

ORDINANCE 14-03

An Ordinance Amending Zoning District Boundaries by Zoning Farmland West of Sandy Shores to PUD Planned Unit Development District

BE IT ORDAINED by the City of Watertown, upon examination of the *Petition for Zoning of property to the City of Watertown* by owner, Richard Stone, of the real property legally described as:

The North 990 feet of the South 2035.4 feet of the East 253 feet, less Highway Right of Way, all in the Southeast quarter of Section 36, T117N, R54W of the 5th P.M., in the County of Codington, South Dakota

which upon platting will be known as **Williston Addition** to the Municipality of Watertown, Codington County, South Dakota

and based on the report and recommendation of the City Plan Commission in its Resolution 2013-48, that the zoning designation of said property, annexed in accordance with City Council Resolution 14-03, be established as PUD Planned Unit Development District pursuant to Watertown Revised Ordinance §21.38;

BE IT FURTHER ORDAINED that the new zoning designation referenced above be extended and applied to the centerline of the adjacent public right-of-ways.

BE IT FURTHER ORDAINED that the zoning map of the City of Watertown be so amended.

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance 14-03 was published in the Watertown Public Opinion, the official newspaper of said City, on the ____ day of _____, 2014.

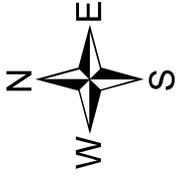
City of Watertown

Attest:

Rochelle M. Ebbers, CPA
Finance Officer

Steve Thorson
Mayor

Williston Addition
Vicinity Map
A Portion of the
Southeast 1/4
Section 36, T117N, R54W



0 200 400 Feet
1 inch = 400 feet



Proposed Site

City Limits

Lake Kameska

SANDY SHORE

1190 S LAKE DR

78TH ST SW

LAKE DR S

78TH ST SW

1105 S LAKE DR

1001 S LAKE DR

US HWY 212

9TH AVE SW

9TH AVE SW

Prepared by:
Aason Engineering Co., Inc.
1022 6th 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 Thorsen, 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:

The North 990' of the South 2035.4' of the East 253', less Highway Right of Way, all in the Southeast Quarter of Section 36, T117N, R54W of the 5th P.M., in the County of Codington, South Dakota.

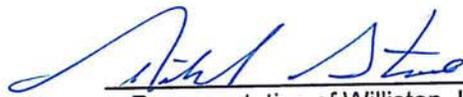
Upon platting will be known as: "Williston Addition to the Municipality of Watertown, in the County of Codington, South Dakota."

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 Lots 1, 2, and 3, be zoned as PUD, Planned Unit Development; under the zoning ordinances of the City of Watertown.

Dated at Watertown, South Dakota, this 3rd day of December, 2013, A.D.



Representative of Williston, Inc.

STATE OF SOUTH DAKOTA

}
} SS

COUNTY OF CODINGTON

On this the 3rd day of December, 2013, personally appeared before me, Rick Stone, of Williston Inc., known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that he executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Michelle D. Boulton
Notary Public, South Dakota

My Commission Expires: 9-28-2018

(seal)

