

Agenda
WATERTOWN BOARD OF ADJUSTMENT
City Council Chambers
23 2nd Street NE

Thursday October 6, 2016

4:15 PM

Call to Order

Roll Call

1. Approval of 9/22/2016 Minutes
2. Applicant Patricia Schwartz (#17024) seeks Conditional Use approval per §21.2003(1) & §21.1403(1)&(5) to operate a home Day Care business from her single family dwelling located in the R-3 Multi-Family Residential District @ 8 18th St SW.
 - A. Public hearing
 - B. Board of Adjustment action
3. Applicant Cal Venjohn (#17025) seeks Conditional Use approval per §21.1403(5) to operate a home-based handyman / blade sharpening shop business from his single family dwelling located in the R-1 Single Family Residential District @ 401 16th St NE.
 - A. Public hearing
 - B. Board of Adjustment action
4. Applicant Prime Site Center, LLC (#17026) seeks Conditional Use approval per §21.2803(3) for the sale, serving, & consumption of alcoholic beverages on a commercial property located in the C-3 Highway Commercial / GT-1 Gateway Overlay / A-1 Agricultural Districts @ 1923, 1933 & 2013 Willow Creek Dr.
 - A. Public hearing
 - B. Board of Adjustment action

Old Business:

Motion to adjourn

Conditional Use

17024

APPLICATION FOR BUILDING PERMIT

FOUNDATION

Concrete Slab	
Concrete Block Walls	
Concrete Walls	
Wood Walls	

BASEMENT AREA

N	C	P	S	F
---	---	---	---	---

EXTERIOR WALLS

Siding on Sheathing	
Steel Building	
Column Building	
Concrete Block Walls	
Hardboard/Cement Siding	
Vinyl/Wood Siding	
Steel Siding	
Brick/Stone/Stucco	
Wall Insulation	
Roof Insulation	
Other	

ROOF TYPE

Hip	Gable	
Mansard	Flat	

ROOFING

Asphalt Shingle	
Membrane Roof	
Steel	
Other	

FLOORS

	B	1st	2nd
Concrete			
Gravel/Earth			
Plyscore			

INTERIOR FINISH

	B	1st	2nd
Sheet Rock			
Type X Sheetrock			
Other			
Unfinished			

HEATING

Solar/Geothermal	
Heat Pump/Hot Water	
Electric	
Gas Furnace	
Air Conditioning	
Fireplace/Stove	
No Heating System	

PLUMBING

	B	1st	2nd
Rough In			
Bath Rooms			
Kitchen			
Laundry			
No Plumbing			

SITE REQUIREMENTS

Grass Blvd/Trees	
Sidewalks	
ESC > 1 acre	Y N
DLA	
WORTP	

FLOOD HAZARD

Floodway	
1% (100 yr.)	
Out	
Req'd Elev.	
Proposed Elev.	
Elev. Cert Req'd	
Flood Proof/Non Sub	
DFIRM Date	

Zone R3 Co. Rcd# _____ Date _____

Proposed Construction Conditional Use Only - Day Care

Size _____ Sq. Ft. _____ Height _____

Address 8 - 18th St SW Lot Area 11,920^{sq}

Lot 7 + 543' Lots 1-6 + vac Alley

Block. --- Addition Lays 4th Lake Dr

Estimated Value _____ Fee _____ BOA Fee Plans

Details per § 21.2003(1) + § 21.1403 (1rs); contingent upon

Compliance with: Chapter N 21.70 Home OCCS, and § 21.0202 (2b)(6 a-h) SRGFCUs.

W

E

S

BUILDING PERMIT SHALL BE GOOD FOR ONE (1) YEAR FROM THE DATE OF ISSUANCE. PROJECTS WHICH ARE NOT COMPLETED WITHIN ONE YEAR MUST BE RENEWED.

IT IS HEREBY AGREED between the undersigned, as owner, his agent or servant, and the City of Watertown, that for and in consideration of the premises and the permit to construct, erect, alter or install and the occupancy of building as above described, to be issued and granted by the Building Official, that the work thereon will be done in accordance with the descriptions herein set forth in this statement, and as more fully described in the specifications and plans herewith filed; and it is further agreed to construct, erect, alter or install and occupy in strict compliance with the ordinances of the City of Watertown; and to obey any and all lawful orders of the City Engineer of the City of Watertown and all State Laws relating to the construction, alteration, repair, removal, and safety of buildings and other structures and permanent building equipment.

By City Ordinance, 5.0301(2) 2012 IBC Section 107 SUBMITTAL DOCUMENTS, is hereby further amended by adding the following: [A] 107.6 Applicant's Responsibility for Compliance. Neither examination and review of construction and/or construction documents by the Building Official, nor the issuance of a building permit by the Building Official, shall relieve the permit applicant of the responsibility and duty to comply with this code and any other applicable local, state and federal rules, regulations, and ordinances.

Owner Patricia Schwartz Address owner occupied (SAA)

By _____

Dated _____ Contractor _____

PERMIT APPROVAL

Authorized by:

Building Official

Fire Chief

City Engineer

10/6/16
Members of Board of Adjustment

Dear City Council of Watertown, SD

My name is Patricia Schwartz; I am asking to obtain a license to operate an in home daycare at 8 18th ST SW. Legal Description: S43' of Lots 1-6, All of Lot 7 & vacated alley, Ways 4th Lake Drive Addition.

My business hours will be Monday – Friday 6 am to 5:30 pm with the exception of closings on major holidays. My single family house is a split level home. It has 5 bedrooms and 1 and a three fourths -bath. The main floor will be used as the daycare. The lower level may be used for emergency weather only. The back yard will be used for outdoor play, a fence will be established by year end 2016.

The house is located on a dead end street with little traffic. The driveway is large enough to host 2 cars at a time, with additional parking directly in front of my house. Pick up and drop off times will mostly likely be staggered according to parent's work schedules. Parents will use the main entrance to drop off children.

I will be registering with the state of south Dakota and I will be able to take up to 12 children. My husband and I have 3 children; Ages 6, 10 and 11.

If an emergency should occur, my husband Michael Schwartz will be able to attend to the children. If he is unavailable, I will close for the day.

No signage is proposed at this time.

Thank you for your time.

Sincerely,

Patricia Schwartz

8 18th St SW
Watertown, SD
520-5961

Home Occupation: Any occupation which is clearly secondary to the main use of the premises as a dwelling, and does not change the character thereof or have any exterior evidence of such secondary use other than a non-illuminated sign not exceeding four hundred (400) square inches in area. This occupation shall be carried on or conducted only by members of a family residing in the dwelling. (Ord 04-04; Rev 3-26-04)

Chapter 21.70
HOME OCCUPATIONS AND STANDARDS

21.7001: HOME OCCUPATIONS FOR RESIDENTIAL DISTRICTS

Home occupations may be permitted by conditional use as accessory uses to a principal residential use within any residential district (including PUD), and any property used as a residential dwelling within any zoning district, but only in conformance with the standards of Section 21.7002 of this Ordinance. (Ord 04-04; Rev 3-26-04) (Ord 08-23; Rev 11-28-08) (Ord 10-34; Rev 1-13-11)

21.7002: HOME OCCUPATION STANDARDS

In addition to meeting the general accessory use standards of Section 21.2101 and all applicable standards or regulations of the zoning district in which it is located, Each home occupation shall comply with the following standards:

1. No home occupation may be operated in such a manner as to create offensive noise, odor, smoke, heat, vibration, electronic interference or other interference with the appropriate use and enjoyment of adjacent properties, or otherwise constitute a nuisance or safety hazard to adjacent persons or properties.
2. No outdoor storage of equipment or materials used in the home occupation shall be permitted.
3. No more than twenty-five percent (25%) of the total floor area of a dwelling unit may be devoted to the home occupation. However, **child day care uses may occupy the entire dwelling unit.**
4. No internal or external alteration which would change the basic character of the building as a residential dwelling unit shall be permitted.
5. **No non-resident employee(s) may be employed on the premises at any time.**
6. No public display of goods shall be allowed on the premises except inside the principal building.
7. A permitted home occupation may be operated or maintained as an accessory use only in the principal building and/or attached garage as defined.
8. No exterior advertising other than **a small announcement sign, not more than four hundred (400) square inches in area, mounted to the side of the structure shall be allowed.** (Ord 04-04; Rev 3-26-04)
9. Any change in location of an existing home occupation shall be required to meet these regulations.

