

**Proposed Agenda  
WATERTOWN CITY PLAN COMMISSION  
City Council Chambers  
23 Second Street NE**

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**Thursday, February 9, 2017**

**4:15 pm**  
(Immediately following the  
Board of Adjustment Meeting)

Call to Order

Roll Call

1. Approval of Agenda
  2. Approval of minutes from the January 5<sup>th</sup>, 2017 meeting.
  3. A Resolution Amending Title 21 of the Revised City Ordinances of the City of Watertown to Remove Zoning Restrictions on Casino or Gambling Establishment Locations
    - a. Public Hearing
    - b. Commission Action on Resolution 2017-01
  4. Annexation and Zoning of Rogers Outlot No. 2 less all platted parcels
    - a. Public Hearing
    - b. Commission Action on Resolution 2017-03 (Annexation)
    - c. Commission Action of Resolution 2017-04 (Zoning)
  5. Preliminary Plan of New Venture 3<sup>rd</sup> Addition
    - a. Public Hearing
    - b. Commission Action of Resolution 2017-05 (Preliminary Plan)
  6. Plat of East Park Second Addition
    - a. Public Hearing
    - b. Commission Action on Resolution 2017-08
  7. Old Business
    - a. Plat of Stony Point Third Addition – Discussion
    - b. Update on R-G Residential Garage District Maximum Side Wall Ordinance Amendment
  8. New Business
  9. Executive Session
  10. Motion to Adjourn
- 

**COMMISSION MEMBERS:**

Please notify Lori at 882-6202 X 3549 or email: [lmarscheider@watertownsd.us](mailto:lmarscheider@watertownsd.us)  
as soon as possible upon receipt of this Agenda if you will **not** be able to attend the meeting.

**OFFICIAL PROCEEDINGS  
PLAN COMMISSION  
CITY OF WATERTOWN, SD**

**January 5, 2017**

Members Present: Shriver, Arnold, Stein, Stonebarger, Maguire, Dahle

Absent: Hanson, Albertsen

Also Present: Brandi Hanten, Pete Boyle, Mark Meier, Jill Steiner, Ken Bucholz, Shane Waterman, Mayor Thorson, Luke Muller, Bill Folkerts, & Scott Calvert

**Approval of Agenda:**

Motion was made by Stonebarger and seconded by Stein to approve the agenda. Motion carried unanimously.

**Approval of Minutes:**

Motion was made by Maguire and seconded by Stonebarger to approve the minutes from the November 10, 2016 meeting. Motion carried unanimously.

**An Ordinance Amendment to Watertown Zoning Ordinance Regarding Home Occupations (Chapter 21.70)**

Justin Goetz, City Attorney, explained the concept originally articulated by Mayor Thorson, for the proposed Ordinance amendment. Commercial and business endeavors are predominantly restricted to commercial and industrial zoning districts per Watertown Zoning Ordinance. Yet there are a number of individuals within our community that carry out commercial or compensated efforts in their own homes—many of whom do so without impacting their neighbors’ homes and residential property in any way. There are also certain kinds of home-based business and employment that may begin to impact the solitude and residential character of a neighborhood. To protect these individuals’ investments, as well as the quality of life of their neighbors, the City of Watertown has adopted a regulatory framework to permit some types of home-based businesses and employment by regulating them as “Home Occupations.” Specifically, the Board of Adjustment has been empowered to issue conditional use permits for these “Home Occupations” in Chapter 21.70 of the Revised Ordinances of the City of Watertown. This amendment seeks to further focus Chapter 21.70 to fulfill the purpose of zoning ordinance—to protect neighborhood uses and property interests—by specifying what would be considered home occupations that require a permit because of their potential to impact the neighborhood and what home based businesses would not need to receive a permit. Mayor Thorson endorsed the amendment and noted that an update is necessary because of the current business trends and changes in technology. Ken Bucholz, Building Official, confirmed that a home occupation is a Conditional Use Permit, but as long as the business falls within the parameters of the ordinance amendment, a Conditional Use permit would not be necessary for that specific home occupation. Motion was made by Stein to approve the ordinance amendment and seconded by Maguire to approve Resolution 2016-34. Motion carried unanimously.

**Old Business:**

None

**New Business:**

**Hospitality Addition Concept Plan- Discussion**

Brandi Hanten, Urban Planner, explained that before going forward with plans, Mr. Folkerts wants discussion from the Plan Commission. The area distinguished by Proposed Lot 1 (Roger’s Outlot No. 2) on the Concept Plan would have to be annexed and zoned. Mr. Folkerts would also be required to ask for a variance on the setback along the proposed 35<sup>th</sup> St SE as it would become a subsequent frontage to the existing Quality Inn & Suites structure, which in the C-3 Zoning District requires a 40’ front setback. Also, the Design Review Team acknowledges that the adjacent development has a 60’ right-of-way, which makes it comfortable extending the 60’ ROW N on the proposed 35<sup>th</sup> St SE. However, the Design Review

**OFFICIAL PROCEEDINGS  
PLAN COMMISSION  
CITY OF WATERTOWN, SD**

**January 5, 2017**

Team would like to see a 66' ROW extending E-W on the Proposed 7<sup>th</sup> Ave SE. Mr. Folkerts is proposing a 60' ROW designation throughout the new development. Pat Shriver asked if Mr. Folkerts would have to get the variance before the road goes through. Ken Bucholz, Building Official, confirmed he would not be required to get a variance but acknowledged that by placing the road closer to the building than the required front setbacks would make the building non-conforming, which would require a variance in the future, if any improvements were to be made to the structure. Shane Waterman, City Engineer, noted that the City usually requests a 66' ROW, while Mr. Folkerts is requesting 60' and is proposing slightly smaller pavement road widths than usual for a commercial district, as well. During their meeting, the Design Review Team was okay with the slightly narrower pavement width as long as off-street parking is accommodated, which Mr. Folkerts's plan shows. Shriver pointed out that in the past they have limited the parking on the roadway to accept a proposed narrower road width. With the proposed 35<sup>th</sup> St SE running to the West of the current Quality Inn & Suites, it would turn the current side yard setback to a front yard setback and would deem the structure non-conforming if constructed. Waterman added that by moving 35<sup>th</sup> St SE farther to the West, for which there is room, would eliminate the variance by being able to conform to the 40' requirement but that compromised his fit of his plan for what could go into the proposed Lot 4. The Design Review Team acknowledged what is required by ordinance but also recognized that they do not vote which is why they wanted to bring it to the board that makes the recommendation going forward. Hanten informed the board that they will be seeing the annexation and zoning of Roger's Outlot (part of the concept plan) in the near future.

**Increase Maximum Side Wall Height for the R-G Residential Garage District- Discussion**

Brandi Hanten, Urban Planner, explained that the idea of an increased maximum side wall height was brought to staff's attention which prompted the initiation of this discussion with the Plan Commission. The desire would be to have a 16' maximum side wall height so a 14' door could be installed. This proposed amendment would only be applicable to the R-G District. The stated purpose of the Residential Garage District allows for the construction of a residential garage on a lot that does not contain a residential dwelling unit, and therefore, becomes the primary structure. The permitted use for the Residential Garage District is as stated in Section 21.2302: 1. Garage for residential storage use. To protect the nature of a residential district, the current requirements of the Residential Garage District would remain the same (unless specified otherwise). Hanten then turned the conversation over to Dennis Arnold, which Arnold explained that he is in favor of the R-G District, just feels that the maximum height is not large enough to enable people to store some vehicles/equipment, with pontoons and an average camper requiring a 14' door to fit. Shriver pointed out where some of the R-G Districts have popped up since the Ordinance was passed in 2013. Dahle mentioned his concern about architectural features to make sure the buildings are aesthetically appealing while they will be adjacent to residential districts. Bucholz cautioned the board that possibly they should start out with a shorter side wall and to consider a taller side wall in specific situations to make sure they are comfortable with the architecture of the proposed larger structure. Waterman also mentioned the R-G District could be used as a buffer/transition zone between residential and commercial areas.

The sign off percentage also was negotiated. Currently, in ordinance, there must be a 100% written consent of all property owners owning property immediately adjacent to the proposed zone and a 50% written consent of all property owners within two hundred and fifty feet of the proposed zone. Arnold also brought up that connection to sanitary sewer, currently, is not allowed per ordinance but thought the board should consider allowing a bathroom in these buildings. Arnold acknowledged that these buildings would not be living quarters and understands the board's concern with possible issues with the ability to hook up to sewer; he just thinks for the convenience of having a large, nice garage, the ability to have a bathroom would be ideal. Shriver noted that having only a bathroom does not consider the structure living quarters. Bucholz confirmed that you need a kitchen, sleeping area, and bathroom for a structure to be considered living quarters. Currently, detached structures are able to have bathrooms in residential districts. Mayor

**OFFICIAL PROCEEDINGS  
PLAN COMMISSION  
CITY OF WATERTOWN, SD**

**January 5, 2017**

Thorson agrees that allowing for bathrooms in the R-G District is a good idea. The board came to the conclusion that they agreed with raising the maximum side wall to 16', for the written consent percentage to be 55% instead of 100% of all property owners owning property immediately adjacent to the proposed zone, agreed to allow sanitary sewer connection, and decided to leave the finishes for structure aesthetics to the Building Official's discretion. Hanten informed the Plan Commission to expect the Ordinance amendment to be brought back in the near future for public hearing and action.

**Executive Session:**

Not held

Motion to adjourn was made by Dahle and seconded by Stein. Motion carried unanimously.

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Pat Shriver, Chairman

## MEMORANDUM

TO: Watertown Plan Commission

FROM: Justin Goetz, City Attorney

MEETING DATE: February 9, 2017

RE: Request to Initiate Amendment to Watertown Zoning Ordinance  
Removing Restrictions on Casino and Gambling Establishments

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### *Background:*

Casinos and gambling are controversial subjects, so it is only with a clear need to act that I bring this suggestion before the Commission. The controversial nature of this topic is seen in many places in our laws, including the strict controls provided by state and federal law, as well as in our existing zoning ordinances. Currently, any establishment that operates bingo, lottery, or video lottery games and makes more than 50% of its gross receipts from said games needs to obtain a conditional use permit as a “Casino or Gambling Establishment” in order to operate in a C-1, C-2, or C-3 zoning district within the City of Watertown. *See* Rev. Ord. §§ 21.2403(21), 21.2603(5), 21.2803(4). Such establishments are banned outright in the City’s Gateway Overlay District. *See* Rev. Ord. § 21.5404(3)(a).

