

STAFF REPORT

July 5, 2001

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**SVAR #01SV011 - Variance to the Subdivision Regulations to waive all street improvements for DeGeest Street and Homestead Avenue except for that portion shown to be platted.**

**ITEM 50**

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GENERAL INFORMATION:

PETITIONER	Dream Design for Big Sky LLC
REQUEST	<b>SVAR #01SV011 - Variance to the Subdivision Regulations to waive all street improvements for DeGeest Street and Homestead Avenue except for that portion shown to be platted.</b>
LEGAL DESCRIPTION	Lots 2-8, Block 13; Lots 2-5, Block 14; Tract A; and Dedicated Streets, Big Sky Subdivision, located in the SE1/4 NW1/4 and NE1/4 NW/14 of Section 3, T1N, R8E, B.H.M., Pennington County, South Dakota; excepting Lot 1 on Block 13 and Lot 1 in Block 14 of Big Sky Subdivision and Dedicated Public Rights of Way (Big Sky Drive and DeGeest Street), as shown on the plat filed in Plat Book 29, Page 154.
PARCEL ACREAGE	Approximately 24.59 acres
LOCATION	At the northern terminus of DeGeest Street
EXISTING ZONING	Suburban Residential District (County)
SURROUNDING ZONING	
North:	Suburban Residential District (County)
South:	Suburban Residential District (County)
East:	Suburban Residential District (County)
West:	Suburban Residential District (County)
PUBLIC UTILITIES	City sewer and water to be extended
REPORT BY	Vicki L. Fisher

RECOMMENDATION: Staff recommends that the Variance to the Subdivision Regulations to waive all street improvements for DeGeest Street and Homestead Avenue except for that portion shown to be platted be withdrawn at the applicant's request.

GENERAL COMMENTS: The applicant has submitted a Subdivision Regulations Variance request to waive all street improvements for DeGeest Drive and Homestead Street except for that portion of the streets shown to be platted. The applicant has also submitted a Preliminary and Final Plat to subdivide a 24.59 acre parcel creating ten residential lots and a twenty acre

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parcel to be known as "Tract A". (See companion item #01PL054.) The development is identified as Phase Five, Big Sky Subdivision.

On May 25, 2001, the applicant submitted a Layout Plat proposing to subdivide the property as identified on this plat. The Layout Plat was continued at the June 21, 2001 Planning Commission meeting at the applicant's request to allow the applicant to meet with the Pennington County Drainage Engineer to discuss drainage concerns relative to proposed Tract A. The Pennington County Drainage Engineer has indicated that conveyance elements located through Tract A to the detention cell located south of the subject property must be constructed as a part of this plat.

In July 1997, a Master Plan was approved to allow a residential development on approximately 300 acres of property to be known as "Big Sky Subdivision". Since then, Phase One, Phase Two, Phase Three and Phase Four of the proposed development have been platted and constructed.

STAFF REVIEW: As noted in the associated plat review, City staff and the Pennington County Drainage Engineer met with the applicant on June 26, 2001 and determined that the drainage improvements must be addressed as a part of this plat and that road construction plans for the balance of DeGeest Drive and Homestead Street as they abut the subject property must be submitted for review and approval. On June 27, 2001, the applicant requested that the Subdivision Regulations Variance application to waive street improvements for DeGeest Drive and Homestead Street be withdrawn. As such, staff is recommending that the Variance to the Subdivision Regulations be withdrawn at the applicant's request.