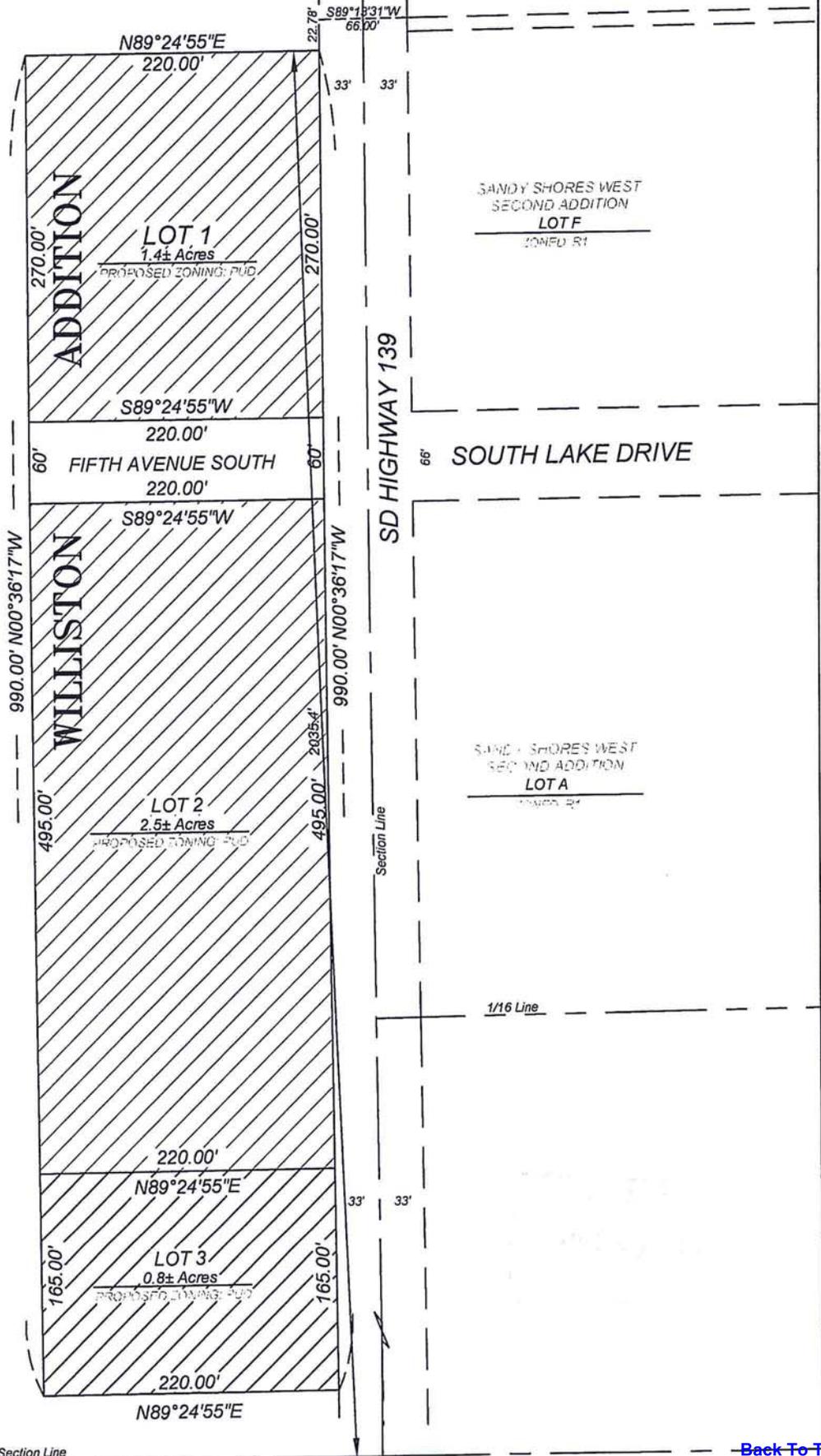


Exhibit of Williston Addition to the Municipality of Watertown, in the County of Codington, South Dakota.



December 2013
 Area to be Annexed

SE 1/4 36-117-54



Prepared By
AASON ENGINEERING COMPANY, INC.

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



City Council Agenda Item

Subject: Second Reading of Ordinance No. 20-42, an Amendment to the Zoning Designation of PUD Planned Unit Development for Williston Addition

Meeting: City Council - Nov 16 2020

From: Heath VonEye, Public Works Director/City Engineer

BACKGROUND INFORMATION:

This is an amendment to the zoning designation of PUD Planned Unit Development, and the associated PUD plan for Williston Addition which was approved upon annexation and zoning by City Council on January 21, 2014. The purpose of the original PUD plan was to allow for storage facilities for personal use only. This amendment will allow for single family residential occupancy in units 15, 16, and 17 located in the southernmost structure on Lot 2 of Williston Addition. These structures will comply with fire suppression requirements through the International Fire Code (IFC) administered by Chip Premus, Fire Marshal.