Yet it is the very controversial nature of this topic that legally requires the City eliminate any unique zoning restrictions on Casino and Gambling Establishments. Specifically, the South Dakota Supreme Court’s 2011 ruling in *Law v. City of Sioux Falls*, 804 N.W.2d 428, established that the State preempted all municipal gambling regulations by occupying essentially the entire field of gambling regulation in general, and video lottery regulation in particular:

A municipality may exercise any power or perform any function not prohibited by our constitution and laws. S.D. Const. art. IX, § 2. Yet we have repeatedly noted that municipal corporations possess only those powers given to them by the Legislature. *State ex rel. Jackley v. City of Colman*, 2010 S.D. 81, ¶ 5, 790 N.W.2d 491, 493; *Elkjer v. City of Rapid City*, 2005 S.D. 45, ¶ 9, 695 N.W.2d 235, 239; *Olesen v. Town of Hurley*, 2004 S.D. 136, ¶ 15, 691 N.W.2d 324, 328; *City of Rapid City v. Rensch*, 77 S.D. 242, 246, 90 N.W.2d 380, 383 (1958). Therefore, while a municipality clearly has the power to enact zoning ordinances, SDCL 9–19–3; SDCL ch. 11–4, no municipality may enact a law regulating a subject where the State has wholly occupied the field of that subject, to the exclusion of any local regulation. *See Minn. Agric. Aircraft Ass’n v. Twp. of Mantrap*, 498 N.W.2d 40, 42 (Minn.Ct.App.1993). It is of no consequence that a

municipality's regulation coincides with or is complementary to the state law; a municipality is precluded from enacting any regulation related to the subject preempted. *Id.*

...

Gambling was illegal in South Dakota until our constitution was amended in 1986. The amendment legalizing gambling specifically provided that it would be “regulated by the State of South Dakota[.]” *See* S.D. Const. art. III, § 25. Under that authority, the Legislature enacted SDCL ch. 42–7A. After defining certain terms, the Legislature specifically provided that “[t]he overall management of the state lottery and control over the operation of its games shall rest solely with the South Dakota Lottery,” which is a division of the Department of Revenue and Regulation. SDCL 42–7A–2. The Legislature also provided that an executive director shall administer the state lottery as set forth in SDCL ch. 42–7A. *Id.* In so administering, “[t]he executive director may approve or disapprove any application for license ... depending upon ... whether the executive director considers the *proposed location suitable*.” SDCL 42–7A–57 (emphasis added). There is no similar statute creating municipal administration, operation, or control over the lottery. *See Idaho Dairymen's Ass'n, Inc.*, 227 P.3d at 913 (some regulation power given to counties). In fact, in SDCL 9–29–5, the Legislature expressly stated that municipalities may not suppress lotteries “owned and operated by this state.” From the whole law, it is reasonable to infer that the Legislature intended the State to have all power to control, regulate, and manage video lottery.

*Law*, 2011 S.D. 63, ¶¶ 9, 11, 804 N.W.2d 428, 431–32, 32–33. In other words, the Court recognized that the State took on all regulatory authority over gambling, in part, to prevent local interference in gambling—hearkening back to its controversy.

In addition to the above findings, the Court’s decision in *Law* affirmed the invalidity of a Sioux Falls city zoning ordinance establishing a conditional use permit and unique location requirements for on-sale alcoholic beverage establishments with video lottery. *See id.* ¶¶ 13-14, 804 N.W.2d at 433-34. The Court did, however, clarify that “the City is still empowered to zone and dictate where alcoholic beverage establishments may or may not be located,” *id.* ¶ 16, 804 N.W.2d at 434, which is a necessary prerequisite for whether an establishment is able to operate video lottery. Further, the Court noted that “[i]n only one statute is a municipality given any power with regard to video lottery. SDCL 42-7A-64 allows a municipality to consider, when issuing two types of on-sale alcoholic beverage licenses, certain factors relevant to the placement of video lottery machines.” With that small opening, the Watertown City Council is empowered to consider certain video lottery concerns, but only in approving or rejecting the *application* for the underlying on-sale wine or malt beverage alcoholic beverage license to which the applicant seeks to attach video lottery.

*Rationale in Support of Amendment:*

The proposed ordinance seeks to amend the Revised Ordinances to eliminate any unlawful, preempted zoning restriction on casinos and gambling, as indicated by *Law v. City of Sioux Falls*. The Board of Adjustment retains the ability to regulate the location of the underlying alcoholic beverage license, and the City Council retains the ability to reject a retail wine or retail malt beverage license application based on certain video lottery-based criteria (however, renewals or transfers are not subject to rejection based on those criteria, only applications). The definition of “Casino or Gambling Establishment” is also struck to further indicate that unique zoning regulations of that particular use are prohibited.

**REPORT AND RECOMMENDATION OF THE  
CITY PLAN COMMISSION**

TO THE CITY COUNCIL OF THE CITY OF WATERTOWN, SOUTH DAKOTA:

The undersigned hereby certifies that the following is a true, correct and complete copy of a Resolution introduced, fully discussed, and approved and adopted during the duly called meeting of the City Plan Commission held on the 9<sup>th</sup> day of February, 2017:

**RESOLUTION 2017-01**

**AN ORDINANCE AMENDING TITLE 21 OF THE REVISED ORDINANCES OF THE  
CITY OF WATERTOWN TO REMOVE ZONING RESTRICTIONS ON CASINO OR  
GAMBLING ESTABLISHMENT LOCATIONS**

**BE IT ORDAINED** by the City of Watertown, South Dakota, that Section 21.2403 of the Revised Ordinances of the City of Watertown be amended as follows:

**Chapter 21.24  
C-1 COMMUNITY COMMERCIAL DISTRICT**

...

**21.2403: CONDITIONAL USES**

- |  |   |
|--|---|
| 1. Lumberyard.                                 | 13. Bed and Breakfast.                                    |
| 2. Bakery.                                     | 14. Civil/Social Organizations.                           |
| 3. Truck or Bus Terminal.                      | 15. Social Assistance.                                    |
| 4. Bar or Tavern.                              | 16. Religious Institutions.                               |
| 5. Reserved. (Ord 04-44; Rev 03-26-04)         | 17. Theater.  |
| 6. Manufacture/assembly of products and goods. | 18. Clinic.   |
| 7. Wholesale merchandising.                    | 19. Convention Center/Banquet Facility.                   |
| 8. Day Care Facility (Non-residential).        | 20. Warehouse.  |
| 9. Apartment houses.                           | <del>21. Casino or Gambling Establishment.</del>          |
| 10. Hotel/Motel/Inn.                           | <del>22</del> 21. Recreational Use.                       |
| 11. Storage Units.                             | <del>23</del> 22. Service Station – Motor Vehicle.        |
| 12. Contractor Shops & Storage Yards.          | <del>24</del> 23. Car Wash (automatic or semi-automatic). |
- 
25. Apartments (over 4 units) using the upper floors of commercial buildings.
  26. Apartment(s) located on the main level at the rear of a commercial building. Access and parking must be located in the rear.
  27. Any and all permitted uses in the R-1 “Single Family Residential District” or R-3 “Multi-Family Residential District,” where such use existed prior to the adoption of this conditional use, and where such conditional use, if granted, will be limited to the rebuilding or remodeling of such pre-existing use, and specifically excluding any new construction otherwise permitted in either the R-1 or R-3 Districts.
  28. Other uses which in the opinion of the Board of Adjustment are of the same general character.
  29. Radio and television studios, communication transmitting and receiving towers. (Ord 13-12; Rev 06-14-13)

**BE IT FURTHER ORDAINED** by the City of Watertown, South Dakota, that Section 21.2603 of the Revised Ordinances of the City of Watertown be amended as follows:

**Chapter 21.26  
C-2 LOCAL COMMERCIAL DISTRICT**

...

**21.2603: CONDITIONAL USES**

1. Car Wash (automatic or semi-automatic).
2. Service Station – Motor Vehicle.
3. Hotel/Motel.
4. Bar or Tavern.
- ~~Casino or Gambling Establishment.~~
5. Restaurant.
6. Day Care Facility (Non-residential).
7. Assisted Living Center (Ord 06-31; Add 01-25-07)
8. Clinic, (Ord 06-31; Add 01-25-07)
9. Storage Units. (Individual units must be less than or equal to (≤) six hundred (600) sf)
10. Funerary Service (Ord 08-04; Rev 04-11-08)
11. Other uses which in the opinion of the Board of Adjustment are of the same general character.

**BE IT FURTHER ORDAINED** by the City of Watertown, South Dakota, that Section 21.2803 of the Revised Ordinances of the City of Watertown be amended as follows:

**Chapter 21.28  
C-3 HIGHWAY COMMERCIAL DISTRICT**

...

**21.2803: CONDITIONAL USES**

- |   |   |
|---|---|
| 1. Car Wash (automatic or semi-automatic).      | <del>98.</del> Campground. (Ord 04-04; Rev 03-26-04).                 |
| 2. Theater.                                     | <del>109.</del> Apartments.   |
| 3. Bar or Tavern.                               | <del>101.</del> Day Care Facility (Non-residential)                   |
| <del>4. Casino or Gambling Establishment.</del> | <del>112.</del> Storage units.  |
| <del>54.</del> Truck or Bus Terminal.           | <del>123.</del> Contractor Shops & Storage Yards.                     |
| <del>65.</del> Bottling works.                  | <del>134.</del> Light manufacturing.                                  |
| <del>76.</del> Lumberyard.                      | <del>145.</del> Funerary Service. (Ord 08-04; Rev 04-11-08)           |
| <del>87.</del> Grain elevators and terminal.    | <del>156.</del> Funerary Service (Non Human)(Ord 08-04; Rev 04-11-08) |
- ~~167.~~ Wholesale establishment or warehouse in a completely enclosed building.
- ~~178.~~ Any and all permitted uses in the R-1 “Single Family Residential District” or R-3 “Multi-Family Residential District,” where such use existed prior to the adoption of this conditional use, and where such conditional use, if granted, will be limited to the rebuilding or remodeling of such pre-existing use, and specifically excluding any new construction otherwise permitted in either the R-1 or R-3 Districts.
- ~~189.~~ Other uses which in the opinion of the Board of Adjustment are of the same general character as those enumerated in the C-3 District.
- ~~1920.~~ Radio and television studios, communication transmitting and receiving towers. (Ord 13-12; Rev 06-14-13)
- ~~201.~~ Schools offering post secondary education. (Ord 14-38; Rev 01-10-15)

**BE IT FURTHER ORDAINED** by the City of Watertown, South Dakota, that Section 21.5404 of the Revised Ordinances of the City of Watertown be amended as follows:

**Chapter 21.54  
“GT-1” GATEWAY OVERLAY DISTRICT**

...

**21.5404: GATEWAY OVERLAY DISTRICT USE REGULATIONS**

Any activity on, or use of, any land which lies within the GT-1 Gateway Overlay District shall conform to the following regulations and procedures:

1. Permitted Uses in the GT-1 Gateway Overlay District.

The same ~~as~~-underlying zoning district uses may be allowed provided they meet the conditions described herein.

2. Conditional Uses in the GT-1 Gateway Overlay District:-

- a. The same ~~as~~-underlying zoning district uses may be allowed, provided they meet the conditions described herein; and
- b. Outside storage and display
- c. Dwelling units may be permitted in the same structure, with other non-residential uses, provided such residential use is located above the first floor, and all floors shall contain only one use. No dwelling units will be allowed in conjunction with any motor vehicle service station (see service station – motor vehicle in definitions). (Ord 12-02; Rev 01-27-12)

~~3. Prohibited Uses in the GT-1 Gateway Overlay District.~~

- ~~a. Casino or Gaming Establishments~~

**BE IT FURTHER ORDAINED** by the City of Watertown, South Dakota, that Chapter 21.90 of the Revised Ordinances of the City of Watertown be amended as follows:

**Chapter 21.90  
DEFINITIONS**

...