I am aware of and will comply with Ordinance requirements for an in-home business (Home Occupation)

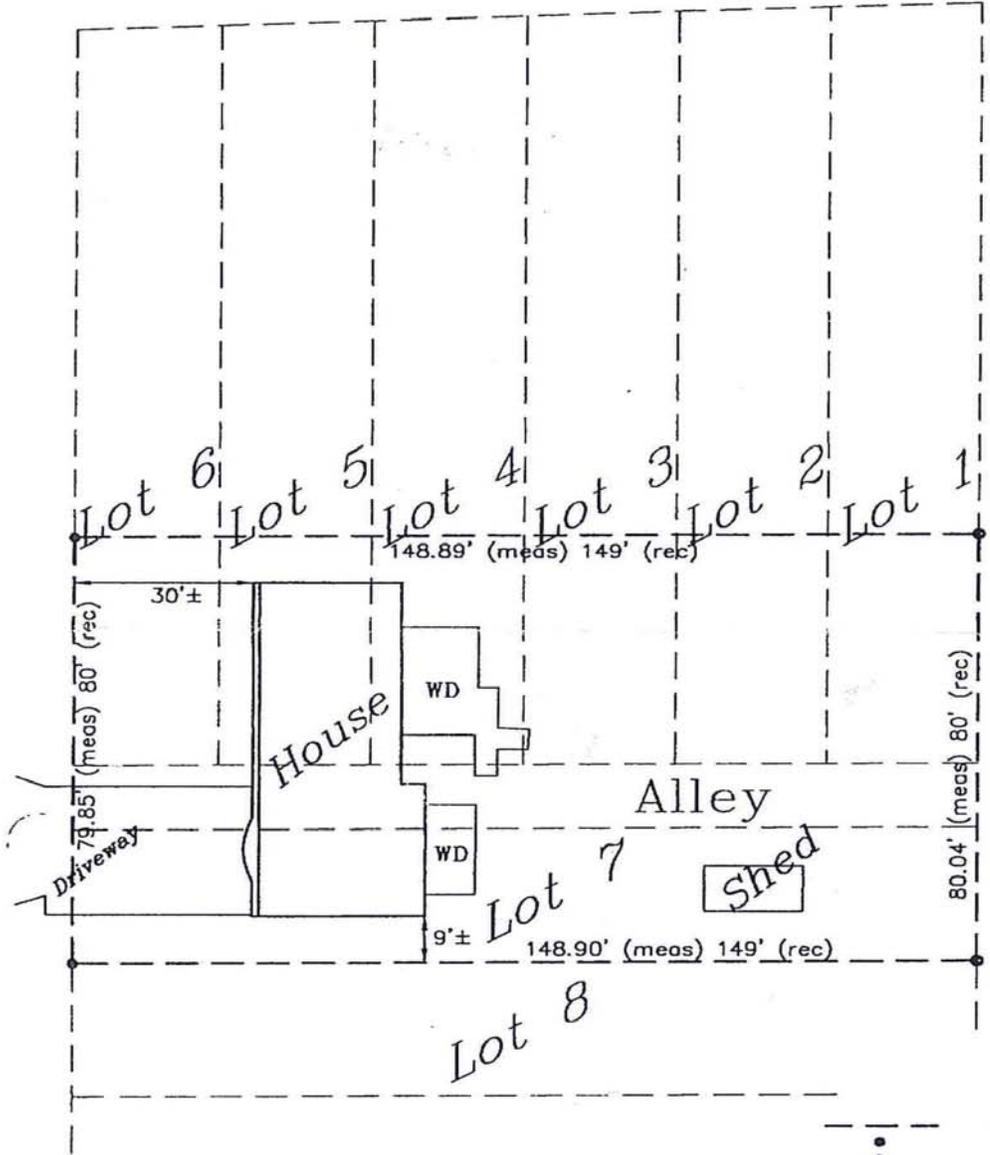
Day Care


Mortgage Title Inspection
8 18th Street Southwest, Watertown, SD 57201

Buyer: Michael G. Schwartz
Date: July 19, 2005

Kemp Avenue

18th Street West



SCALE: 1"=30'

LEGEND

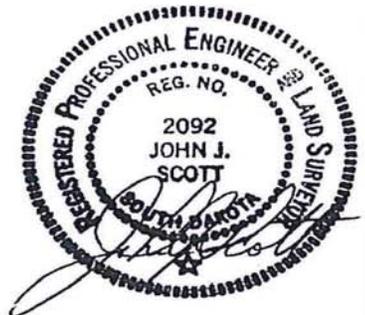
- Property Line
- Capped Pin Recovered
- Bolt Recovered
- Pinched Pipe Recovered
- WD Wood Deck

I, John J. Scott, A Registered Professional Engineer and Land Surveyor in the State of South Dakota, hereby certify that on July 13, 2005, this inspection was performed by me or under my supervision for:

Lot 7 and the South 43 feet of lots 1, 2, 3, 4, 5 and 6 and the vacated alley which abuts on lots 1 through 6 and lot 7 running West from the alley abutting the East line of lot 1 and lots 7 through 19 to the existing East line of 18th Street SW in Way's Fourth Lake Drive Addition to Watertown, South Dakota.

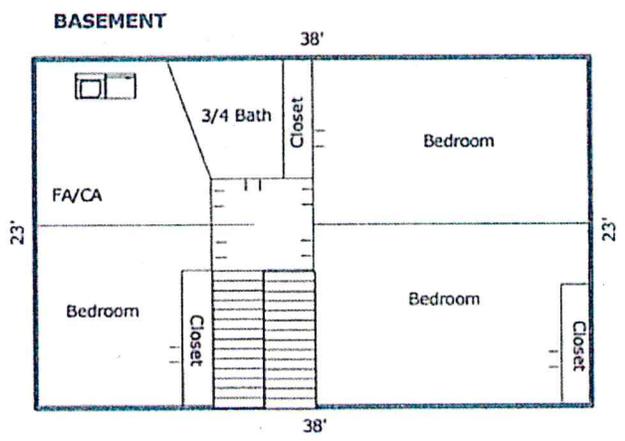
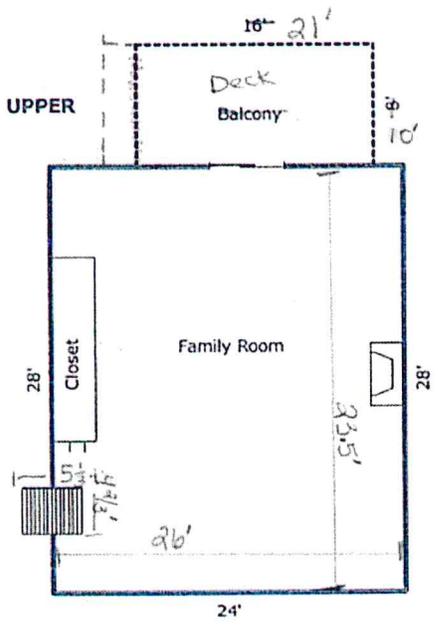
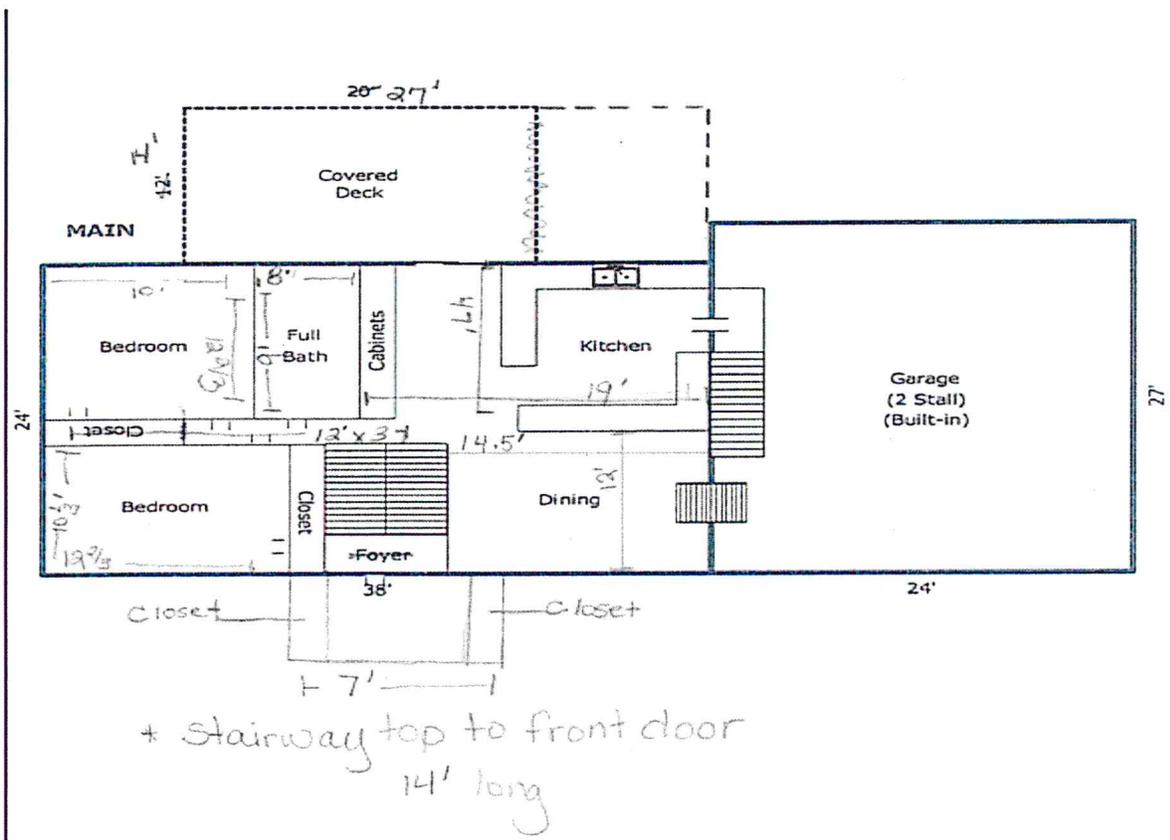
The boundary lines of the parcel of land shown and described hereon are the lines described on the record plat of said property and have not been verified unless noted. No property corners were set and the information shown should not be used to establish any fence, structure, or other improvements. The location of the major improvements are geometrically calculated from evidence of occupation. This inspection is not a boundary survey and is subject to any discrepancies that a subsequent boundary survey may disclose, the dimensions of the property lines were not measured, but were taken from documents of public record unless shown as measured hereon. Easements or restrictions of record or private agreements that are not known to me are not shown hereon. The word "certify" as shown and used hereon means an expression of the professional opinion regarding the facts of inspection and does not constitute a warranty or guarantee, expressed or implied.

The information shown on this document is correct to the best of my knowledge and belief as of the date of the inspection and I have executed this document this 9th day of July, 2005.

