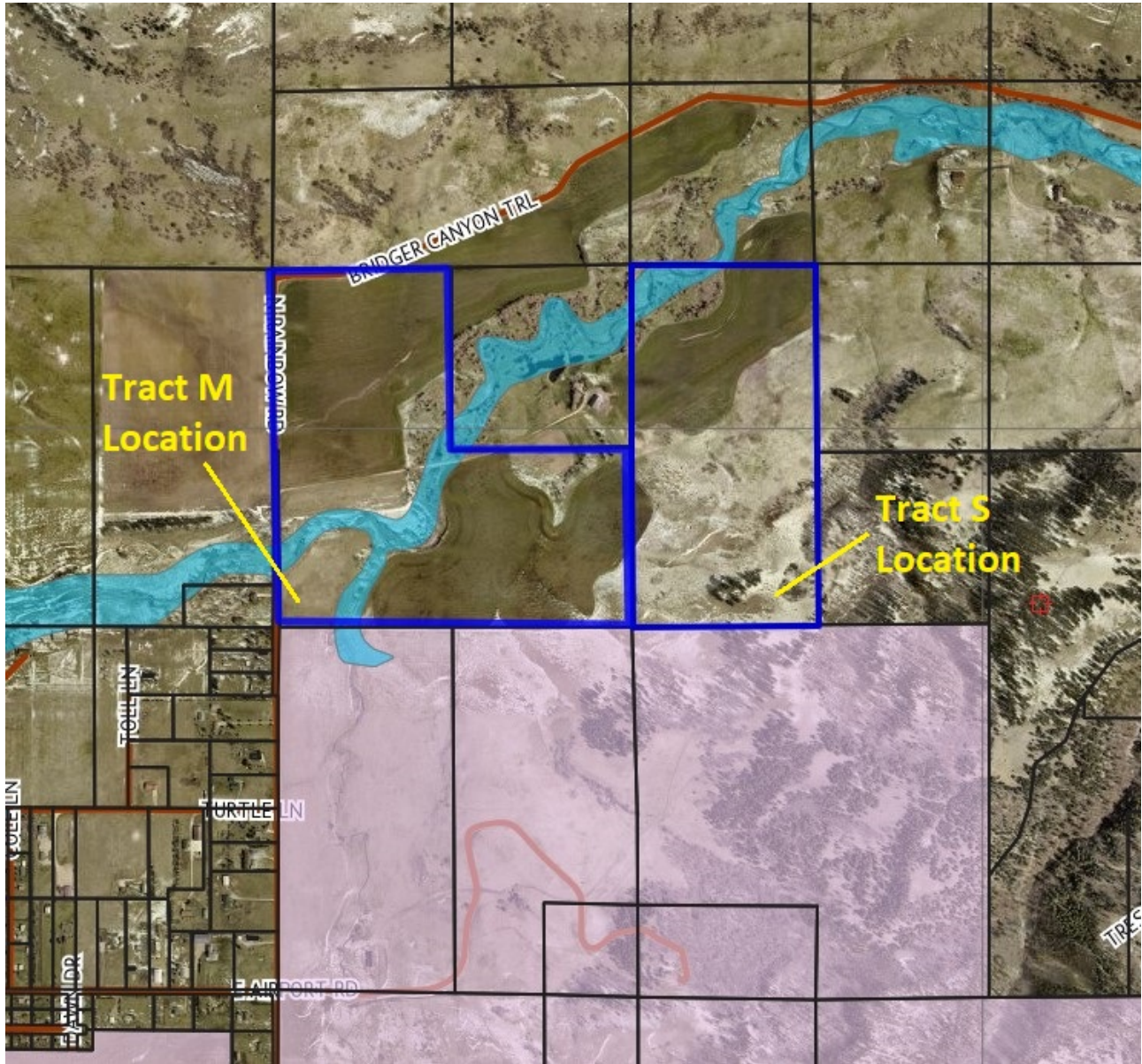
1. Prior to recording the final plat, the plat document shall be revised to show the dedication of a minimum of 40-feet of right-of way to North Rainbow Road to comply with the City's Major Street Plan;
2. Prior to recording the final plat, the closure calculations for lots, right-of-ways, survey ties, etc. shall be provided;
3. Prior to recording the final plat, the plat document shall be revised to state the correct Director name in the Equalization certification;
4. Prior to recording the final plat, the plat document shall be revised to list the entity's representative's name and title in the Certificate of Ownership. Also, the statement of dedication of utility easements should be updated to access easements instead;
5. Prior to recording the final plat, the plat document shall be revised to show the road names of North Rainbow Road and Bridger Canyon Road;
6. Prior to recording the final plat, the plat document shall be revised to list an Area Summary listing the total platted area, total dedicated right-of-way area, and total remaining acreage;
7. Prior to recording the final plat, the plat document shall be revised to update the vicinity map to be shaded in black and white only, with the subject properties bolded; and,
8. Prior to recording the final plat, a written access easement document will be provided to be recorded with the final plat.

