



Spearfish Planning Commission Agenda

July 18, 2023 at 3:00 p.m.

**Meeting Location: City Council Chamber, 625 Fifth Street, Spearfish, SD
And Zoom Online Meeting**

Join Zoom Meeting

<https://us02web.zoom.us/j/83971284645>

Meeting ID: 839 7128 4645

Or Dial in:

+1 669 444 9171 and enter Meeting ID

A. Call To Order

B. Roll Call

C. Approve the Minutes from July 5, 2023

D. Declaration of Conflicts of Interest

E. Items for Action

1. **Request:** Approve a Final Plat for Lot 3 of Block 1 of Thomson Addition
Location: Southwest of Intersection of Hill Street and Harvard Street
Applicant: Stencil Group, LLC
Action: Approve Final Plat with Stipulations

F. Items for Discussion

1. **Planning Studies - Project Updates**

G. City Council Update

H. Public Comment - Public comments are welcome at this time, however, no action will be taken.

I. Adjournment



Spearfish Planning Commission
Regular Session Minutes
July 5, 2023 at 3:00 p.m.

The Spearfish Planning Commission met in regular session on Wednesday, July 5, 2023 at 3:00 p.m. in the council chamber of city hall and via Zoom video conference. Chair Kruskamp called the meeting to order at 3:00 p.m. Roll call was taken with the following members present: Meghan Byrum, Bob Meyer, Rick Tysdal, and Larry Vavruska. Also present: Planning Director Marlo Kapsa, City Attorney Ashley McDonald, City Administrator Steve McFarland, and Administrative Assistant Erica Bussiere.

APPROVAL OF MINUTES:

Kruskamp moved, Tysdal seconded and all voted to approve the minutes of the June 20, 2023 Planning Commission meeting.

DECLARATIONS OF CONFLICTS OF INTEREST:

Kruskamp called for any potential conflicts of interest to be identified. No conflicts were expressed.

- 1. Request:** Approve a Sketch Plat for Lot 3 of Block 1 of Thomson Addition
Location: Southwest of Intersection of Hill Street and Harvard Street
Applicant: Stencil Group, LLC
Action: Approve Final Plat with Stipulations

Kapsa presented the sketch plat and staff report. Kruskamp inquired about whether the remainder acreage would be annexed. Kapsa noted that the remainder acreage would not be annexed as part of this project **Byrum moved, Vavruska seconded and all voted to recommend approval of the Sketch Plat with the stipulations noted in the staff report.**

3. Items for Discussion:

Planning Studies – Project Updates: Kapsa stated that there can be up to three Planning Commissioners present on the Comprehensive Plat committee. Tysdal and Byrum volunteered to be on that committee. Kapsa noted that the first public open house for the Highway 85 Corridor Study is set for July 19th at the City of Deadwood at 5:30 PM. Kapsa noted that the Final SAT meeting for the Welcome Center Study will be held on Tuesday July 18th. Kapsa stated that the second stakeholders meeting and open house for the Colorado Boulevard Study has been set for August 24th at the Heritage Center.

- 4. City Council Update** – Kapsa stated there were no items from planning during the previous City Council meeting.

- 5. Public Comment** – No comments were provided by the public.

- 8. Adjournment** - Kruskamp adjourned the meeting at approximately 3:11 p.m.



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: July 18, 2023 at 3:00 p.m.

Applicant: Stencil Group, LLC

Request: Approve a Final Plat for Lot 3 of Block 1 of Thomson Addition to the City of Spearfish

Action: Approve with Stipulations

Location: Southwest of Intersection of Hill Street and Harvard Street;
Within 3-Mile Extraterritorial Jurisdiction Area



Proposal Summary: The subject property is currently an unplatted 75.78-acre parcel. The proposed plat would create a 10-acre lot to be known as Lot 3 of Block 1 of Thomson Addition leaving a 65 acre unplatted remainder parcel.

General Comments:

The proposed plat is a minor plat within the 3-Mile Extraterritorial Jurisdiction area with Lawrence County. The parcel is currently undeveloped. Upon approval of the Final Plat, proposed Lot 3 would be annexed into Spearfish City Limits and rezoned to R3 District. The developer has indicated that tax increment financing would be requested to aid in infrastructure expansion to serve the proposed development. Staff would recommend approval of the final plat with the stipulations noted at the end of the report.

Staff Review:

Zoning: The property is currently located within Lawrence County and zoned Park Forest District. The proposed 10-acre lot size meets minimum density requirements for this zone. Upon approval of the Final Plat, Lot 3 would be annexed into Spearfish City Limits and rezoned to R3 District. The proposed lot size would meet all minimum zoning requirements under this proposed new zoning designation.

Utilities: Any development to occur on proposed Lot 10 would be required to utilize City sewer and water services. There is an existing 15-foot wide utility easement present on the property. A 40-foot-wide drainage and utility easement is proposed as part of this plat to convey site drainage to the detention pond located on existing Lot 2 which will be owned and maintained by the developer.

Access: Access to the property is provided via Hill Street which is classified as a Collector Street on the City's Major Street Plan. The required additional 33-foot wide right-of-way dedication for Hill Street is being shown on the plat document. That portion of Hill Street adjacent to proposed Lot 10 must be improved to minimum City design standards upon annexation and rezoning of the property.