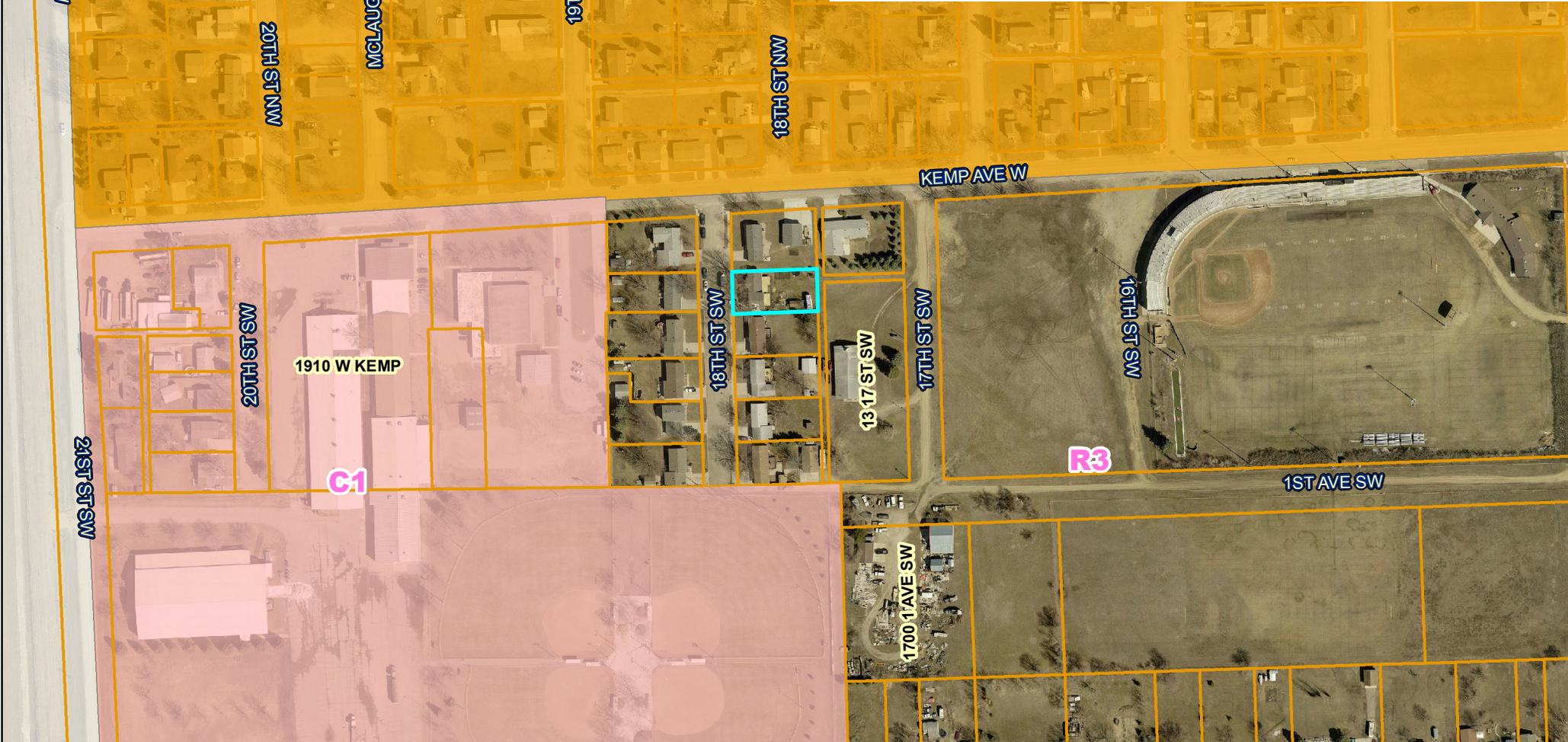


Scott Engineering Company
707 South Maple
Watertown, South Dakota
(605) 886-5725

John J. Scott
John J. Scott, No 2092



Schwartz 8 18th St SW



STAFF REPORT
Conditional Use Application #17024

Owner/Applicant: **Patricia Schwartz**
Property Address: **8 18th St SW**

Conditional Use Request:

Applicant seeks approval to operate a **Home Day Care business** from her single family dwelling property located in the R-3 Multi-Family District; pursuant to the terms of Sections 21.2003(1) & 21.1403(1)&(5), and contingent upon compliance with:

- §21.7001 *Home Occupations*,
- §21.7002 *Home Occupation Standards*, and
- *Specific Rules Governing Conditional Uses* including but not limited to §21.0202(2b6a-h).

Legal: **Lot 7 & S43' Lots 1-6 & vac alley, Ways 4th Lake Drive Addition**

	<u>R-3 District Regulations:</u>	<u>Subject Parcel:</u>
Minimum Lot Area:	9,000 sq ft	11,920 sq ft
Minimum Lot Width:	75'	80'
Blvd Rqts (§21.73):	15' grass blvd w/1-2 blvd trees	0 <i>Blvd trees</i>
Infra Rqts (§21.73):	sidewalk/trl & c/g	exists
Min Off-St Pkg (§21.63):	2/sfd	2*

*meet minimum Off-Street Parking Space (OSPS) standards for size, location, etc... To be counted, a "legal" OSPS must allow the exit of a vehicle without moving another vehicle.

DAY CARE:

the providing of care and supervision of children/adults as a supplement to regular parental home care, without transfer of legal custody or placement for adoption, with or without compensation, on a regular basis for a part of a day.

DAY CARE HOME:

care is provided in a dwelling and the number of children/adults cared for is subject to specific conditions and Standards. The principal use of the property shall be as the primary residential dwelling for the provider, and the day care business use shall be accessory. Conditional Use approval is required prior to commencement of operation.

STAFF FINDS THAT: (all public notice requirements have been met)

Day Care Home is a listed Conditional Use for the R-3 Multi-Family Residential District per §21.2003(1) and §21.1403(1)&(5) provided that: *such facilities shall provide **not less than thirty five (35) square feet of interior floor area and fifty (50) square feet of outdoor recreation space for each child.** In addition, such facilities shall supply adequate off-street parking or other suitable plan for the loading and unloading of children so as not to obstruct public streets or create other traffic or safety hazards.*

Applicant is regularly utilizing the main level of her 2,528 sq ft single family dwelling for her Day Care business. The property surpasses the minimum square footage of interior floor area and (soon to be fenced) outdoor recreation space required for twelve (12) children, per city ordinance §21.1403(1). Schwartz plans to be registered with the state.

Applicant submitted the attached Written Request, Site Plan & Floor Plans, which reflect compliance (or noncompliance) with the following terms of the Ordinance:

- §21.0202(2)b(6a-h) Specific Rules Governing Individual Conditional Uses** (ingress/egress, OSP/loading, screening/buffering, signage, exterior lighting, req'd yds/open space, & general compatibility):
 - ***OSP/Loading:** the property has an approximately 24' wide paved driveway/parking area, allowing for a maximum of two (2) legal Off-Street Parking Spaces (OSPSs). The minimum number of legal sized & durable-surfaced OSPSs required just for single family dwelling use is two (2); this Board may consider requiring additional compliant OSPSs as condition of secondary use approval, and to comply with §21.1403(1) for safe *loading and unloading of children*. It appears that a third legal OSPS could be created if the garage apron pavement was extended to the south property line.
- Chapter 21.70 HOME OCCUPATIONS and STANDARDS**
 - Schwartz has acknowledged by signature her assurance to comply (see attached)
 - No signage is proposed at this time.
- Chapter 21.63 Off-Street Parking and Loading Req'ts, and Eng. Design Standards:**
 - See Site Plan, and ***OSP/Loading** (above).
- Chapter 21.65 Outside Storage and Display Requirements for Specific Uses:**
 - Typical to the average single family dwelling.
- Chapter 21.73 Landscape and Lighting Standards:**
 - Infrastructure compliant / Boulevard lacks trees (mature *front yard* trees exist close to sidewalk)

This Board must determine if the request shows satisfactory provision and arrangement concerning Chapter 21.70 *Home Occ.s & Standards*, §21.0202(2)b(6a-h) *SRGICUs*, and Chapters 21.63, 21.65, & 21.73. If endorsed, this board may consider imposing any conditions of approval deemed necessary for this secondary use (e.g.: additional OSPSs,...).

**Minimum Information required for Board of Adjustment:
Callen P Venjohn**

Street Address: 401 16th St. NE, Watertown, SD 57201
Cell Phone #: 605-881-7011

Legal Description: The South 30' of Lot 34 and Lot 35, Block 5 of the plat entitled:
Sunrise Estates Addition to the City of Watertown, Located in the South ½ of the SE ¼ of Section 29,
Township 117 North, Range 52 West of the 5th Principal Meridian, Codington County, South Dakota.

Condition Use:

Handyman/Blade Sharpening:

Small Shop-Normal Business

Hours of Operation:

Part-time, 8 AM to 8 PM. By appointment only.

Parking:

One Client at a time, one vehicle per client.

Signage:

None

Site Plan:

Attached.