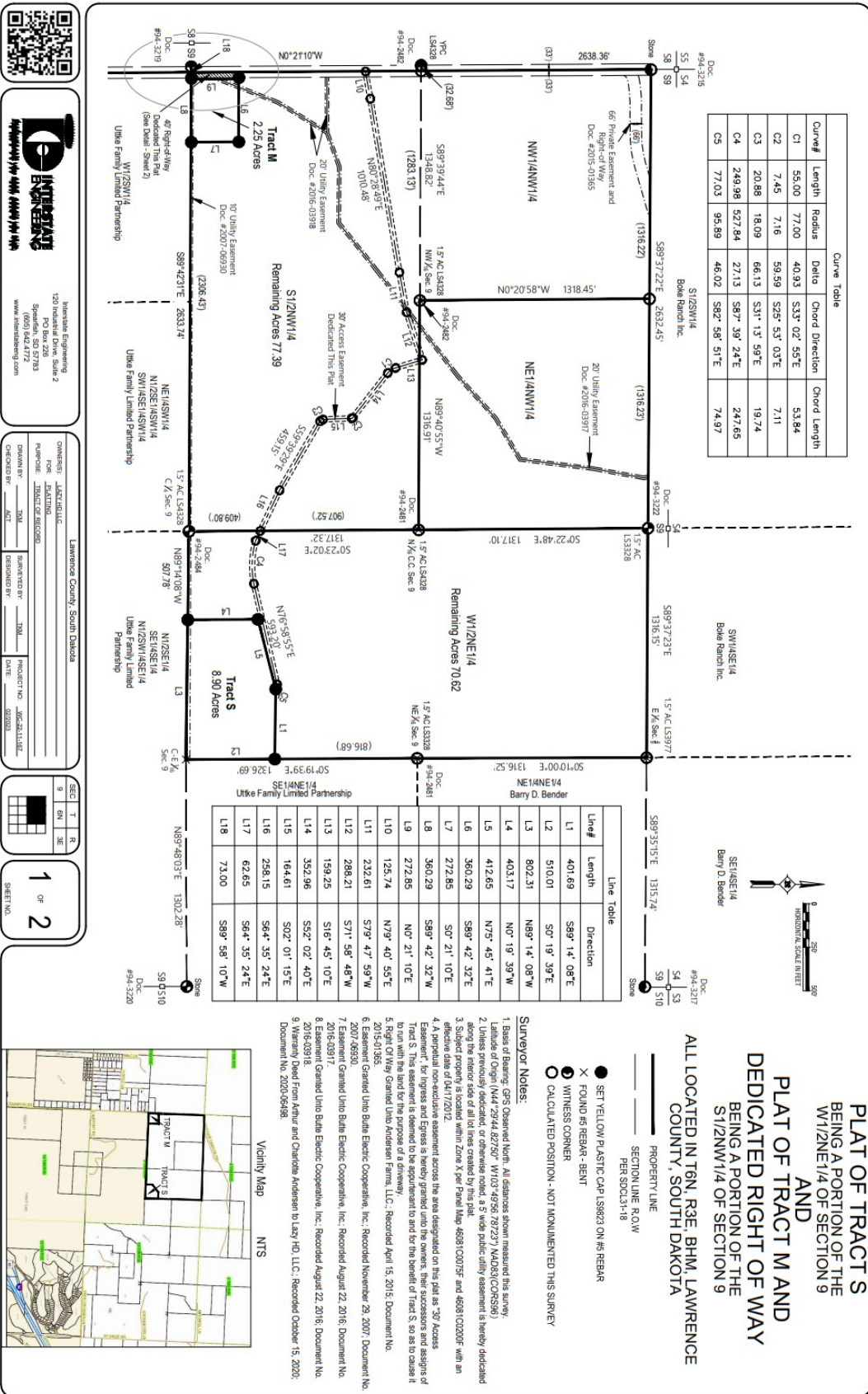
STAFF CONTACT: Marlo Kapsa – Planning Director, 605-717-1122;
marlo.kapsa@cityofspearfish.com