~~**Casino or gambling establishment:** an establishment that operates gambling facilities, such as video gaming terminals. A casino or gambling establishment may provide food and beverage services. The term casino or gambling establishment shall not include full service restaurants/bars/taverns where gambling receipts do not exceed fifty percent (50%) of the total gross receipts of the business.~~

I hereby certify that the above Resolution 2017-01 was duly adopted by the City Plan Commission of the City of Watertown.

Dated this 9<sup>th</sup> day of February, 2017

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Pat Shriver, Chairman  
Watertown City Plan Commission

## Request for Plan Commission Action

**TO:** Plan Commission  
**THROUGH:** Pat Shriver, Chairman  
**FROM:** Brandi Hanten, Urban Planner  
**MEETING DATE:** February 9, 2017  
**SUBJECT:** Rogers Outlot No. 2 less all platted parcels located in the SW1/4 of Section 34, Township 117 North, Range 52 West of the 5<sup>th</sup> P.M., Codington County, South Dakota.

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**Petitioner:** Bill Folkerts, Venerts Investments, Owner of property

**Background:** Petitioners submitted application and petition on January 11<sup>th</sup>, 2017 requesting approval for Annexation and C-3 Highway Commercial Zoning Designation.

**Facts:**

1. Adjacent Zoning Designation:
  - C-3 Highway Commercial District South
2. Adjacent public right-of-ways will be included in the annexation and zoning of the property.
3. C-3 Minimum Lot Requirements: *(meets all requirements)*
  - Min. Lot Area: 20,000 sf
  - Min. Lot Width: 100 ft
  - Min. Front Yard: 40 ft
  - Min. Side Yard: 20 ft
  - Min. Rear Yard: 30 ft
4. Municipal Utilities will provide service to the annexed property.
5. 4.1 acres
6. Is not in the floodway or floodplain.
7. Does not need park dedication since proposed zoning is commercial

**Recommendation:** Staff recommends that the Plan Commission approve the application to annex and zone the above property.

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**Action:** Plan Commission decision Resolution 2017-03 (Annexation)  
Plan Commission decision Resolution 2017-04 (Zoning)

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**History:** 01/11/17 Petition and plans received  
02/09/17 Plan Commission Public Hearing (Annexation, & Zoning)

**Future:** 02/21/17 City Council First Reading (Zoning)  
03/06/17 City Council Public Hearing & Action (Annexation & Zoning)  
03/11/17 Published – *if Approved*  
03/31/17 Effective

Prepared by:  
Aason Engineering Co., Inc.  
1022 6<sup>th</sup> Street SE  
Watertown, SD 57201  
Phone: 605-882-2371

**PETITION FOR ANNEXATION OF PROPERTY**  
**TO THE CITY OF WATERTOWN,**  
**CODINGTON COUNTY, SOUTH DAKOTA**

To the Honorable Steve Thorson, Mayor, and to the City Council of the City of Watertown, Codington County, South Dakota:

The undersigned, as owners of real property located in Codington County, South Dakota, currently outside the city limits and described as:

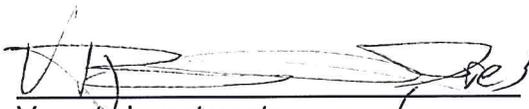
***Rogers Outlot No. 2 less all platted parcels located in the SW1/4 of Section 34, Township 117 North, Range 52 West of the 5<sup>th</sup> P.M., Codington County South Dakota.***

Do hereby petition the City of Watertown, Codington County, South Dakota, to include said property within the limits of the City, pursuant to SDCL 9-4-1, as shown on the exhibit drawing attached hereto and incorporated by reference.

Petitioners certify that there are no legal voters residing upon subject property and that it is contiguous to the City of Watertown.

Petitioners further request that the zoning ordinance of the City of Watertown be amended to include said property and that proposed property be zoned C-3 (Highway Commercial) under the zoning ordinances of the City of Watertown.

Dated this 10<sup>th</sup> day of January, 2017, A.D.

  
\_\_\_\_\_  
Venerts Investments



# EXHIBIT "A"

SWI 34-117-52

Area to be Annexed

ROGER'S OUTLOT NO. 2

COUNTRY CAMPING  
ADDITION

NEW VENTURE

SECOND ADDITION

WATERTOWN

HOSPITALITY

ADDITION

ROAD LINE  
INTERSTATE 29

8th Avenue South

36th Street Circle





**Report and Recommendation of City Plan Commission for Annexation**

**To the City Council of the City of Watertown, Codington County, South Dakota:**

The undersigned hereby certifies that the following is a true, correct and complete copy of a Resolution introduced, fully discussed, and adopted at the duly called meeting of the Watertown City Plan Commission on the 9<sup>th</sup> day of February, 2017.

**RESOLUTION 2017-03**

**BE IT RESOLVED** by the City Plan Commission of the City of Watertown, South Dakota, that

**WHEREAS**, Petitioner, Bill Folkerts, Venerts Investments, the owner of real property in Codington County described as:

*Rogers Outlot No. 2 less all platted parcels located in the SW1/4 of Section 34, Township 117 North, Range 52 West of the 5<sup>th</sup> P.M., Codington County, South Dakota.*

which upon platting will be known as **New Venture 3<sup>rd</sup> Addition to the Municipality of Watertown,**

has petitioned the Council of the City of Watertown, Codington County, South Dakota, to include said property within the limits of the City pursuant to Section 9-4-1 SDCL 1967 and acts amendatory thereof; and

**WHEREAS**, Petitioner states that there are no legal voters residing on said property; and

**WHEREAS**, the property petitioned for annexation is contiguous to the City of Watertown; and

**WHEREAS**, the City Plan Commission of the City of Watertown, South Dakota, has had an opportunity to review said Petition for annexation;

**NOW THEREFORE**, the City Plan Commission of the City of Watertown hereby recommends to the City Council of the City of Watertown that:

1. the above-described property be annexed into the City limits with no zoning designation; and
2. an appropriate zoning designation be assigned to said property upon recommendation of the Plan Commission and following a public hearing of the City Council;
3. the adjacent public right-of-way be annexed contemporaneously with the annexation of the above referenced property; and

I further certify that the foregoing Resolution is now in full force and effect and unrevoked.

Dated this 9<sup>th</sup> day of February, 2017

\_\_\_\_\_  
Pat Shriver, Chairman  
Watertown City Plan Commission

**Report and Recommendation of City Plan Commission for Zoning**

**To the City Council of the City of Watertown, Codington County, South Dakota:**

The undersigned hereby certifies that the following is a true, correct and complete copy of a Resolution introduced, fully discussed, and adopted at the duly called meeting of the Watertown City Plan Commission held on the 9<sup>th</sup> day of February, 2017.

**RESOLUTION 2017-04**

**BE IT RESOLVED** by the City Plan Commission of the City of Watertown, South Dakota, that:

**WHEREAS**, Bill Folkerts, Venerts Investments, the owner of real property currently outside the city limits of the Municipality of Watertown, South Dakota, and described as:

*Rogers Outlot No. 2 less all platted parcels located in the SW1/4 of Section 34, Township 117 North, Range 52 West of the 5<sup>th</sup> P.M., Codington County, South Dakota.*

which upon platting will be known as **New Venture 3<sup>rd</sup> Addition to the Municipality of Watertown,**

has petitioned the City of Watertown, pursuant to Watertown Revised Ordinance §21.0209, for the adoption of an ordinance to change the zoning district boundaries of the City by establishing the zoning designations for the above described property as *C-3 Highway Commercial District*.

**WHEREAS**, the City Plan Commission of the City of Watertown has reviewed the petition, investigated and determined that the proposed change in zoning district boundaries meets all requirements set forth by City ordinance and is in accordance with the orderly planned development of the City;

**NOW, THEREFORE**, the City Plan Commission of the City of Watertown does hereby recommend to the City Council of the City of Watertown that:

- 1) it adopt an Ordinance establishing the zoning designation for the above described property as *C-3 Highway Commercial District* pursuant to Watertown Revised Ordinance §21.38, and
- 2) the *C-3 Highway Commercial District* include all adjacent public rights-of-way.

I hereby certify that the foregoing resolution was duly adopted by the City Plan Commission of the City of Watertown.

Dated this 9<sup>th</sup> day of February, 2017

\_\_\_\_\_  
Pat Shriver, Chairman  
Watertown City Plan Commission

## Request for Plan Commission Action

**TO:** Plan Commission  
**THROUGH:** Pat Shriver, Chairman  
**FROM:** Brandi Hanten, Urban Planner  
**MEETING DATE:** February 9, 2017  
**SUBJECT:** New Venture 3<sup>rd</sup> Addition Preliminary Plan

---

**Petitioner:** Bill Folkerts, New Venture, Inc, Owner of property

**Background:** Petitioner submitted preliminary plans on January 26<sup>th</sup> requesting approval of New Venture 3<sup>rd</sup> Addition. This plan has been brought before you previously as new business during the January 19<sup>th</sup> Plan Commission Meeting. Scott Calvert, of Aason Engineering, and Bill Folkerts made some changes to the preliminary plan. They are proposing approval of the preliminary plan that was conceptually brought to the previous meeting for discussion. Calvert addressed concerns mentioned by the board and took into consideration their recommendations.

**Facts:**

1. Adjacent zoning designation: C-3 Highway Commercial District
2. New Venture 3<sup>rd</sup> Addition Proposed Zoning: C-3 Highway Commercial District
3. 21.1003 Non-Residential Height & Placement Regulations: *C-3 Districts*
  - a. Minimum lot area: 20,000 sf
  - b. Minimum lot width: 100'
  - c. Minimum Required Front Yard: 40'
  - d. Minimum Required Side Yard: 20'
  - e. Minimum Required Rear Yard: 30'
  - f. Maximum Mean Height: 60'
4. Plan will create 6 Lots. Lot 4 (Detention Pond) will be dedicated to the City of Watertown
5. Proposed 60' ROW in conformance with adjacent developments. City standard has been 66' for public right-of-ways
6. Proposing 36' Public streets on Proposed 35<sup>th</sup> St SE and Proposed 7<sup>th</sup> Ave SE
7. Proposing 28' Private Drive West of Lot 6

8. Proposed 35<sup>th</sup> St SE will make the existing structure of Quality Inn & Suites **non-conforming by not meeting the 40' front yard setback** as required by zoning ordinance. To obtain building rights to Lot 5, property owner would have to receive a variance from the Board of Adjustment
9. **Sidewalks are proposed for one side of the street, non-conforming with ordinance 24.0510(1)** stating *concrete sidewalks shall be constructed along each side of every street shown on the plat...*
  - a. According to 24.0510(4) Alternative pedestrian routes may be considered by the Plan Commission in lieu of or in addition to sidewalks.
10. 100 year floodplain is not present on site
11. Detention pond is required to hold 2 year capacity volume for the Willow Creek watershed
12. BMP Development Agreement for stormwater pond will be made between New Venture Inc and the City to ensure maintenance is accounted for.

**Staff Concerns:**

1. No utility easement distinguished behind Comfort Inn & Suites
2. Pertinent drainage information is missing from preliminary plan
  - a. Present information as a Stormwater Pollution Prevention Plan (SWPPP) before grading permit is issued.

**Recommendation:** Staff recommends that the Plan Commission approve the preliminary plan of New Venture 3<sup>rd</sup> Addition with conditions.