The existing PUD is adjacent to R-1 Single Family Residential District. The residential units are proposed to be 28' X 56' with 16' sidewalls. A residential unit must have a minimum of 160 SF of living quarters with water/sewer, cooking and sleeping appurtenances. Per Chapter 21.1002 3.c., an attached garage in a residential district shall be limited to three garage doors/stalls per side or frontage, a width not to exceed 42 feet, and a depth not to exceed 56 feet. These units do comply individually to those regulations. Plan Commission recommended approval at the November 5th, 2020 meeting (5-1).

SUGGESTED MOTION:

I move to approve Ordinance No. 20-42, an Amendment to the Zoning Designation of PUD Planned Unit Development for Williston Addition

STAFF REFERENCE(S):

Brandi Hanten, Staci Bungard

ATTACHMENT(S):

[Amended Covenants for Williston Addition](#)

[Original Covenants for Williston Addition](#)

[Ordinance 20-42, PUD Amendment](#)

[Vicinity Map](#)

[Site Plan](#)

DOCUMENT PREPARED BY:
Foley and Foley Law Office, P.C.
P.O. Box 845
Watertown, SD 57201
605-886-7281

AMENDED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE PLAT OF WILLSTON ADDITION TO THE MUNICIPALITY
OF WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA

KNOW ALL YE MEN BY THESE PRESENTS:

WHEREAS, the undersigned, Scott Munger does hereby certify that he is the owner, Westside Condos, LLC was the developer of, but now he is the developer of, and Westside Condominium Association is the Condominium Association responsible for the common areas herein, and Todd Warkenthien and Tina Warkenthien, Herbert Wiswall and Sandra Wiswall, Brad Paul and Danella Paul, Jammy Eitreim and Shannon Eitreim, Scott Campbell and Sheri Campbell, Tim Peterson and Carla Peterson, John David Strandell and Barbara Ann Strandell and the only person or persons, partnership or partnerships, corporation or corporations, who have any right, title and interest to all of the land platted into lots, easements and private roadways as shown on the plat of WILLISTON ADDITION TO THE MUNICIPALITY OF WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA, recorded on November 12, 2014, at 11:55 o'clock A.M., in Book "OP" of Plats on page 578, in the office of the Register of Deeds of Codington County, South Dakota.

WHEREAS, for the purpose of providing an orderly development of all of the lots included in the above-described property and for the further purpose of providing management of the private driveway.

1. Developer covenants that a homeowner's association shall be formed for the purposes of maintaining the private roadways for the use and benefit of unit

AMENDED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE PLAT OF WILLSTON ADDITION TO THE MUNICIPALITY
OF WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA
Page 1

owners and to perform such other duties as may benefit members of the association.

2. Each unit owner who is a member of the association shall have one vote regardless of the number of units owned.
3. That the cost of improvements to lots dedicated for the private roadways shall be the collective responsibility of all landowners and the costs of maintenance shall be pro-rated by unit and assessed to the unit owner for the purpose of improvements and maintenance.
4. All structures placed on said lots and the units in each structure shall be for personal use only as a storage facility, except for units 15, 16 and 17 which may be used for single family residential occupation. Such single family residence shall contain no more than two (2) bedrooms and two (2) bathrooms. Said occupation shall not be by more than four (4) people all of whom must be related by the first degree of consanguinity..
5. No commercial use of the units of any kind will be allowed.
6. No outside storage shall be permitted on the property except that boats and trailers may be stored on designated locations to the Westerly sides of the buildings, or directly North of the northernmost structure. Such locations shall be designated by the association but shall not extend beyond the planes of the North, East, West and South sides of each building. Such Westerly locations shall be hard surfaced and maintained by the party assigned said spot, North location hard surface is not needed. Parking at the residential locations for visitors shall be adjacent to, and directly in front of the unit, with no more than a single rank of vehicles. No vehicle shall be parked outside a unit for more than three (3) consecutive days. Parking for resident vehicles must take place inside the Unit. At no time shall any outside storage or parking restrict access to any of the units.
7. The units on the property shall be for sale only, and shall not be leased.
8. All exterior building modifications to any of the structures will not be permitted without prior approval of the Board of Directors of the Association.
9. The building material for each unit will be similar to materials used on residential homes on all sides facing the public view.