ATTACHMENTS:

Page 4 – Aerial Map
Page 5 – Final Plat

Aerial Map





PLAT OF TRACT S
 BEING A PORTION OF THE
 W1/2NE1/4 OF SECTION 9
 AND
PLAT OF TRACT M AND
 DEDICATED RIGHT OF WAY
 BEING A PORTION OF THE
 S1/2NW1/4 OF SECTION 9
 IN T6N, R3E, BHM, LAWRENCE
 COUNTY, SOUTH DAKOTA

- Surveyor Notes:**
- SET YELLOW PLASTIC CAP (S8922) ON #5 REBAR
 - ✕ FOUND #5 REBAR - BENT
 - WINNERS CORNER
 - CALCULATED POSITION - NOT MONUMENTED THIS SURVEY

Surveyor Notes:

1. Basis of Bearing: GPS Observed North. All distances shown measured this survey.
2. Latitude of Origin (NAD 83): W103°49'56" / 89°23'1" NAD83(CORS83)
3. Unless previously disclosed, or otherwise noted, a 5' wide public utility easement is hereby dedicated along the interior side of all lines created by this plat.
4. A perpetual non-encroachment easement across the area designated on this plat as "30' Access Easement" for ingress and egress is hereby granted unto the owners, their successors and assigns of Tract S. This easement is deemed to be appurtenant to and for the benefit of Tract S, so as to cause it to run with the land for the purpose of a driveway.
5. Right Of Way Granted Unto Anderson Farms, LLC, Recorded April 15, 2015; Document No. 2015-01385.
6. 2007/48930
7. Easement Granted Unto Bulla Electric Cooperative, Inc., Recorded November 29, 2007; Document No. 2007/48930
8. Easement Granted Unto Bulla Electric Cooperative, Inc., Recorded August 22, 2016; Document No. 2016-09117
9. Warranty Deed From Arthur and Charlene Andersen to Land HD, LLC., Recorded October 15, 2020; Document No. 2020-06498.

Intertek Engineering
 120 Industrial Drive, Suite 2
 Spearfish, SD 57683
 (605) 842-2772
 www.intertek.com

Lawrence County, South Dakota

OWNER: JACOB SCHULTE
 JACOB SCHULTE
 120 INDUSTRIAL DRIVE, SUITE 2
 SPEARFISH, SD 57683
 PROJECT NO.: JAC-22-118-E

DRAWN BY: JACOB SCHULTE
 CHECKED BY: JACOB SCHULTE

DATE: 08/20/2022

SEC 9 T 6N R 3E

1 OF 2 SHEETS