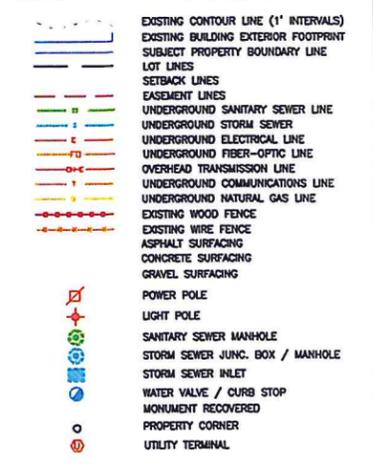
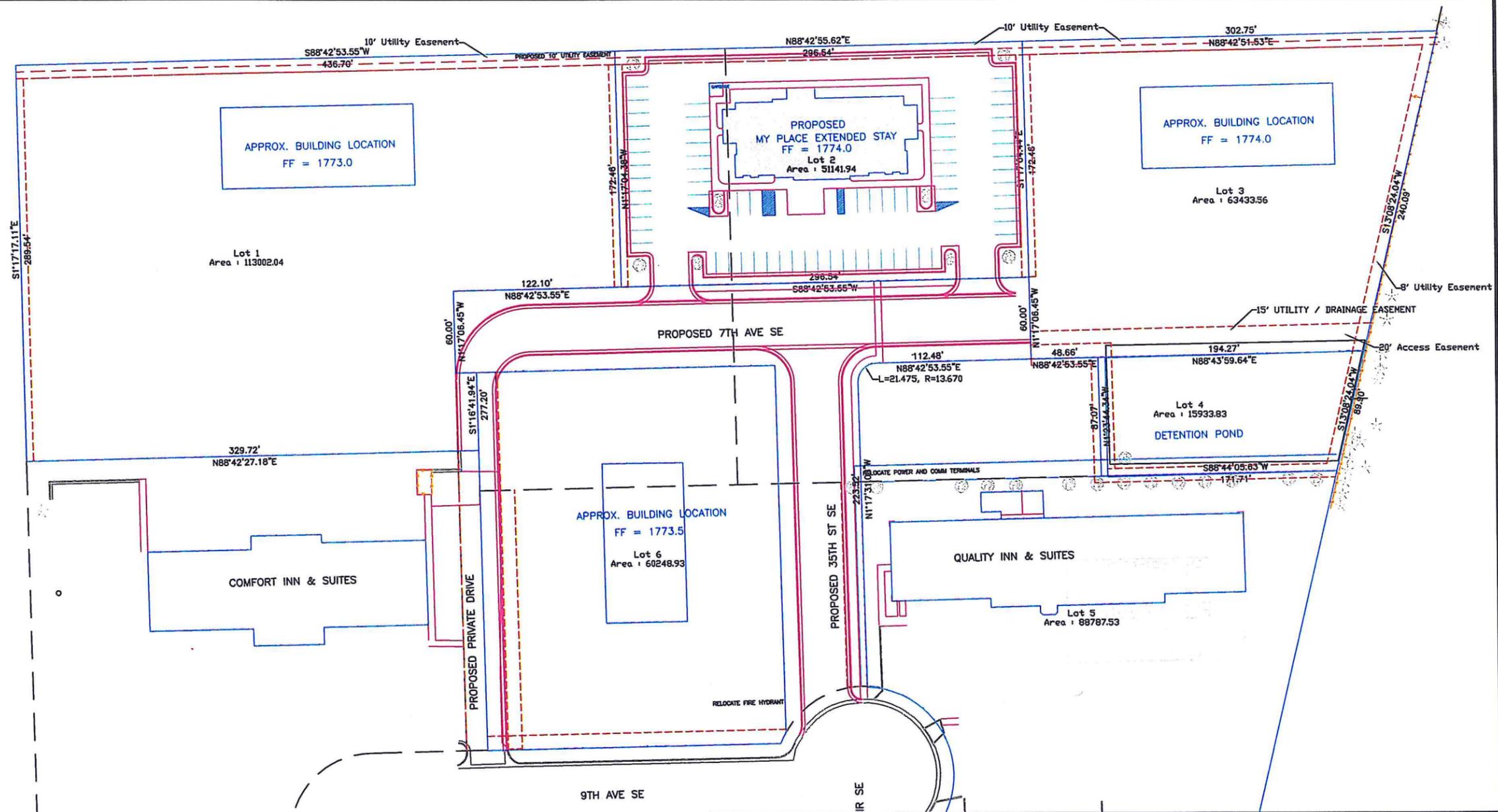
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**Action:** Plan Commission decision Resolution 2017-05 (Preliminary Plan)

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**History:** 11/15/16 Design Review Team Meeting  
 12/21/16 Design Review Team Meeting  
 01/05/17 Concept Plan brought to PC  
 01/20/17 Preliminary Plans received  
 02/09/17 Plan Commission Public Hearing & Action (Preliminary Plan)

**Future:** 02/11/17 Published & Effective – *if Approved*



1. BASIS OF BEARING: UTM - ZONE 14 NORTH - NAD 83. DISTANCES SHOWN ARE TO GROUND. PROJECT LOCATION USED: LAT: 44°54'40.073087"N LONG: 97°07'16.14617"W HEIGHT: 1782.031 SFT. SCALE FACTOR: 1.0002145313
2. ELEVATIONS BASED ON NAVD 88 DATUM - USING AC7987 - GEOID 03.
3. PROPERTY SUBJECT TO EASEMENTS NOT FOUND ON RECORD.

"COUNTRY CAMPING ADDITION TO THE MUNICIPALITY OF WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA," AND ALL THAT PART OF LOT 2 OF PLAT ENTITLED: "WATERTOWN HOSPITALITY ADDITION IN FORMERLY ROGER'S OUTLOT SEC. 34-T117N-R52W," LESS THE SOUTH 60' THEREOF; AND "ROGERS OUTLOT NO. 2" LOCATED IN SECTION 34, TOWNSHIP 117 NORTH, RANGE 52 WEST OF THE 5TH P.M., CODINGTON COUNTY, SOUTH DAKOTA.

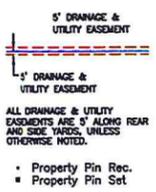
ZONE: C3, HIGHWAY COMMERCIAL DISTRICT  
YARD SETBACK REQUIREMENTS PER ZONING:

MAXIMUM HEIGHT:	60 FEET
FRONT YARD:	40 FEET
SIDE YARD:	20 FEET
REAR YARD:	30 FEET

ZONING AUTHORITY: CITY OF WATERTOWN  
PHONE NUMBER: (605) 882-6201 EXT:24  
CONTACT PERSON: KEN BUCHOLZ

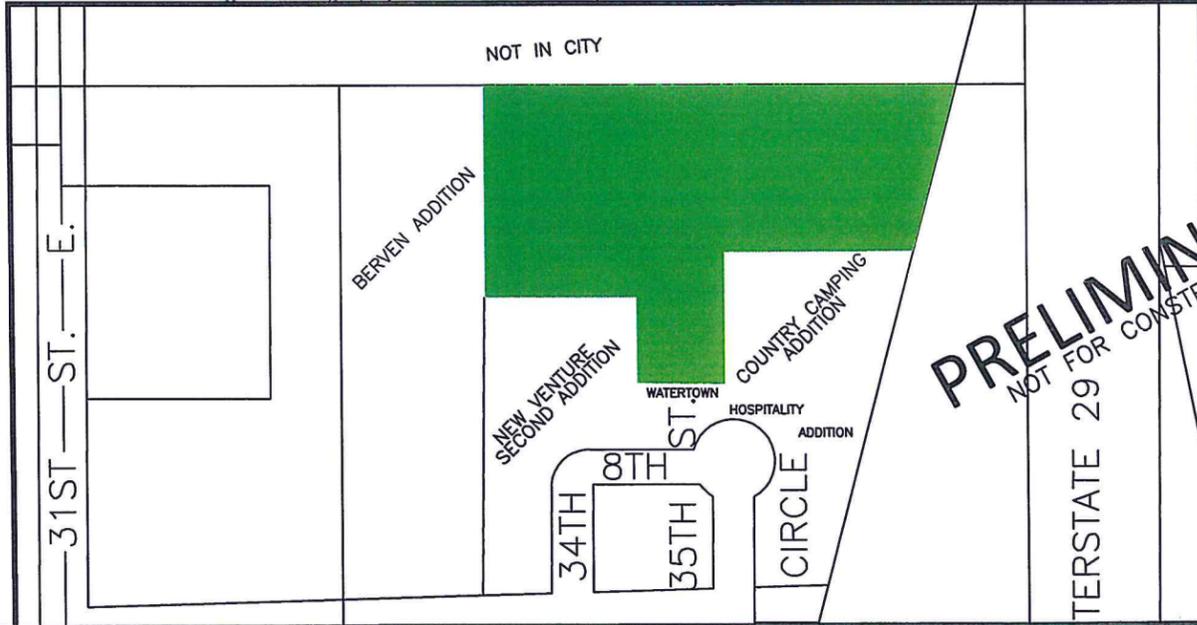
NOTE: THE REMAINING PORTION OF ROGER'S OUTLOT NO. 2 HAS NOT BEEN ANNEXED INTO THE CITY OF WATERTOWN.

UTILITIES SHOWN ARE ACCORDING TO MAPS, PAINT MARKS AND FLAGS PROVIDED BY ITS UTILITY IN RESPONSE TO SD ONE CALL TICKET NUMBER: 1434230558. SOME UNDERGROUND UTILITIES WERE LOCATED BY VISIBLE INSPECTION AND MAPS PROVIDED ITS UTILITY. BE ADVISED THERE MAY BE PRIVATE FACILITIES IN THE AREA NOT LOCATED BY THIS SERVICE.

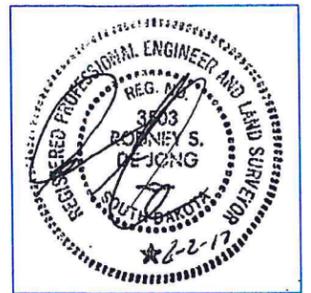


ALL DRAINAGE & UTILITY EASEMENTS ARE 5' ALONG REAR AND SIDE YARDS, UNLESS OTHERWISE NOTED.

- Property Pin Rec.
- Property Pin Sst.