Layout of inside:

Attached

Cal Venjohn

Home Occupation: Any occupation which is clearly secondary to the main use of the premises as a dwelling, and does not change the character thereof or have any exterior evidence of such secondary use other than a non-illuminated sign not exceeding four hundred (400) square inches in area. This occupation shall be carried on or conducted only by members of a family residing in the dwelling. (Ord 04-04; Rev 3-26-04)

Chapter 21.70
HOME OCCUPATIONS AND STANDARDS

21.7001: HOME OCCUPATIONS FOR RESIDENTIAL DISTRICTS

Home occupations may be permitted by conditional use as accessory uses to a principal residential use within any residential district (including PUD), and any property used as a residential dwelling within any zoning district, but only in conformance with the standards of Section 21.7002 of this Ordinance. (Ord 04-04; Rev 3-26-04) (Ord 08-23; Rev 11-28-08) (Ord 10-34; Rev 1-13-11)

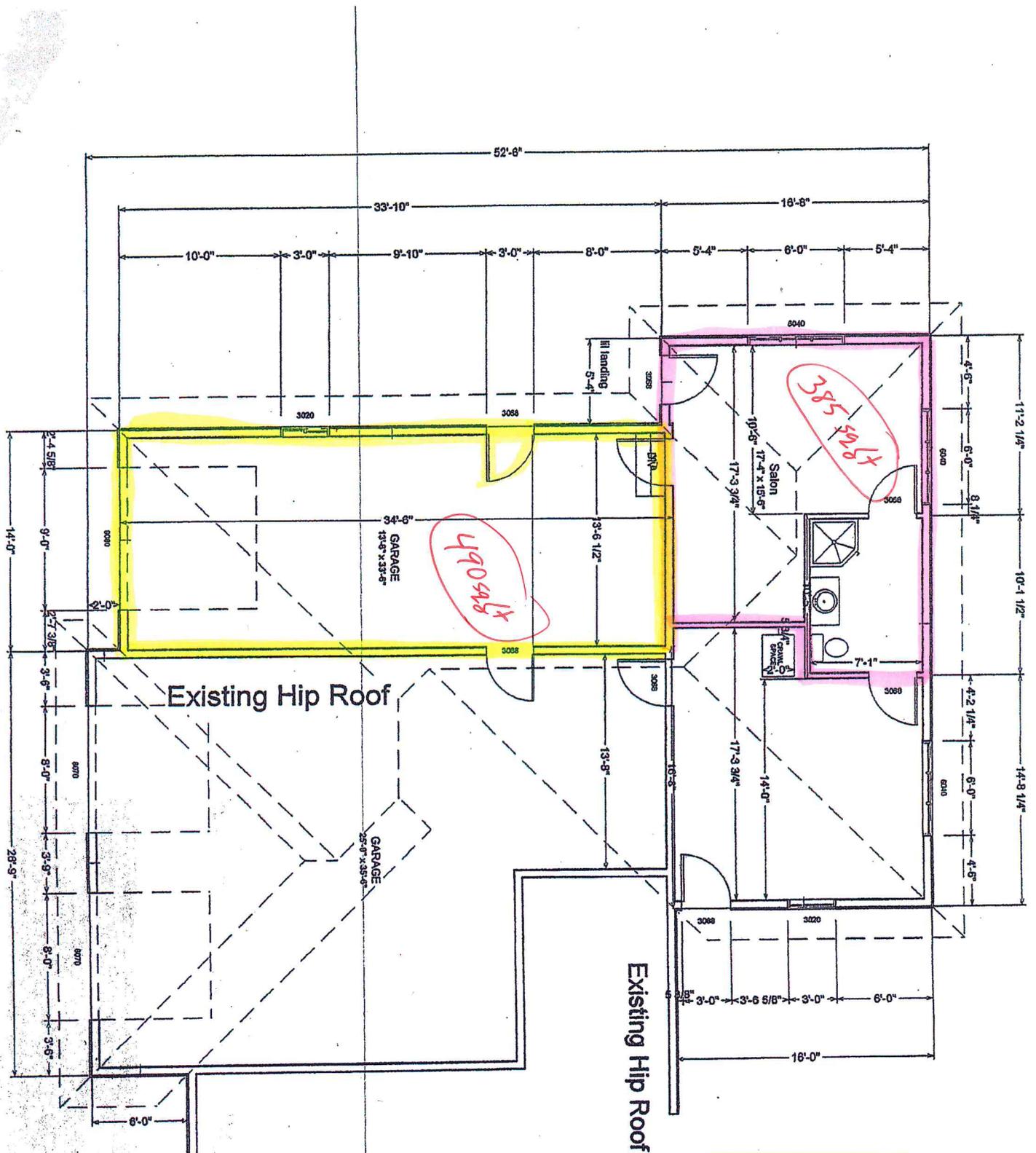
21.7002: HOME OCCUPATION STANDARDS

In addition to meeting the general accessory use standards of Section 21.2101 and all applicable standards or regulations of the zoning district in which it is located, Each home occupation shall comply with the following standards:

1. No home occupation may be operated in such a manner as to create offensive noise, odor, smoke, heat, vibration, electronic interference or other interference with the appropriate use and enjoyment of adjacent properties, or otherwise constitute a nuisance or safety hazard to adjacent persons or properties.
2. No outdoor storage of equipment or materials used in the home occupation shall be permitted.
3. No more than twenty-five percent (25%) of the total floor area of a dwelling unit may be devoted to the home occupation. However, child day care uses may occupy the entire dwelling unit.
4. No internal or external alteration which would change the basic character of the building as a residential dwelling unit shall be permitted.
5. No non-resident employee(s) may be employed on the premises at any time.
6. No public display of goods shall be allowed on the premises except inside the principal building.
7. A permitted home occupation may be operated or maintained as an accessory use only in the principal building and/or attached garage as defined.
8. No exterior advertising other than a small announcement sign, not more than four hundred (400) square inches in area, mounted to the side of the structure shall be allowed. (Ord 04-04; Rev 3-26-04)
9. Any change in location of an existing home occupation shall be required to meet these regulations.

I am aware of and will comply with Ordinance requirements for an in-home business (Home Occupation)





Pink
Highlighted
area =
Hair
Salon
area
385^{sq}ft

Yellow
Highlighted
area =
workshop
area
490^{sq}ft

Floor Plan

DATE	BY	DESCRIPTION
10/15/11
10/15/11
10/15/11

**OFFICIAL PROCEEDINGS
BOARD OF ADJUSTMENT
CITY OF WATERTOWN, SD**

December 13, 2012

Present: Albertsen, DeBoer, Oletzke, Shriver, & Brownell
Also Present: Ken Bucholz, Jill Steiner, Tom Drake, Stanton Fox, Cindy Herding, Luke Muller,
& Mark Meier

The Board of Adjustment convened at approximately 4:15 PM, in the Council Chambers, City Hall, 23 2nd Street NE; Pat Shriver, Chairman, presiding.

Oletzke motioned to approve the 11/15/12 minutes, Brownell seconded, motion carried unanimously.

Public Hearing: Conditional Use Request No. 14793;

For: operation of an in-home Hair Salon business in an R-1 zone per §21.1403(5); contingent upon compliance with §21.70 Home Occupations and Standards, and specific rules governing conditional uses including but not limited to §21.0202(2b6a-h)

Applicant / owner Shawn Lohr seeks approval to operate an in-home Hair Salon business at 401 16th St NE. Lohr has been issued Building Permit #14693 for an addition to her single family dwelling, part of which (361 sq ft) she proposes to use for the Salon business. There is a separate exterior door for customer use. Only .07% of the 5,219 sq ft home's living area would be utilized for the secondary use, which complies with §21.7002(3). The staff report was orated. Applicant acknowledges compliance with ordinance chapter 21.70 Home Occupation Standards. The property has a paved driveway accommodating up to three (3) legal sized hardsurfaced off-street parking spaces for the primary and proposed secondary uses. The property is noncompliant with chapter 21.73 Landscape Requirements, as it has no Blvd trees or sidewalk. Ms. Lohr was not present, and her written request did not elaborate on the number of clients she estimates per day, but it did state that she proposes to have "one client at a time, one vehicle per client", and that her hours will be 8 AM to 8 PM. Albertsen motioned to approve conditional to ongoing compliance with the requirements for Home Occupations (21.70), and that this Conditional Use is not transferrable to any new owner(s) of the property; DeBoer seconded, and motion carried unanimously.

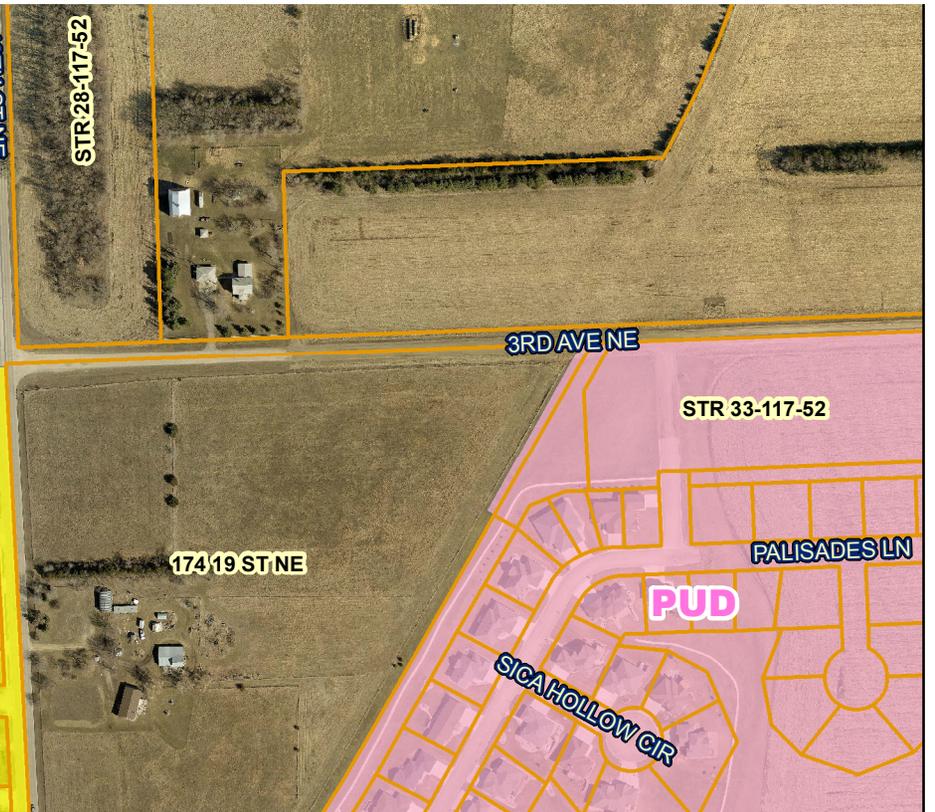
Public Hearing: Conditional Use Request No. 14794;

For: operation of an in-home Real Estate Sales business in an R-3 zone per §21.2003(1) and §21.1403(5); contingent upon compliance with §21.70 Home Occupations and Standards, and specific rules governing conditional uses including but not limited to §21.0202(2b6a-h)

Applicant / owner James Tesch (dba Haan-Tesch Realty) seeks approval to operate an in-home Real Estate Sales business at 2205 10th Ave NE. Mr. Tesch was notified of the required Conditional Use application process after staff received anonymous inquiries about alleged business use and parking issues at this property. The applicant has been doing business here for a few months, and he requests to continue using 644 sq ft (25%) of his owner occupied 2,576 sq ft single family home's total floor area for the secondary use, which complies with §21.7002(3). There is a (south) garage entrance door for customer use, as indicated on his floor plan.