An additional north/south roadway is shown on the applicant's submitted site plan. Prior to submittal of a Final Plat application, the plat document must be revised to show the dedication of a 66-foot wide right-of-way for the proposed north/south roadway. The revised plat document must also include a road name for the new street to be reviewed and approved by Lawrence County E911 staff. The proposed road must be constructed to minimum City design standards upon annexation and rezoning of the property. Maintenance of the adjacent portion of Hill Street and the new roadway would be the responsibility of the developer during construction. Once improved to City standards, the infrastructure would be dedicated to the City for ownership and maintenance.

Platting Process: Following approval of the Final Plat by the Planning Commission, the plat will go before the City Council for a Public Hearing and final approval. Once the Final Plat has been approved, the applicant's request for annexation and rezoning may be considered along with the request for Tax Increment Financing.

Summary:

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations. As such, staff would recommend approval of the proposed plat with the following stipulations:

1. Upon Final Plat approval, the applicant shall submit an application for rezoning, annexation, and tax increment financing for the property.
2. Prior to submittal of a Tax Increment Financing application, a Traffic Impact Study must be submitted.
3. Prior to dedication of the infrastructure improvements to the City, the developer shall be responsible for roadway maintenance of Hill Street adjacent to the proposed parcel.

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

ATTACHMENTS:

Page 3 – Aerial Map

Page 4 – Final Plat

Aerial Map



Final Plat

**PLAT OF LOT 3
OF BLOCK 1 OF THOMSON ADDITION TO THE CITY OF SPEARFISH**

FORMERLY A PORTION OF AN UNPLATTED PARCEL,
LOCATED IN THE NE CORNER OF LAND IN THE NE 1/4 NE 1/4 OF SECTION 16, T8N, R2E, B.H.M.
LAWRENCE COUNTY, SOUTH DAKOTA

NOTES

- The basis of bearing for this plat is XXX.
- All major drainage easements shown hereon shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees and shrubs. These easements grant to all public authorities the right to construct, operate, maintain, inspect and repair such improvements and structures as it deems expedient to facilitate drainage from any source.
- A 5' Public Utility Easement is hereby dedicated along the interior side of all lot lines on this plat.
- Total right-of-way dedicated by this plat: XXX' across.
- Building setbacks are per City Zoning Ordinance.
- Pursuant to SDCL 33-3-1 and 33-3-2, The Developer of the property described within this Plat shall be responsible for protecting any wetlands 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 protection conform to and follow all regulations of the state of South Dakota Department of Environment and Natural Resources relating to the same.

CERTIFICATE OF OWNERSHIP
State of South Dakota
County of Lawrence

I, We, _____ do hereby certify that I/we are the owner of the land as shown and described hereon, that the plat was done at the request and direction of the owner for the purpose hereon and that development of this land will conform to all existing applicable zoning, subdivision, erosion and sediment control regulations.

OWNER: _____

ADDRESS: _____

ACKNOWLEDGMENT OF OWNERSHIP
State of South Dakota
County of Lawrence

On this _____ day of _____, 20____, before me, a Notary Public, personally appeared _____ known to me to be the persons described in and who executed the foregoing certificate.

Notary Public: _____
My Commission Expires: _____

SURVEYOR'S CERTIFICATE
State of South Dakota
County of Lawrence, S.S.

I, Keith S. Peterson, a Registered Land Surveyor in the State of South Dakota, on the basis of my knowledge, information and belief, certify to the Owner(s), that at the request of said Owner(s), the survey represented by this plat was made under my supervision, on the ground to the normal standard of care of Professional Land Surveyors practicing in the State of South Dakota. This survey does not constitute a title search to determine ownership of easements of record as performed by myself or by AESS.

Keith S. Peterson - Registered Land Surveyor No. 4725 Date _____

OFFICE OF ADMINISTRATIVE OFFICIAL
State of South Dakota
County of Lawrence
City of Spearfish

This plat is approved by the Administrative Official on this _____ day of _____, 20____, in accordance with the administrative approval authority granted in City of Spearfish Resolution 2015-23.

Administrative Official: _____ Finance Officer: _____

APPROVAL OF ACCESS BY STREET AUTHORITY
State of South Dakota
County of Lawrence
City of Spearfish

The location of the proposed access to the abutting County or State Highway, or City Street as shown hereon, is hereby approved. Any changes in the location of the proposed access shall require additional approval:

Street Authority: _____ Date: _____

CERTIFICATE OF COUNTY TREASURER
State of South Dakota
County of Lawrence

I, Debra Tida, Lawrence County Treasurer, do hereby certify that the _____ taxes which are due on the lands platted hereon as shown by the records of my office, have been fully paid.

County Treasurer: _____ Date: _____

OFFICE OF COUNTY DIRECTOR OF EQUALIZATION
State of South Dakota
County of Lawrence

I, Timothy J. Hodson, Lawrence County Director of Equalization, hereby certify that I have received a copy of this plat.

County Director of Equalization: _____ Date: _____

REGISTER OF DEEDS
State of South Dakota
County of Lawrence

File for record this _____ day of _____, 20____, at _____ o'clock _____ m., recorded as Document # _____

Register of Deeds: _____ Fee: _____

Prepared by:
AES
610 East Boulevard
Rapid City, SD 57701
Phone: (605) 341-7930
www.aes2.com
DATE: MARCH, 2023