**PRELIMINARY**  
NOT FOR CONSTRUCTION  
TERSTATE 29

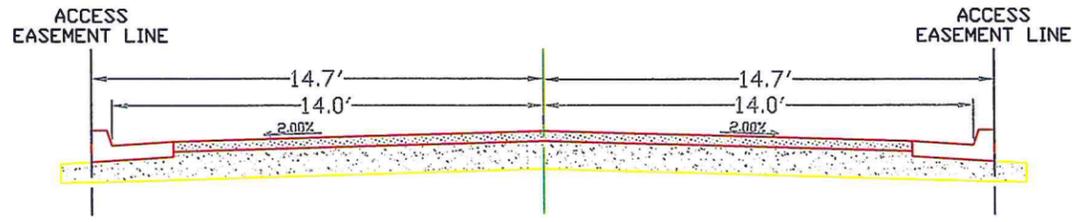
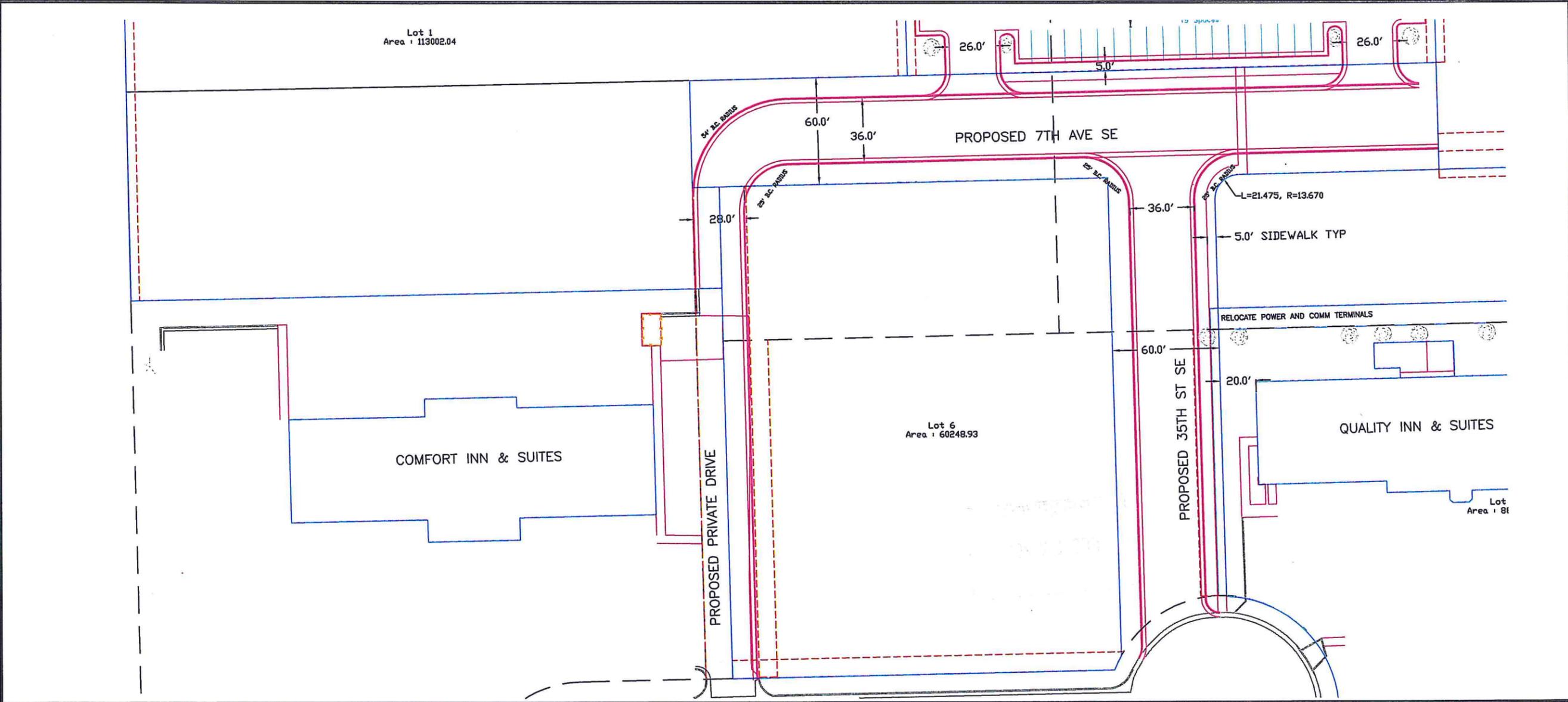


PRELIMINARY PLAN  
NEW VENTURE 3RD  
ADDITION

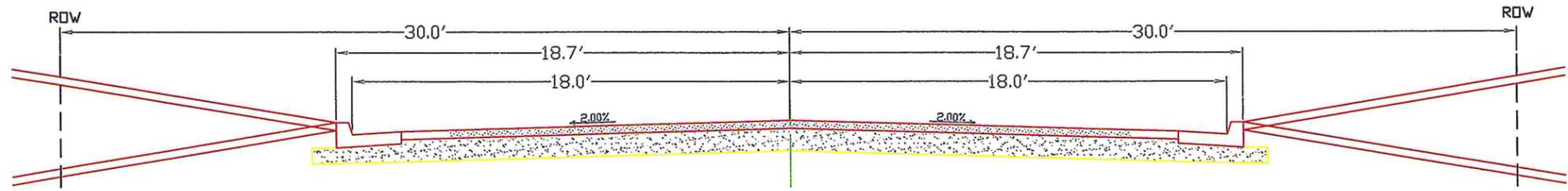
This Work Coordinated By:  
AASON ENGINEERING COMPANY  
1022 4th Street SE  
Watertown, SD 57257-1871  
Phone No. (605) 882-1042  
Fax No. (605) 882-1043

SITE PLAN  
COUNTRY CAMPING ADDITION; ALL THAT PART OF LOT 2 OF WATERTOWN HOSPITALITY ADDITION LESS THE SOUTH 60' THEREOF; AND ROGERS OUTLOT NO. 2 ALL IN WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA.

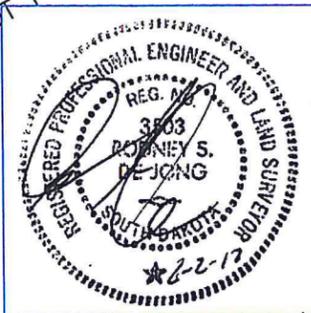
DATE: FEBRUARY 1, 2017  
SCALE: 1"=100'  
DRAWN BY: SAC  
JOB NO.: 2016-173  
SHEET 1 OF 6



TYPICAL 28' PRIVATE STREET SECTION



**PRELIMINARY**  
NOT FOR CONSTRUCTION



PRELIMINARY PLAN  
NEW VENTURE 3RD  
ADDITION

This Work Coordinated By:  
ALSON ENGINEERING COMPANY  
1025 W. 10th St., Suite 200  
Rapid City, SD 57701  
Tel: (605) 342-1042

STREET PLAN  
COUNTRY CAMPING ADDITION; ALL THAT PART OF LOT 2 OF WATERTOWN HOSPITALITY AND ADDITION LESS THE SOUTH 60' THEREOF; AND ROGERS OUTLOT NO. 2 ALL IN WATERTOWN, CODDINGTON COUNTY, SOUTH DAKOTA.

DATE: FEBRUARY 1, 2017  
SCALE: 1"=50'  
DRAWN BY: SAC  
JOB NO.: 2016-173  
SHEET 2 OF 6

- ⊕ EXISTING FIRE HYDRANT
- ⊕ PROPOSED FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ EXISTING SANITARY MANHOLE
- ⊕ PROPOSED SANITARY MANHOLE

TOTAL SANITARY FLOW FROM PROPOSED DEVELOPMENT = .04 CFS (4.5% 8" CAPACITY)

1. ALL SANITARY MANHOLES TO BE 48" DIA. BARREL SECTIONS WITH CONCENTRIC CONES AND TYPE A7 FRAME AND LIDS.
2. ALL SANITARY SERVICES TO BE 6" P.V.C.
3. ALL WATER SERVICES TO BE 6" PVC FROM TAP TO CURB STOP.
4. WATER MAINS, EXACT HYDRANT LOCATIONS, VALVES, FITTINGS ETC. TO BE DESIGNED BY THE WATERTOWN MUNICIPAL UTILITIES.

Lot 1  
Area : 113002.04

PROPOSED  
MY PLACE EXTENDED STAY  
FF = 1774.0

Lot 2  
Area : 51141.94

PROPOSED 7TH AVE SE

L=21.475, R=13.670

RELOCATE POWER AND COMM TERMINALS

QUALITY INN & SUITES

Lot 5  
Area : 88787.53

COMFORT INN & SUITES

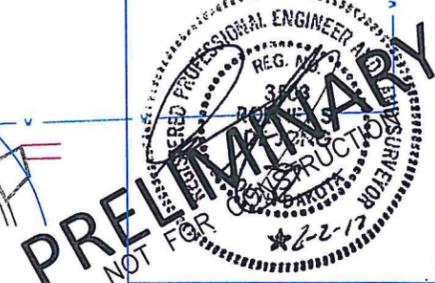
Lot 6  
Area : 60248.93

PROPOSED PRIVATE DRIVE

PROPOSED 35TH ST SE

EXISTING 8" PVC

6" PVC SERVICE (0.012 CFS)

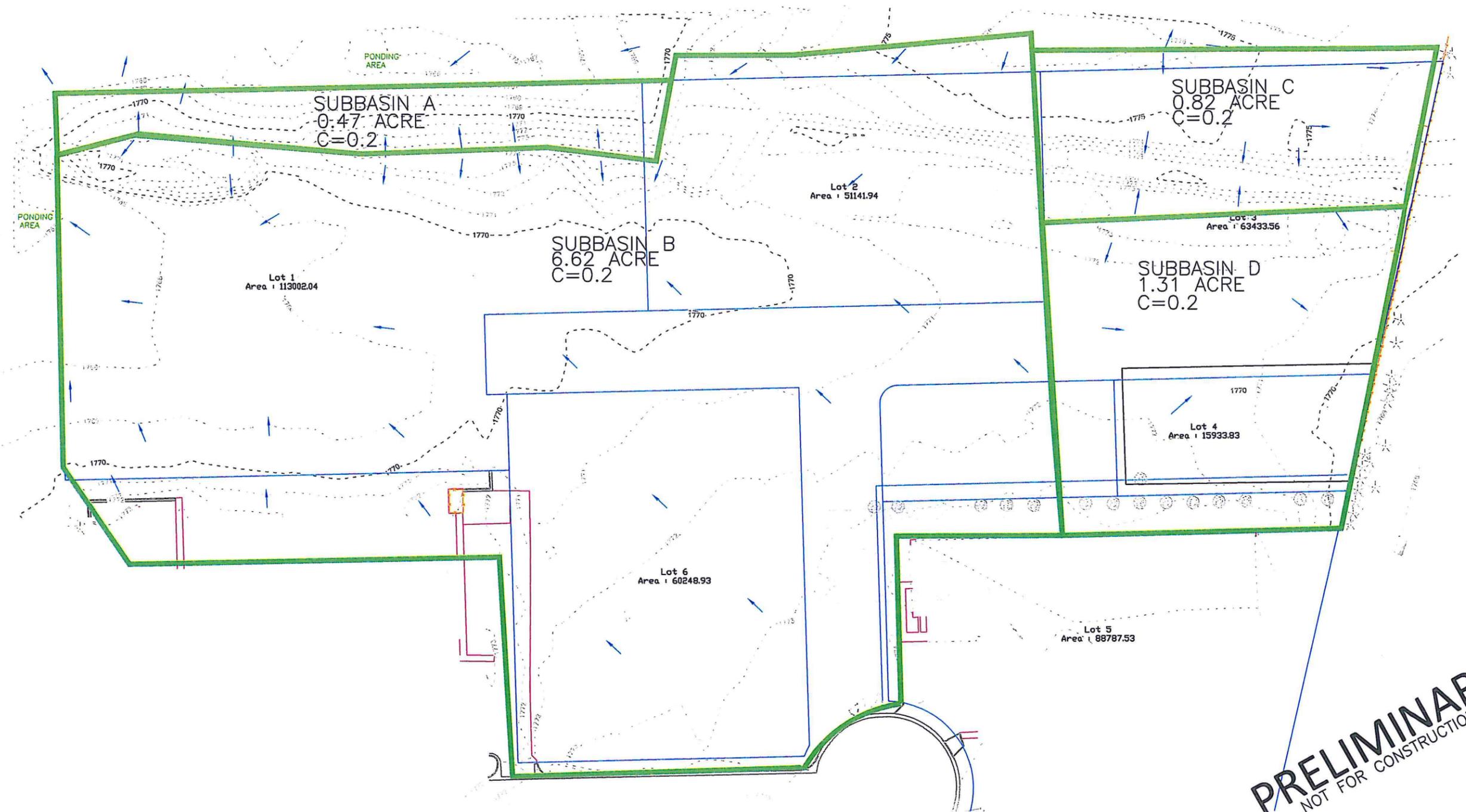


PRELIMINARY PLAN  
NEW VENTURE 3RD  
ADDITION

This Work Coordinated By:  
ALSON ENGINEERING COMPANY  
1025 W. 10th St., Suite 200  
Watertown, SD 57201  
Phone No. (605) 885-2271  
Fax No. (605) 885-1524

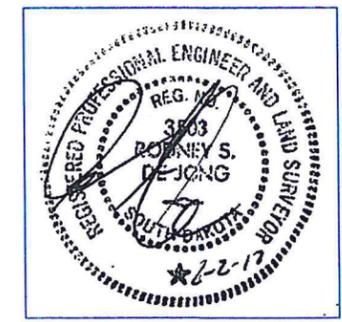
UTILITY PLAN  
COUNTRY CAMPING ADDITION; ALL THAT PART OF LOT 2 OF WATERTOWN HOSPITALITY AND ADDITION LESS THE SOUTH 60' THEREOF; AND ROGERS OUTLOT NO. 2 ALL IN WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA.