VenJohn 401 16th St NE



STAFF REPORT
Conditional Use Application #17025

Owner/Applicant: **Cal Venjohn**
Property Address: **401 16th St NE**

Conditional Use Request:

Applicant seeks approval to operate a **home-based handyman / blade sharpening shop business** from this single family dwelling (SFD) property located in the R-1 Single Family Residential District; pursuant to the terms of Section 21.1403(5), and contingent upon compliance with:

- §21.7001 *Home Occupations*,
- §21.7002 *Home Occupation Standards*, and
- *Specific Rules Governing Conditional Uses* including but not limited to §21.0202(2b6a-h).

Legal: Lot 35 & S30' Lot 34, Blk 5, Sunrise Estates Addition

	<u>R-1 District Regulations:</u>	<u>Subject Parcel:</u>
Minimum Lot Area:	9,000 sq ft	±16,000 sq ft
Minimum Lot Width:	75'	100.5'
Max floor area for Home Occ(s):	25%	16%
Bldv/Infra Rqts (21.73):	15' grass blvd w/2 blvd trees	0 Blvd trees
Infra Rqts (§21.73):	sidewalk/trl, c/g	no sidewalk
Min Off-St Pkg (21.63):	2/sfd	3*

*meet minimum OSPS standards for size, location, etc... To be counted, a "legal" Off-Street Parking Space must allow the exit of a vehicle without moving another vehicle.

PROPERTY HISTORY:

2015	16208	Venjohn & Lohr	egress windows & doors
2012	14793	Venjohn & Lohr	1st Conditional Use/Home Occupation – Hair salon (see attached BOA minutes)
2012	14693	Venjohn & Lohr	addition to SFD
1999	8379	Lohr	fence
1984	2682	Friske	SFD

STAFF FINDS THAT: (all public notice requirements have been met)

Home Occupations is a listed Conditional Use for the R-1 Single Family Res'l District per:

- §21.1403(5): *Home Occupations in accordance with Chapter 21.70*

DEFINITION: Home Occupation:

any occupation which is clearly secondary to the main use of the premises as a dwelling, and does not change the character thereof or have any exterior evidence of such secondary use other than a non-illuminated sign not exceeding four hundred (400) square inches in area. This occupation shall be carried on or conducted only by members of a family residing in the dwelling.

Applicant submitted the attached Written Request, Site Plan & Floor Plans, which reflect compliance (or noncompliance) with the following terms of the Ordinance:

§21.0202(2)b(6a-h) Specific Rules Governing Individual Conditional Uses (ingress/egress, OSP/loading, screening/buffering, signage, exterior lighting, req'd yds/open space, & general compatibility):

- See Site Plan and written request.

Chapter 21.70 HOME OCCUPATIONS and STANDARDS

- Cal VenJohn proposes to utilize the SFD's 490 sq ft third garage stall for his business; he has acknowledged by signature his assurance to comply with 21.70 (see attached).
- Shawn (Lohr) VenJohn currently utilizes 385 sq ft of the SFD for her Hair Salon business (see attached BOA minutes); together, they will utilize 16% of the SFD for business purposes.
- No signage is proposed at this time.

Chapter 21.63 Off-Street Parking and Loading Req'ts, and Engineering Design Standards:

- *sufficient area exists for three (3) legal OSPs.

Chapter 21.65 Outside Storage and Display Requirements for Specific Uses:

- Per 21.7002:
- 2. No outdoor storage of equipment or materials used in the home occupation shall be permitted.
- 6. No public display of goods shall be allowed on the premises except inside the principal building.

Chapter 21.73 Landscape and Lighting Standards:

- Property lacks the required Blvd trees and sidewalk, fulfillment of which may be considered as a condition of approval.

This Board must determine if the request shows satisfactory provision and arrangement concerning Chapter 21.70 *Home Occ.s & Standards*, §21.0202(2)b(6a-h) *SRGICUs*, and Chapters 21.63, 21.65, & 21.73. If endorsed, this board may consider imposing any conditions of approval deemed necessary for this secondary use.

See attached

Written Request, Site Plan, Floor Plan, Vicinity/Zoning Map

Mtg date: Oct 6, 2016

FOUNDATION

Concrete Slab	
Concrete Block Walls	
Concrete Walls	
Wood Walls	

BASEMENT AREA

N	C	P	S	F
---	---	---	---	---

EXTERIOR WALLS

Siding on Sheathing	
Steel Building	
Column Building	
Concrete Block Walls	
Hardboard/Cement Siding	
Vinyl/Wood Siding	
Steel Siding	
Brick/Stone/Stucco	
Wall Insulation	
Roof Insulation	
Other	

ROOF TYPE

Hip	Gable	
Mansard	Flat	

ROOFING

Asphalt Shingle	
Membrane Roof	
Steel	
Other	

FLOORS

	B	1st	2nd
Concrete			
Gravel/Earth			
Plyscore			

INTERIOR FINISH

	B	1st	2nd
Sheet Rock			
Type X Sheetrock			
Other			
Unfinished			

HEATING

Solar/Geothermal	
Heat Pump/Hot Water	
Electric	
Gas Furnace	
Air Conditioning	
Fireplace/Stove	
No Heating System	

PLUMBING

	B	1st	2nd
Rough In			
Bath Rooms			
Kitchen			
Laundry			
No Plumbing			

SITE REQUIREMENTS

Grass Blvd/Trees	
Sidewalks	
ESC > 1 acre	Y N
DLA	
WORTP	

FLOOD HAZARD

Floodway	
1% (100 yr.)	
Out	
Req'd Elev.	
Proposed Elev.	
Elev. Cert Req'd	
Flood Proof/Non Sub	
DFIRM Date	

APPLICATION FOR BUILDING PERMIT

17026

Zone C-3, GT-1, A-1 Co. Rcd# _____ Date _____

Proposed Construction Conditional Use Only - Bar/Tavern

Size See attached detail Sq. Ft. _____ Height _____

Address 1923, 1933 + 2013 Willow Creek Dr. Lot Area 3 Acres

Lot 1

Block. - Addition MARVINE 2nd

Estimated Value _____ Fee _____ BOA Fee Plans

Details App: Sick's approval to sell, server consume alcoholic

Beverages @ this location; per N § 21.2803(3) Bar/Tavern, and contingent upon compliance with: SRGZCUs including but not limited to § 21.0202(2b)(c-a-h), et al.

W

E

S

BUILDING PERMIT SHALL BE GOOD FOR ONE (1) YEAR FROM THE DATE OF ISSUANCE. PROJECTS WHICH ARE NOT COMPLETED WITHIN ONE YEAR MUST BE RENEWED.

IT IS HEREBY AGREED between the undersigned, as owner, his agent or servant, and the City of Watertown, that for and in consideration of the premises and the permit to construct, erect, alter or install and the occupancy of building as above described, to be issued and granted by the Building Official, that the work thereon will be done in accordance with the descriptions herein set forth in this statement, and as more fully described in the specifications and plans herewith filed; and it is further agreed to construct, erect, alter or install and occupy in strict compliance with the ordinances of the City of Watertown; and to obey any and all lawful orders of the City Engineer of the City of Watertown and all State Laws relating to the construction, alteration, repair, removal, and safety of buildings and other structures and permanent building equipment.

By City Ordinance, 5.0301(2) 2012 IBC Section 107 SUBMITTAL DOCUMENTS, is hereby further amended by adding the following: [A] 107.6 Applicant's Responsibility for Compliance. Neither examination and review of construction and/or construction documents by the Building Official, nor the issuance of a building permit by the Building Official, shall relieve the permit applicant of the responsibility and duty to comply with this code and any other applicable local, state and federal rules, regulations, and ordinances.

Owner Prime Site Center, LLC Address Tyler Waldor

By _____

Dated _____ Contractor _____

PERMIT APPROVAL

Authorized by:

Building Official

Fire Chief

City Engineer

10/6/16
Members of Board of Adjustment

Letter to the board:

This letter is to be presented on behalf of Prime Site LLC for the commercial property located at 1933 Willow Creek Drive with the full legal address of ; Lot 1 Marvined 2nd Edition.

I am applying for a conditional use permit for the property of both existing commercial buildings, with the intent having off sale liquor distribution in a new business, as well as the on-sale of beer and wine in the existing businesses of Oscar Nail Salon and Prestige Salon. These will not be large consumptions, but an attribute to the current business model.

