

STAFF REPORT

July 27, 2000

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**SVAR #00SV014 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalks, street improvements, street lights, and sewer and water for the north-south section line and east-west section line**

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**ITEM 36**

GENERAL INFORMATION:

PETITIONER	FMG, Inc. for Bill Freytag
REQUEST	<b>SVAR #00SV014 - Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalks, street improvements, street lights, and sewer and water for the north-south section line and east-west section line</b>
LEGAL DESCRIPTION	N1/2, NW1/4, NW1/4 of Section 24, T2N, R7E, BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 20 Acres
LOCATION	West of Mallridge Subdivision
EXISTING ZONING	General Agriculture (County)
SURROUNDING ZONING	
North:	General Agriculture (County)
South:	Mobile Home Residential / Low Density Residential II
East:	Low Density Residential
West:	General Agriculture (County)
PUBLIC UTILITIES	N/A
REPORT BY	Blaise Emerson

RECOMMENDATION: The Planning Commission may wish to recommend that the Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalks, street improvements, street lights, and sewer and water for the north-south section line be approved based on previous City Council actions. Staff recommends that the Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalks, street improvements, street lights, and sewer and water east-west section line be denied without prejudice with the applicant's concurrence.

GENERAL COMMENTS: The applicant is recently received Layout Plat approval for Phase Two of the Tyler Knue Subdivision. The property is located north of I-90 and west of Haines Avenue. The existing development consists of a mixture of townhouses, manufactured

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homes and stick-built single family residences. The applicant requesting that all street improvements be waived for the section lines that abut the subject property. The applicant has stated that the terrain for the north/south section does allow for a street connection. He has also stated that east/west section line should not be developed until the route to Haines Avenue has been determined.

**STAFF REVIEW:** Staff has reviewed the requests and has noted the following consideration:

North/South Section Line - Staff recommended through the Layout Plat process that this north/south road be required to provide a future alternate north/south connection between Disk Drive and the north Haines area other than Haines Avenue. With the proposed school site being located just south of this development, Staff felt it would be important to provide an adequate street network other than local residential streets for access to the school. The section line was identified on the Major Street Plan as a collector road during the Layout Plat review; however, in the recently adopted Major Street Plan, the segment adjacent to the subject property was eliminated by the City Council. Also as part of the approval of the Layout Plat, the City Council stipulated that collector street right-of-way be dedicated but only a local standard street is constructed. Further, the Council action indicated that no street would be required to the drainage at the north end. This request is the formal procedure to eliminate the requirement for street improvements for the area next to the drainage area.

East/West Section Line - Staff has met with the applicant on the property to discuss the future need and alignment of this street. The newly adopted Major Street Plan identifies that this east/west section line will be a collector road. The intersection with Haines Avenue is set at the location of Haines Avenue and Country Road; however, the street would abut the back yards of the existing Mallridge residences. These lots would have double frontage which is not the most desirable scenario. The section line right-of-way exists and can be open for the street. Funding the construction of such a road would be difficult. Another, alternative to the east/west road would be to veer to the north after the intersection to create a row of lots on the south side of the road. There are a number of possible routings for such a revised location. Both Staff and the applicant believe that more study needs to occur on the routing of this street. Until that time, the applicant and staff agree that this portion of the request should be denied without prejudice.