DATE: FEBRUARY 1, 2017  
SCALE: 1" = 100'  
DRAWN BY: SAC  
JOB NO.: 2016-173  
SHEET 3 OF 6



NOTE: 100 YEAR FLOODPLAIN NOT PRESENT ON SITE

**PRELIMINARY**  
NOT FOR CONSTRUCTION



PRELIMINARY PLAN  
NEW VENTURE 3RD  
ADDITION



This Work Coordinated By:


  
**AASON ENGINEERING COMPANY**  
 1025 W. 10th St., Suite 101  
 Rapid City, SD 57701  
 Phone: (605) 342-1022  
 Fax: (605) 342-1023

EXISTING DRAINAGE PLAN

COUNTRY CAMPING ADDITION; ALL THAT PART  
 OF LOT 2 OF WATERTOWN HOSPITALITY AND  
 ADDITION LESS THE SOUTH 60' THEREOF; AND  
 ROGERS OUTLOT NO. 2 ALL IN WATERTOWN,  
 CODINGTON COUNTY, SOUTH DAKOTA.

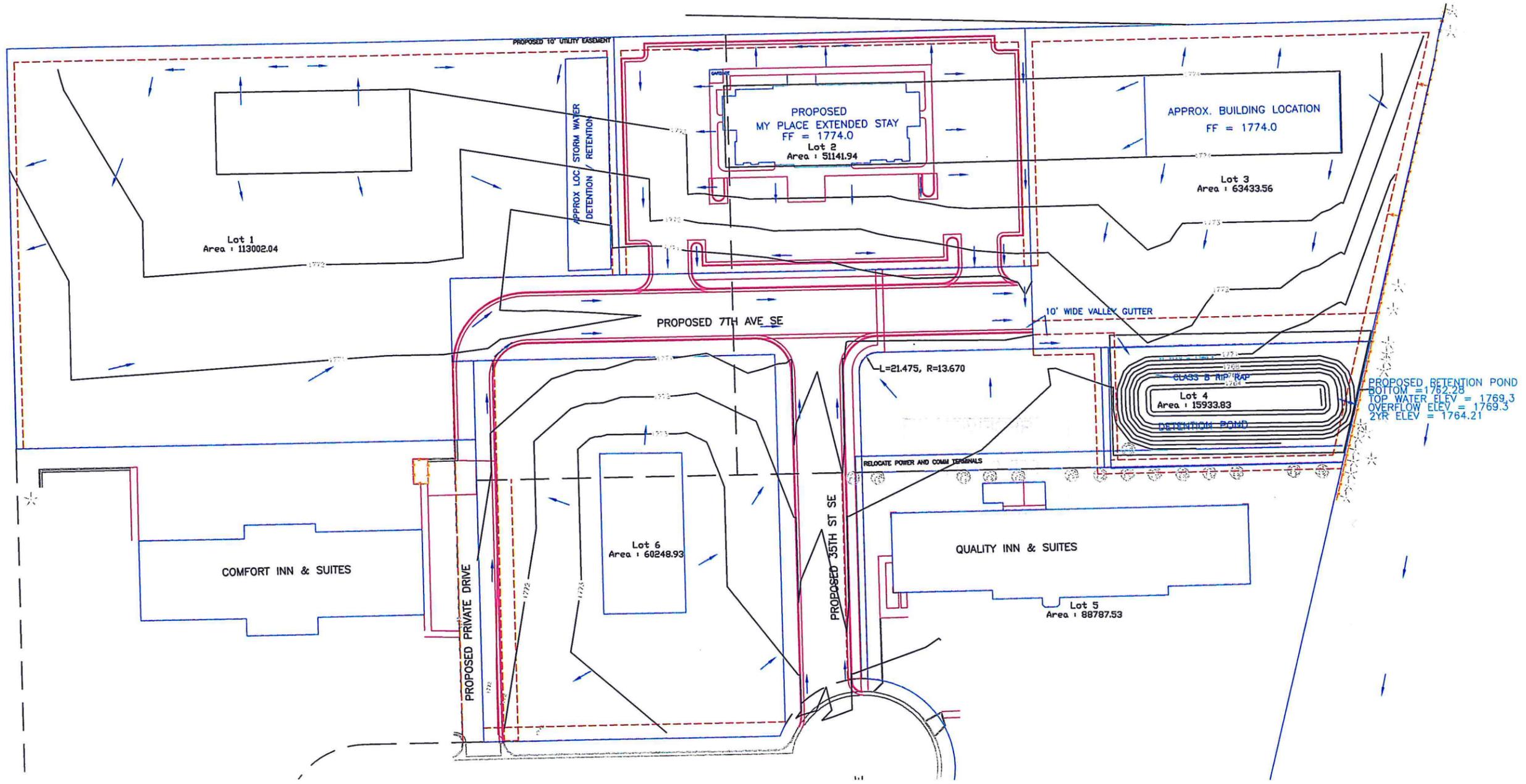
DATE: FEBRUARY 1, 2017

SCALE:

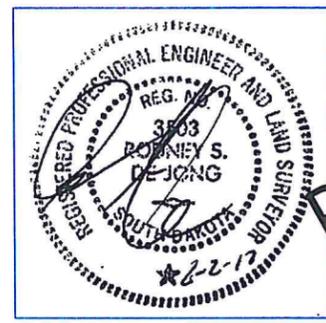
DRAWN BY: SAC

JOB NO.: 2016-173

SHEET 4 OF 6



NOTES:  
 LOT 3 TO BE DEDICATED TO CITY OF WATERTOWN  
 LOTS SHALL HAVE ON SITE DETENTION/RETENTION WHERE NECESSARY  
 PROPOSED POND VOLUME = 660 CU YD  
 REQD VOLUME = 282 CU YD  
 ADDITIONAL STORAGE WILL BE USED TO SERVE LOTS AS REQUIRED



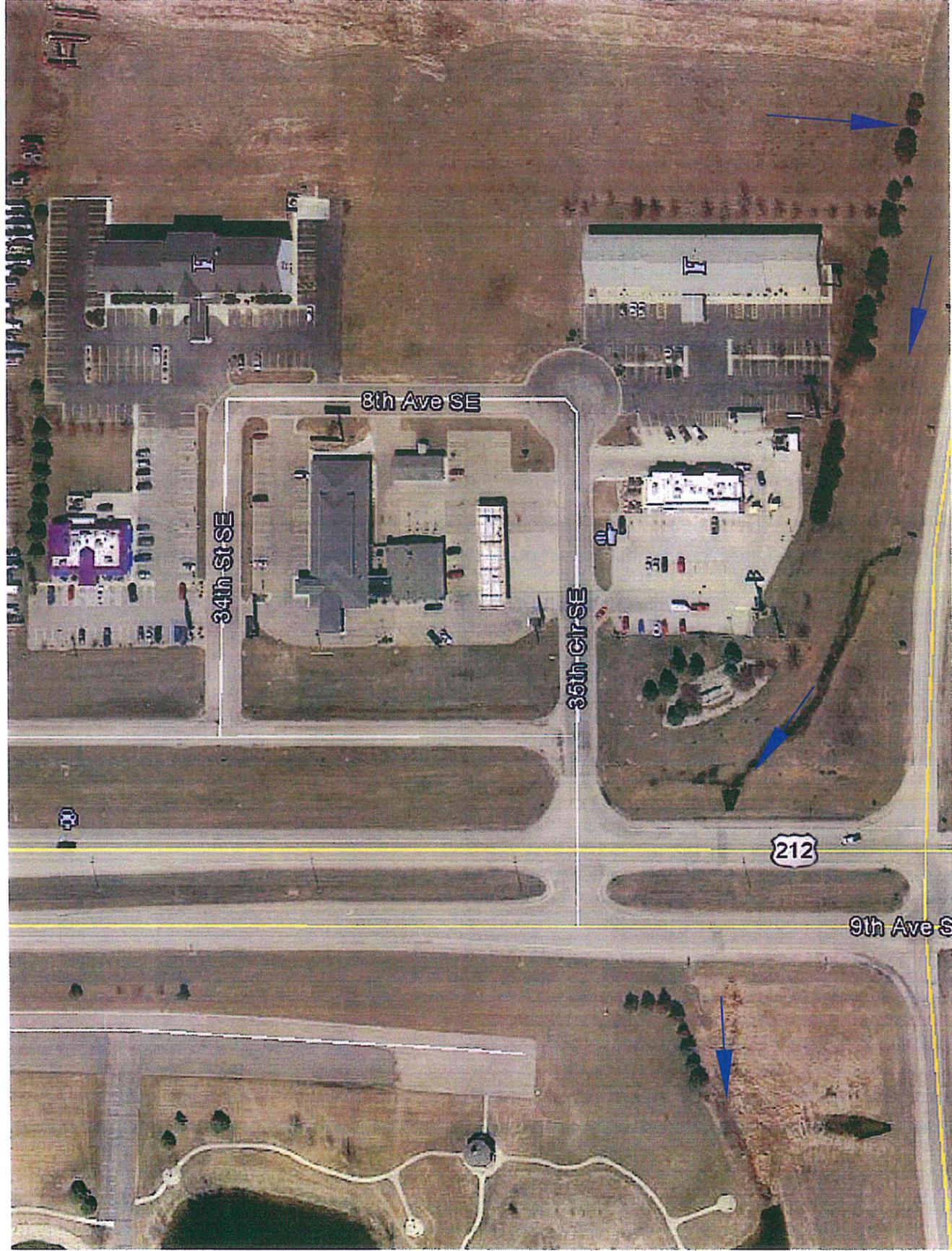
**PRELIMINARY**  
 NOT FOR CONSTRUCTION

PRELIMINARY PLAN  
 NEW VENTURE 3RD  
 ADDITION

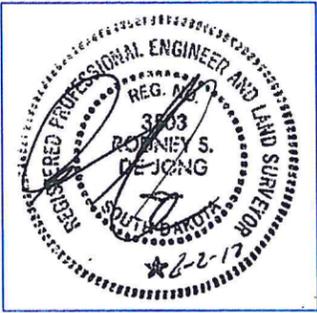


PROPOSED DRAINAGE PLAN  
 COUNTRY CAMPING ADDITION; ALL THAT PART OF LOT 2 OF WATERTOWN HOSPITALITY AND ADDITION LESS THE SOUTH 60' THEREOF; AND ROGERS OUTLOT NO. 2 ALL IN WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA.