The off sale liquor store business will make use of the west exterior wall drive thru, which will flow well with traffic movement on the perimeter, inside the development. There will be at least 30 parking spots attributed to this space of the new business, consisting of 13 spaces in the front, 12 on the side, and a minimum of 5 in the back. More parking is attainable if needed, but the business owner has accepted the parking as sufficient. Business hours will be 7AM - 10PM for the new business. The traffic pattern will be peaked around the noon lunch hour and the 4:30-7:00 time period with steady flow in between. The remainder of the buildout will feature a meat and food outlet with packaged goods and ready made food to carry out. There will be a wall dividing the meat outlet, from the liquor store, and a mezzanine area upon entry. The parking will remain the same as currently established for the existing businesses.

Signage for the business will be located above the main entrance and within the specs for the signage ordinance. The signage would be visible from Willow Creek Drive and Northbound 19th St until approximately the intersection. The other signage will remain the same.

The goal is to create more commerce with locally owned businesses, and continue the growth on the east side of town. This will undoubtedly enhance the consumer experience for the existing businesses, as well as add a retail destination for the unique products marketed.

1923 Willow Creek Drive

- 1 - Liquor Store *
 - 2 - Meat Outlet
- 1933 Willow Creek Drive
- 1 - Meijer Insurance
 - 2 - Dynamic Realty
 - 3 - Prestige Salon *

2013 Willow Creek Drive

- 1 - Mainstream Boutique
- 2 - Empty
- 3 - Oscar Nails *

* = Conditional Use Permit

--- = Wall Being taken down
 □ = Drive through windows

LEGEND

- COSTING CONTOUR LINE (1" RWD)
- EXTERIOR BUILDING EXTERIOR FDO
- SUBMITTED PROPERTY BOUNDARY LI
- LOT LINES
- SETBACK LINES
- EASEMENT LINES
- UNDERGROUND SANITARY SEWER 1
- UNDERGROUND STORM SEWER
- UNDERGROUND ELECTRICAL LINE
- UNDERGROUND FIBER-OPTIC LINE
- OVERHEAD TRANSMISSION LINE
- UNDERGROUND COMMUNICATIONS
- UNDERGROUND NATURAL GAS LINE
- ASPHALT SURFACING
- CONCRETE SURFACING
- GRVEL SURFACING
- POWER POLE
- LIGHT POLE
- SANITARY SEWER MANHOLE
- STORM SEWER JUNC. BOX / MAN
- STORM SEWER BALET
- WATER VALVE / CURB STOP
- MONUMENT RECOVERED
- PROPERTY CORNER
- UTILITY TRENCH

GENERAL NOTES

1. BASIS OF DRAWING: LOCAL SITE
2. ELEVATIONS BASED ON NOVD 29 DATUM.

SCAPE NOTES

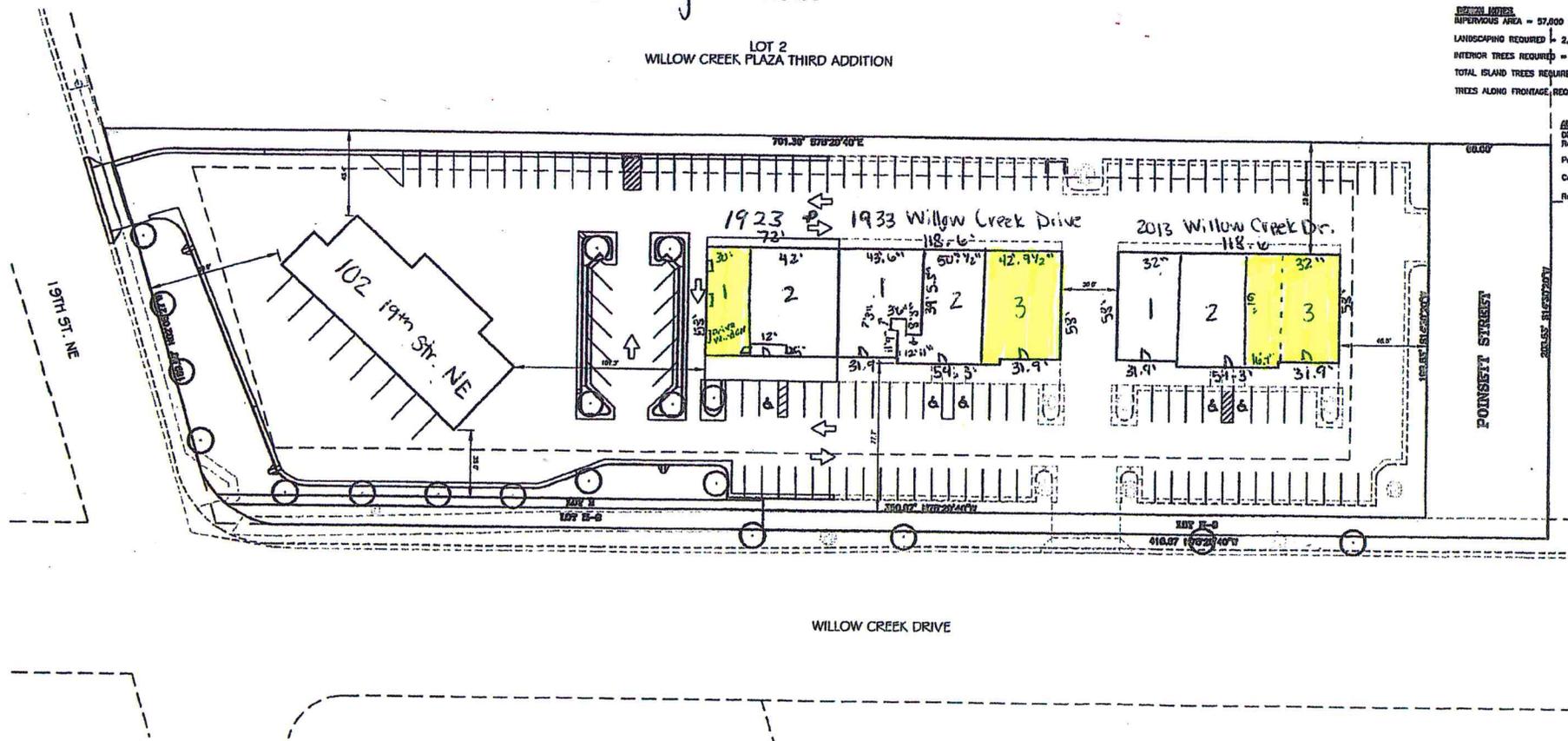
- PERVIOUS AREA = 57,000 SQ. FT.
- LANDSCAPING REQUIRED = 2,000 SQ. FT. (5% OF PAVD)
- INTERIOR TREES REQUIRED = 2.5 ; PROVIDED = 2
- TOTAL ISLAND TREES REQUIRED = 5 ; PROVIDED = 5
- TREES ALONG FRONTAGE REQUIRED = 1 PER 40'

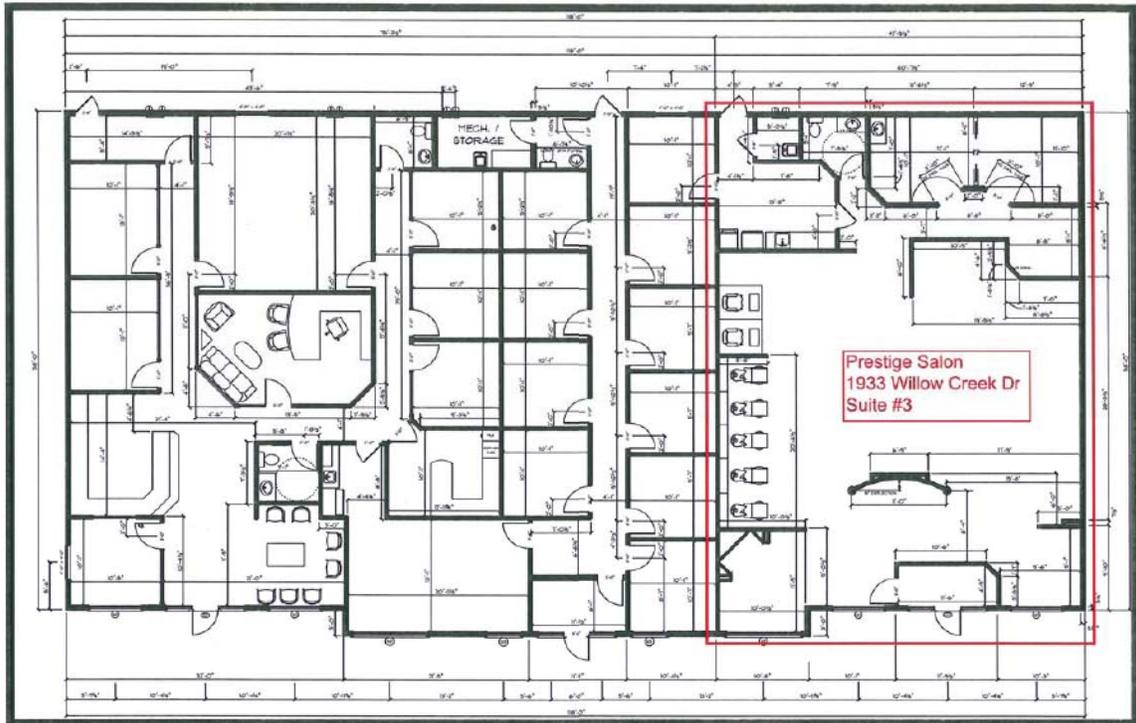
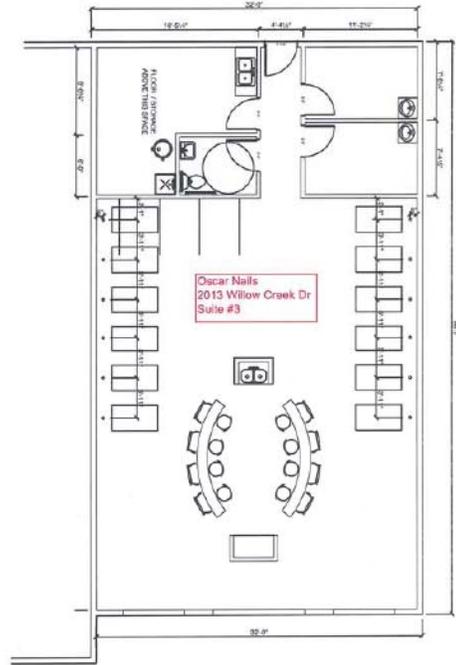
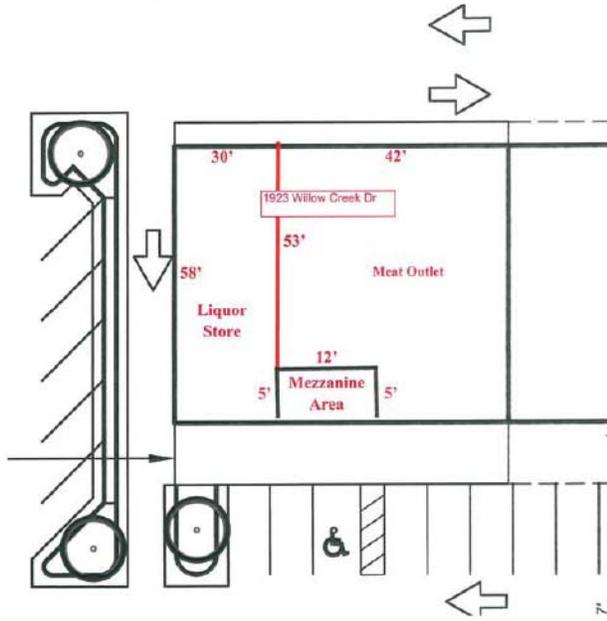
ADDITIONAL NOTES

Dimensions are to face of a wall unless otherwise noted.

Parking Area Requirements:

- Car Wash - 3 / 1 stall *
- Restaurant - 3 stalls * require 25 sq ft per stall





**OFFICIAL PROCEEDINGS
BOARD OF ADJUSTMENT
CITY OF WATERTOWN, SD**

September 24, 2015

Present: Albertsen, Shriver, Dahle, Dargatz-Johnson, MaGuire, & Stonebarger
Absent: Arnold, Johnson, & Stein
Also Present: Ken Bucholz, Jill Steiner, Shane Waterman, Jeff Brink, Tim Lalim, Mark Meier, Steve Thorson, Randy Tupper, & others

The Board of Adjustment convened at approximately 4:15 PM, in the Council Chambers, City Hall, 23 2nd Street NE; Pat Shriver, Chairman, presiding.

Stonebarger motioned to approve the 9/9/15 minutes, MaGuire seconded, motion carried unanimously.

Public Hearing: Conditional Use Request No. 16367

To: construct and operate a Car Wash in the C-3 Highway Commercial District per §21.2803(1); contingent upon compliance with §21.2801 PURPOSE, and Specific Rules Governing Individual Conditional Uses (SRGICUs) including but not limited to §21.0202(2b6a-h)

Prime Site Center, LLC requests to build a commercial structure in which to operate a Car Wash on the property located at 102 19th St NE. A last minute Site Plan was submitted by the applicant showing detention ponds; said plan was distributed to the Board and the staff report was orated. The applicant is not seeking variance(s) and will comply with all terms of the ordinance that would apply to this application, including but not limited to the requirements of the *GT-1 Gateway Overlay District, Off-Street Parking and Loading, Landscape and Lighting Standards, and Signs and Outdoor Advertising*. Albertsen motioned to approve, Dargatz-Johnson seconded, and motion carried unanimously.

Public Hearing: Conditional Use Request and Appeal No. 16365

For: reconstruction of a nonconforming residential structure in a C-1 zone per §21.2403(27), contingent upon compliance with §21.2401 PURPOSE, and SRGICUs including but not limited to §21.0202(2b6a-h); and Appeal from the terms of Sections: 21.0406 and 21.0302

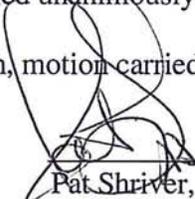
This is a substandard C-1 Community Commercial zoned parcel, that has been used historically as a residential (single family dwelling) property (nonconforming structures and usage). The property, located at 215 1st Ave SW, is for sale, and due to buyer financing issues the applicant (seller) requests that this Board grant the ability to use and rebuild this single family residence in the event that it would ever be damaged beyond 60% of its value (per §21.0406). Approval would allow this nonconformity to exist, and if destroyed be rebuilt so as to continue to exist, into perpetuity. The staff report was orated. Due to the number of applicants seeking Conditional Use/Variations for this same issue, the Board of Adjustment has directed staff to proceed with recommendation to the Plan Commission to consider initiating a rezone of this block back to residential; Staff is beginning this process. Owner/Applicant Ben Petersen was present. MaGuire motioned to approve; Albertsen seconded, and motion carried unanimously.

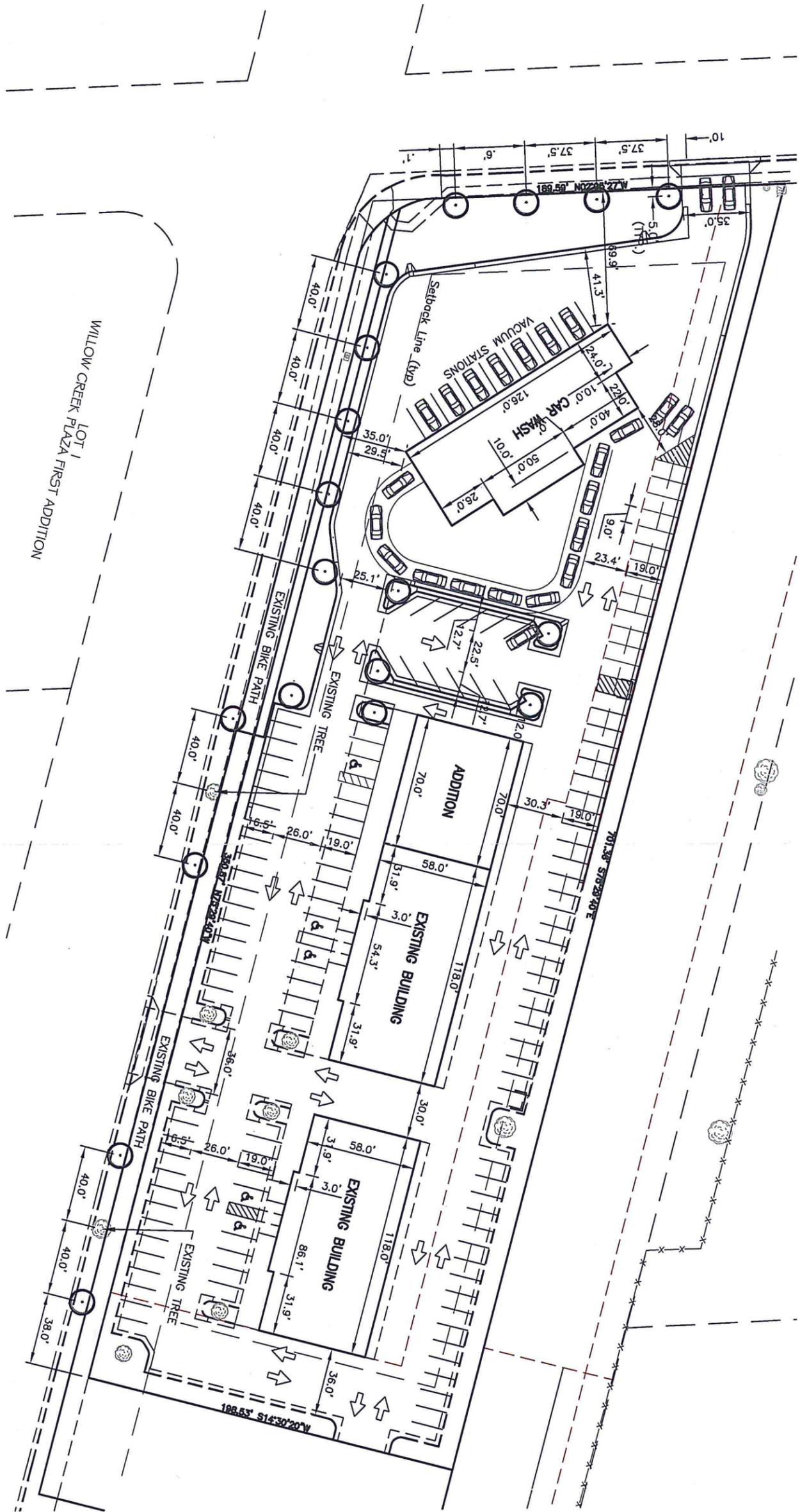
Public Hearing: Conditional Use Request and Appeal No. 16366

For: a Storage Unit in the C-1 Community Commercial District per §21.2403(11), contingent upon compliance with §21.2401 PURPOSE, & SRGICUs including but not limited to §21.0202(2b6a-h); & Appeal from the terms of Sections: 21.0302(3a), 21.1003 & Chapter 21.04

David Johnson dba Big Sioux Financial, Inc seeks to construct a nonresidential building at 11 N Broadway, for which he proposes to subdivide an existing platted C-1 zoned lot, creating two substandard (nonconforming) parcels, and utilizing the lot's building right for the 1,810 sq ft (25'x76') structure. The *Storage Unit* would consist of: one 1,410 sq ft area with 4 undivided vehicle stalls, one 235 sq ft storage area, and a 165 sq ft vestibule. The Staff Report was orated. Mr. Johnson answered questions from the Board. Adjacent landowner Bob Hoover stated that he wanted the structure to comply with downtown aesthetics, for which there are no ordinance regulations Building Official Bucholz explained. Dahle motioned to approve, MaGuire seconded, and motion carried unanimously.