DATE: FEBRUARY 1, 2017  
 SCALE:  
 DRAWN BY: SAC  
 JOB NO.: 2016-173  
 SHEET 5 OF 6



**PRELIMINARY**  
NOT FOR CONSTRUCTION



PROPOSED PATH TO MAJOR DRAINAGE WAY

COUNTRY CAMPING ADDITION; ALL THAT PART OF LOT 2 OF WATERTOWN HOSPITALITY ADDITION LESS THE SOUTH 60' THEREOF; AND ROGERS OUTLOT NO. 2 ALL IN WATERTOWN, CODDINGTON COUNTY, SOUTH DAKOTA.

This Work Coordinated By:



DATE: FEBRUARY 1, 2017

SCALE:

DRAWN BY: SAC

JOB NO.: 2016-173

SHEET 6 OF 6

PRELIMINARY PLAN  
NEW VENTURE 3RD  
ADDITION



# New Venture 3rd Addition Preliminary Plan Vicinity Map



**Legend**

 Rogers Outlot Annexed

 Preliminary Plan Area

0 87.5 175 Feet

## **Report of The City of Watertown Plan Commission**

The undersigned hereby certifies that the following is a true, correct and complete copy of a Resolution introduced, fully discussed, and approved and adopted during the meeting of the City Plan Commission held on the 9<sup>th</sup> day of February, 2017:

### **RESOLUTION 2017-05**

WHEREAS, Bill Folkerts, New Venture, Inc., is the Developer of property located within the City Limits legally described as:

*“Lot 2 less the South 60 Feet, of Watertown Hospitality Addition to the Municipality of Watertown, Codington County, South Dakota, according to the recorded plat thereof”, and*

*“Rogers Outlot No. 2 less all platted parcels in the SW1/4 Section 34, Township 117 North, Range 52 West of the 5<sup>th</sup> P.M. Codington County, South Dakota” and*

*“Country Camping Addition to Watertown, Codington County, South Dakota less the South Twelve Feet (S12’) of the West Eighty-five Feet (W85’)”*

The same to be platted and become known as *New Venture 3<sup>rd</sup> Addition* to the Municipality of Watertown, in the County of Codington, South Dakota

WHEREAS, the Developers wish to subdivide the above described real property; and

WHEREAS, whenever any subdivision of land is proposed, the owner or authorized agent shall apply for and secure approval of such subdivision plat in accordance with the procedures set forth in Title 24 of the Revised Ordinances of the City of Watertown, South Dakota; and

WHEREAS, the Developers are required to submit a Preliminary Plan for the proposed subdivision after discussion of a Concept Plan with the City Engineer, and prior to approval of Final Plans and Plat by this same Official; and

WHEREAS, the Developers have completed a Concept Plan review and have submitted a Preliminary Plan;

NOW THEREFORE BE IT RESOLVED by the City Plan Commission of the City of Watertown, South Dakota, that the *Preliminary Plan for New Venture 3<sup>rd</sup> Addition* is in all respects lawful and entitled to approval that said Preliminary Plan is hereby approved, subject to easements of record, if any, prior to plat approval and the following conditions:

1. The property be platted within 3 years per §24.0608.
2. That the Developer be required to develop a Stormwater Pollution Prevention Plan (SWPPP) incorporating drainage requirements of Preliminary Plan before grading permit is issued.
3. The Engineer shall provide a certified copy of the approved Preliminary Plan which incorporates all required changes prior to recording of any plat.
4. That the Developer be required to obtain SD-DENR NPDES storm water permit.
5. That the Developer be required to enter into a Development agreement with the City to include installation of required public improvements to 35<sup>th</sup> St SE and 7<sup>th</sup> Ave SE
6. The water system shown on the approved Preliminary Plan shall be accepted by Municipal Utilities prior to recording of any plat.
7. Water quality control facilities shall be designed in accordance with the City’s approved Post-Construction BMP manual.
8. That the Developer dedicate Lot 4 to the City of Watertown

I further certify that the foregoing Resolution is now in full force and effect and unrevoked.

IN WITNESS WHEREOF, I have hereunto set my hand this 9<sup>th</sup> day of February, 2017.

---

Pat Shriver, Chairman  
Watertown City Plan Commission

## Request for Plan Commission Action

**TO:** Plan Commission  
**THROUGH:** Pat Shriver, Chairman  
**FROM:** Brandi Hanten, Urban Planner  
**MEETING DATE:** February 9, 2017  
**SUBJECT:** Plat of East Park Second Addition

---

**Petitioner:** CO-HO, INC, Owner of property

**Background:** Petitioners submitted plat & plat certificates on January 11<sup>th</sup>, 2017 requesting approval of East Park Second Addition. The preliminary plan of East Park Addition was approved by Resolution 2015-19 *with conditions* on June 18<sup>th</sup>, 2015.

Conditions were as followed:

1. The property shall be platted within 3 years.
2. The Engineer shall provide a certified copy of the approved Preliminary Plan which incorporates all required changes prior to recording of any plat.
3. Any recommendations stated in the Traffic Impact Study report shall be incorporated in a revised Preliminary Plan prior to any administrative plat approval.
4. All dead end roads will have turn-arounds constructed in accordance with the Adopted International Fire Code.
5. Access points shall be corrected on the certified copy of the approved Preliminary Plan and be limited according to the South Dakota Access Location Criteria of:
  - a. 2 driveways per block face (with block defined as no less than 330 feet),
  - b. 100 feet spacing between individual driveways. Driveways on opposite sides of the street should have zero offset, or a minimum of 100 feet offset where zero offset is not possible in order to prevent turning movement conflicts,
  - c. Upstream corner clearance of 200 feet from the intersection of Hwy 212 or Willow Creek Drive is required for the first driveway openings. Downstream corner clearance is recommended to match this.
6. Sanitary Sewer shall be shown for the entire Preliminary Plan area, and calculations of anticipated flows and capacities shall be provided demonstrating adequacy of the system.

7. The water system shown on the approved Preliminary Plan shall be accepted by Municipal Utilities prior to certification by the engineer.
8. Drainage analysis shall be completed and documented as required in the subdivision ordinance, and approved by the City Engineer prior to recording of any plat.
9. Water quality control facilities shall be designed in accordance with the City's approved Post-Construction BMP manual.
10. A drainage easement conveying water from East Park Development to Willow Creek shall be worked out with the Morris property owners and filed with the plat.
11. Lots 1 and 3 of Block 2 will be rezoned to either C-3 Highway Commercial or I-1 Light Industrial before a building permit may be issued.

Staff's main concern to be addressed is the access along 8<sup>th</sup> Avenue S. Access shall follow the guidelines described under condition #5 in Resolution 2015-19.

**Facts:**

1. Zoning designation:
  - GT-1, C-3 Commercial Highway District (GT-1 Gateway Overlay District)
2. Setback requirements per zoning:
  - Max. Height: 60 ft
  - Min. Front Yard: 40 ft
  - Min. Side Yard: 20 ft
  - Min. Rear Yard: 30 ft
3. Tract contains ~20.7 Acres of which .48 Acres is Street ROW (Net ~20.2 Acres)
4. In the Willow Creek Floodplain
5. Does not need park dedication since proposed zoning is commercial

**Recommendation:** Staff recommends that the Plan Commission approve the application to plat the above property.

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**Action:** Plan Commission decision Resolution 2017-08 (Plat)

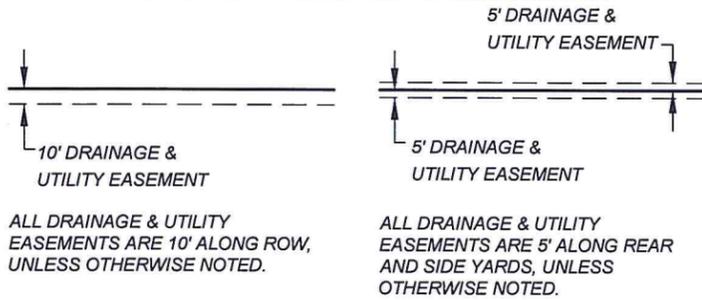
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**History:** 01/11/17 Plat & plat certificates received  
02/09/17 Plan Commission Public Hearing (Plat approval)

**Future:** 02/21/17 City Council Public Hearing & Action  
02/25/17 Published & Effective – *if Approved*

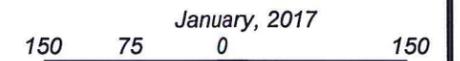
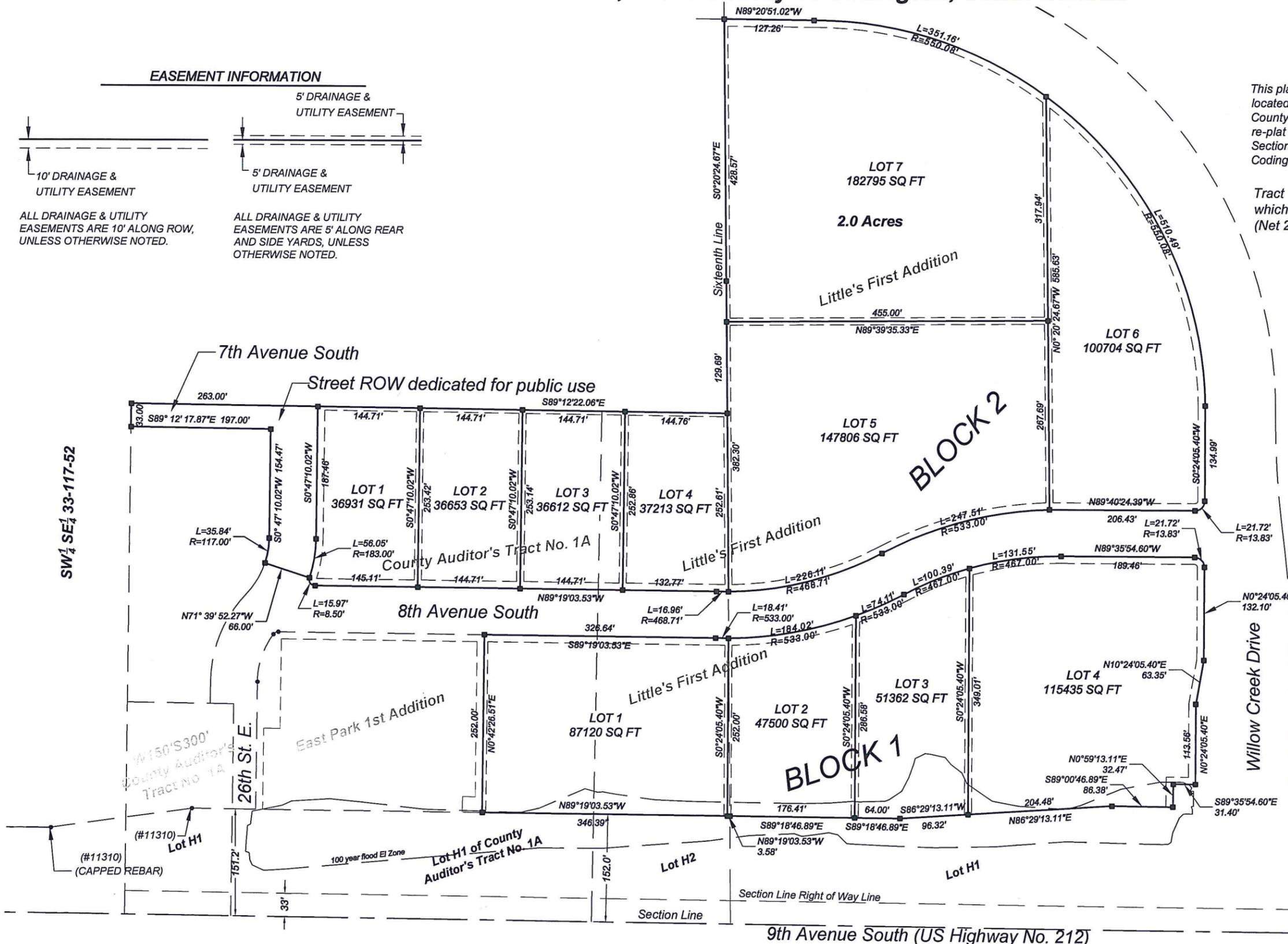
# Plat of East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota.