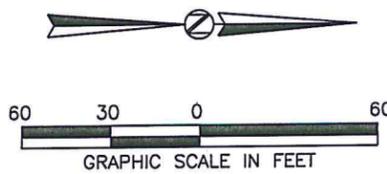
Motion by Dahle to adjourn, seconded by Dargatz-Johnson, motion carried unanimously.


Pat Shriver, Chairman



LANDSCAPE PLAN OF

WILLOW CREEK PLAZA
WATERTOWN, SD



This Work Coordinated By:



Prepared By
AASON ENGINEERING COMPANY, INC.

1022 SIXTH STREET S.E.
WATERTOWN, SD
Telephone 605-882-2371

DATE: SEPTEMBER 2016

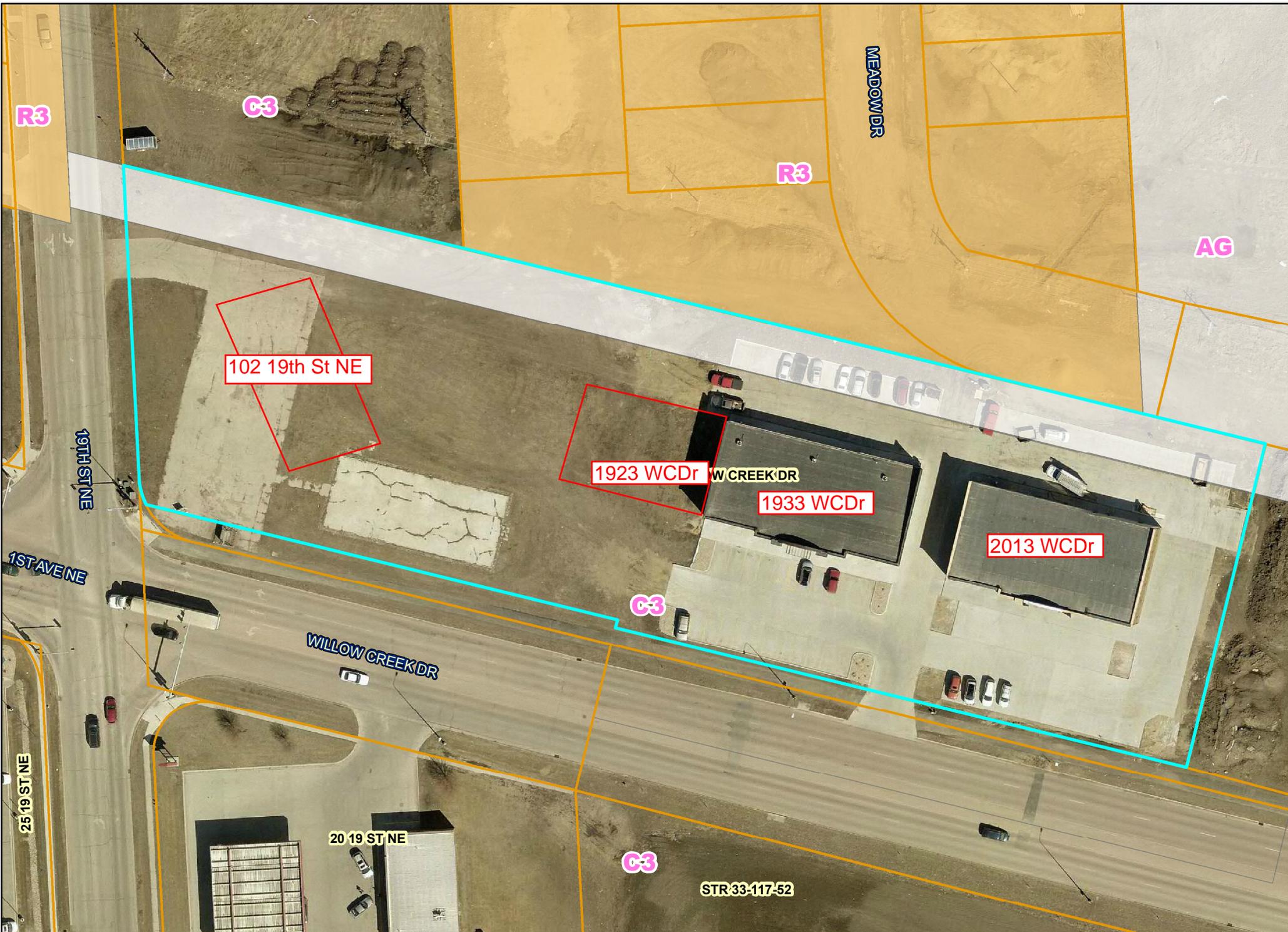
SCALE: 1" = 60'

DRAWN BY: CBD

JOB NO.: 2014-211

SHEET 1 OF 1

Prime Site Center, LLC



STAFF REPORT

Conditional Use Application #17026

Owner/Applicant: **Tyler Waldner for Prime Site Center, LLC**
 Property Address: **1923, 1933 & 2013 Willow Creek Dr**
 Legal: **Lot 1, MarvinEd 2nd Addition**

Conditional Use Request:

Applicant seeks approval for the **sale, serving, & consumption of alcoholic beverages** at this property located in the C-3 Highway Commercial, GT-1 Gateway Overlay, and A-1 Agricultural Districts; pursuant to Section 21.2803(3) *Bar or Tavern*, and contingent upon compliance with:

- *Specific Rules Governing Individual Conditional Uses* including but not limited to §21.0202(2)b(6a-h).

	<u>C-3 & GT-1 District Regs:</u>	<u>Subject Parcel:</u>
Minimum Lot Area:	20,000 sq ft	±3 Acres
Minimum Lot Width:	100'	±198'
Bldv/Infra Rqts (21.73):	15' grass blvd w/21 <i>perimeter</i> trees	16 shown
Infr Rqts (21.73):	sidewalk/trl, c/g	bike path exists
Min. Off-St Pkg (21.63):		sufficient

BP HISTORY:

2012	14757	Fiechtner	1933 Willow Creek Dr commercial building
2013		PSC	3 tenant finishes Meyer Ins, Dynamic Realty, Prestige Salon
2013	15183	PSC	2013 Willow Creek Dr strip mall
2014		PSC	2 tenant finishes: Main Stream Btq, Oscars Nails
2015	16348 & 16367	PSC	spec building & CU for carwash (see attached BOA mins)
2015	16352	PSC	1923 Willow Creek Dr building addn (to 1933 WCD)

Bar or Tavern: any establishment, including restaurants and gambling establishments, licensed to sell alcoholic beverages for consumption upon the premises where sold or provided. The term bar or tavern shall also include establishments licensed to sell alcoholic beverages for consumption off the premises where sold.

Off-sale: the sale, in original packages, at retail for consumption off or away from the premises where sold.

On-sale: the sale, by the glass or in mixture, for consumption on the premises only.

STAFF FINDINGS: (all public notice requirements have been met)

Bar/Tavern is a listed Conditional Use in the C-3 Highway Commercial District per §21.2803(3). If approved, tenants leasing space in these buildings will apply to the City Council for both on-sale and off-sale Alcoholic Beverage Licenses (ABLs). Note: It is **not** required that property approved under this Conditional Use Permit reappear before this Board for changes to the Alcoholic Beverage License(s).

§2.0102 Location

- The C-3 Highway Commercial District is exempt from this section of the Ordinance.

The following requirements and regulations of the Ordinance are to be considered for approval; applicant submitted the **attached Written Request, Site Plan, & Floor Plan(s)**, which reflect compliance (or noncompliance) with:

§21.0202(2)b(6a-h) Specific Rules Governing Individual Conditional Uses (ingress/egress, OSP/loading, screening/buffering, signage, exterior lighting, req'd yds/open space, & general compatibility):

- All signage will comply with the Sign Ordinance. See Written Request.

Chapter 21.54 GT-1 Gateway Overlay District:

- The property has been reviewed for compliance with the GT-1 regulations as a requirement of each Building Permit.

Chapter 21.63 Off-Street Parking and Loading Requirements and Engineering Design Standards:

- There is a 30' wide Drainage and Utility Easement along the entire north side of this property, which is zoned A-1 Agricultural; it is being used to satisfy off-street parking requirements for this facility. See Site Plan.

Chapter 21.65 Outside Storage and Display Requirements for Specific Uses:

- Not addressed. Typical to other C-3 zoned retail and service establishments.

Chapter 21.73 Landscape and Lighting Standards:

- Lighting, and required Screening of parking lot from adjacent residentially used property is not addressed.
- All outside dumpsters or other garbage receptacles on the site shall be screened by an opaque fence or wall.

This Board must determine if satisfactory provision and arrangement has been made concerning **§21.0202(2)b(6a-h)** and **Chapters 21.54, 21.63, 21.65, & 21.73** for such use(s) to be operated at this location. If endorsed, Staff recommends that the motion specify that approval is granted to: the entire property, **or** is limited to either: the retail buildings (1923, 1933, &/or 2013 WCR), or just the spaces (suites) identified.

See attached

Written Request, Site Plan, Floor Plan, Vicinity/Zoning & Site Maps, BOA mins

Mtg date: Oct 6, 2016