### EASEMENT INFORMATION



This plat is a re-plat of and shall vacate a portion of County Auditor's Tract No. 1A located in the SE Quarter of Section 33, T117N, R52W of the 5th P.M., Codington County, South Dakota, found in Book "D" of Plats on Page 13. Also, this plat is a re-plat of and shall vacate a portion of Little's First Addition in the South East Quarter, Section 33, Township 117 North range 52 West of the 5th P.M. in the County of Codington, South Dakota, found in Book "LP" of Plats, Page 264-270.

Tract Contains 20.7± Acres of which 0.48 Acre is Street ROW (Net 20.2± Acres).



January, 2017

Graphic Scale in Feet

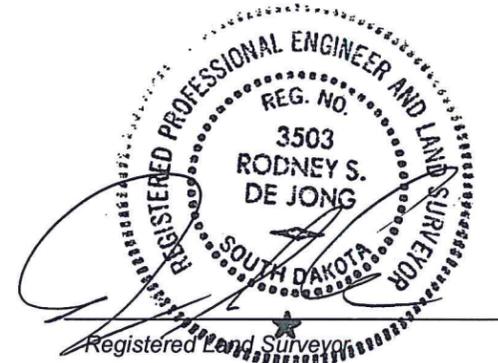
Scale: 1" = 150'

- Property Pin Rec.
- Property Pin Set



Prepared By  
AASON ENGINEERING COMPANY, INC.

1022 6th St SE  
Watertown, SD  
Telephone 605-882-2371



PLAT OF

EAST PARK SECOND ADDITION TO THE MUNICIPALITY OF WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.

\*\*\*\*\*

PROPRIETOR'S CERTIFICATE

CO-HO, INC, the owner of the following described property:

"Little's First Addition in the Southeast Quarter (SE1/4) Section Thirty-three (33), Township One Hundred Seventeen (117) North , Range Fifty-two (52), West of the 5th P.M., in the County of Codington, South Dakota, subject to public right of way, being in accordance with the recorded plat, and

County Auditor's Tract One A(1A) in the Southeast Quarter (SE1/4) of Section Thirty-three (33), Township One Hundred Seventeen (117) North, Range Fifty-two (52) West of the 5th P.M. less the West One Hundred Fifty Feet (W150') of the South Three Hundred Feet (S300'), subject to public right of way, being in accordance with the recorded plat, hereby certify that we have caused a portion of the above described property to be surveyed and platted into a parcel of land hereafter to be known as:

"East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota"

And that we have caused the same to be platted by Rodney S. DeJong, a Registered Land Surveyor in the State of South Dakota, and that said plat was made at our request and under our direction and for the purpose indicated thereon and herein. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

In witness whereof we have caused these presents to be executed this 11th day of January, 2017.

John Homan
CO-HO, Inc.

\*\*\*\*\*

State of South Dakota )
)ss
County of Codington )

On this the 11th day of January, 2017, before me, personally appeared John Homan, CO-HO, Inc., known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and who acknowledged that he executed the foregoing instrument for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Michelle Burleson
Notary Public, South Dakota

My Commission Expires: 9-28-2018

\*\*\*\*\*



Prepared By:
Aason Engineering Company Inc.
1022 6th Street S.E.
Watertown, SD 57201
Office #: (605) 882-2371

PLAT OF

EAST PARK SECOND ADDITION TO THE MUNICIPALITY OF WATERTOWN,  
IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.

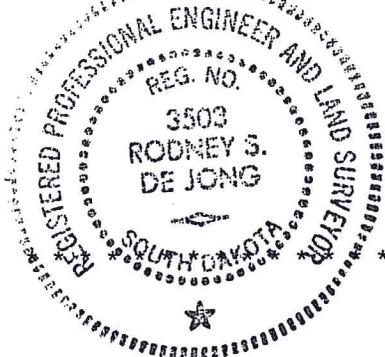
\*\*\*\*\*

SURVEYOR'S CERTIFICATE

I, **Rodney S. Dejong**, a Registered Land Surveyor in the State of South Dakota, do hereby certify that at the instance and request of **CO-HO, Inc.**, the owner of the aforementioned property, did on or before January, 2017, survey the parcel of land as shown on the accompanying plat.

I further certify that the said plat is a true and correct representation of the said parcel as surveyed and platted by me into: **"East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota."**

I hereby set my hand this 1<sup>ST</sup> day of FEBRUARY 2017.



*[Handwritten Signature]*  
\_\_\_\_\_  
Registered Land Surveyor

\*\*\*\*\*

STREET AUTHORITY'S CERTIFICATE

Having the authority to do so; I hereby approve 2 driveways per block face (with block face defined as no less than 330'). All locations to be determined at building permit issuance. All located within the plat entitled: **"East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota."**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Shane Waterman, PE  
City Engineer

\*\*\*\*\*

CITY FINANCE OFFICER'S CERTIFICATE

I, the duly appointed, qualified and acting City Finance Officer of the City of Watertown, South Dakota, hereby certify that all special assessments, which are liens upon any land shown in the plat of: **"East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota,"** as shown by the records in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 2017 have been paid in full.

\_\_\_\_\_  
Rochelle M. Ebbers

\*\*\*\*\*



Prepared By:  
**Aason Engineering Company Inc.**  
1022 6<sup>th</sup> Street S.E.  
Watertown, SD 57201  
Office #: (605) 882-2371

PLAT OF

EAST PARK SECOND ADDITION TO THE MUNICIPALITY OF WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.

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CITY PLAN COMMISSION RECOMMENDATION

Resolution No. \_\_\_\_\_

The aforementioned plat has been duly examined and it appears that said plat is in all respects lawful and proper and entitled to approval. It is hereby recommended for approval by the Watertown City Plan Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Chairman
Watertown City Plan Commission

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RESOLUTION OF WATERTOWN CITY COUNCIL

Resolution No. \_\_\_\_\_

Be it resolved by the City Council of Watertown, South Dakota, having viewed this plat and having received a recommendation from the Watertown City Plan Commission, does hereby approve this plat of "East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota," and the City Finance Officer is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon.

The above and foregoing resolution was duly passed and adopted.

Dated at Watertown, South Dakota, this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Attest:

Mayor
City of Watertown, SD

Finance Officer
City of Watertown, SD

\*\*\*\*\*

TREASURER'S CERTIFICATE

I hereby certify that I am the duly elected, qualified, and acting Treasurer of Codington County, South Dakota, and I hereby certify that all taxes which would, if not paid, be liens upon any of the land included within the plat entitled: "East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota," as shown by the records of my office, have been fully paid.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017

Treasurer,
Codington County, South Dakota

\*\*\*\*\*



**PLAT OF**

**EAST PARK SECOND ADDITION TO THE MUNICIPALITY OF WATERTOWN,  
IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.**

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**DIRECTOR OF EQUALIZATION CERTIFICATE**

I, the Director of Equalization of Codington County, South Dakota, do hereby certify that a copy of the plat entitled: **“East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota,”** has been filed in my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Director of Equalization,  
Codington County, South Dakota

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**REGISTER OF DEEDS CERTIFICATE**

I hereby certify that I have received the plat entitled: **“East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota,”** and have:

FILED FOR RECORD this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D. at \_\_\_\_\_ O’Clock \_\_\_\_\_ M. and duly recorded in Book \_\_\_\_\_ of Plats on Page \_\_\_\_\_.

\_\_\_\_\_  
Register of Deeds,  
Codington County, South Dakota



# Plat of East Park Second Addition Vicinity Map



1 inch = 300 feet



**REPORT AND RECOMMENDATION OF THE CITY PLAN COMMISSION**

**To the City Council of the City of Watertown, Codington County, South Dakota:**

The undersigned hereby certifies that the following is a true, correct and complete copy of a Resolution introduced, fully discussed, and approved and adopted during the meeting of the City Plan Commission held on the 9<sup>th</sup> day of February, 2017.

**RESOLUTION 2017-08**

WHEREAS, Applicant, CO-HO, INC, is the owner of property located in East Park Development along 8<sup>th</sup> Ave S, Watertown, SD and legally described as:

*“Little’s First Addition in the Southeast Quarter (SE1/4) Section Thirty-three (33), Township One Hundred Seventeen (117) North, Range Fifty-two (52), West of the 5<sup>th</sup> P.M. in the County of Codington, South Dakota, subject to public right of way, being in accordance with the recorded plat, and*

*County Auditor’s Tract One A(1A) in the Southeast Quarter (SE1/4) of Section Thirty-three (33), Township One Hundred Seventeen (117) North, Range Fifty-two (52) West of the 5<sup>th</sup> P.M. less the West One Hundred Fifty Feet (W150’) of the South Three Hundred Feet (S300’), subject to public right of way, being in accordance with the recorded plat”*

WHEREAS Applicant wishes to subdivide the above described real property; and

WHEREAS whenever any subdivision of land is proposed, the owner or authorized agent shall apply for and secure approval of such subdivision plat in accordance with the procedures set forth in Title 24 of the Revised Ordinances of the City of Watertown, South Dakota; and

NOW THEREFORE BE IT RESOLVED by the City Plan Commission of the City of Watertown, South Dakota, that the *Plat of East Park Second Addition to the Municipality of Watertown, in the County of Codington, South Dakota.*” has been examined and it appears that said plat is in all respects lawful and entitled to approval, and that said plat is hereby recommended for approval.

I further certify that the foregoing Resolution is now in full force and effect and unrevoked.

IN WITNESS WHEREOF, I have hereunto set my hand this 9<sup>th</sup> day of February, 2017.

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Pat Shriver, Chairman  
City Plan Commission