Agenda Item 7.(c) Second Reading of Ordinance No. 20-42, an Amendment to...

10. No existing building or structure or any portion or portions thereof may be moved on or placed on Williston Addition.
11. The placements of trees, shrubbery and fencing will not be permitted without the approval of the Board of Directors of the Association.
12. Real estate property taxes for the common area, Sewer charges, Water charges, Snow removal, lawn care, upkeep and maintenance of the real estate, structural insurance on each of the buildings, maintenance of the private road available for use by the property owners, and garbage collection shall be the responsibility of the collective owners of the Association.
13. Each individual unit owner shall be a member of the Westside Condominium Association.

[This agreement may be executed in counterparts]

[The balance of this page is intentionally left blank]

Dated this ____ day of _____, 2020.

Scott M. Munger

Westside Condominium Association

By: _____

Its: President

Todd Warkenthien

Tina Warkenthien

Herbert Wiswall

Sandra Wiswall

Brad Paul

Danella Paul

Jammy Eitreim

Shannon Eitreim

Scott Campbell

Sheri Campbell

Tim Peterson

Carla Peterson

John David Strandell

Barbara Ann Strandell

STATE OF SOUTH DAKOTA)

: ss

COUNTY OF CODINGTON)

On this ____ day of _____, 2020, before me, the undersigned officer, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

AMENDED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE PLAT OF WILLSTON ADDITION TO THE MUNICIPALITY
OF WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA

My Commission Expires:
(SEAL)

Notary Public, State of South Dakota

STATE OF SOUTH DAKOTA)

: ss

COUNTY OF CODINGTON)

On this ____ day of _____, 2020, before me, the undersigned officer, personally appeared _____, who acknowledges himself to be the _____ of Westside Condominium Association, a South Dakota Non-Profit Corporation, and that he, as such Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as a member.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:
(SEAL)

Notary Public, State of South Dakota

DOCUMENT PREPARED BY:

WILES & RYLANCE
P. O. Box 227
Watertown, SD 57201-0227
(605) 886-5881



INSTRUMENT NO. 201404812 Pages: 3
BOOK: 4T DECLARATIONS / COVENANTS
PAGE: 4714
TRANSFER FEE: 0.00 EXEMPT #:
11/12/2014 11:58:00 AM

ANN RASMUSSEN, REGISTER OF DEEDS
CODINGTON COUNTY, SOUTH DAKOTA

Recording Fee: 30.00
Return To: CITY OF WATERTOWN

**DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR THE PLAT OF WILLISTON ADDITION
TO THE MUNICIPALITY OF WATERTOWN,
CODINGTON COUNTY, SOUTH DAKOTA**

KNOW ALL YE MEN BY THESE PRESENTS:

WHEREAS, the undersigned, Scott Munger and Williston, Inc., do hereby certify that they are the developers of and the only person or persons, partnership or partnerships, corporation or corporations, who have any right, title and interest to all of the land platted into lots, easements and private roadways as shown on the plat of WILLISTON ADDITION TO THE MUNICIPALITY OF WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA, recorded on ~~December~~ ^{November} 12, 2014, at 11:55'clock ~~A.~~ ^{A.}M., in Book "OP" of Plats, on page 578, in the office of the Register of Deeds of Codington County, South Dakota.

WHEREAS, for the purpose of providing an orderly development of all of the lots included in the above-described property and for the further purpose of providing management of the private driveway.

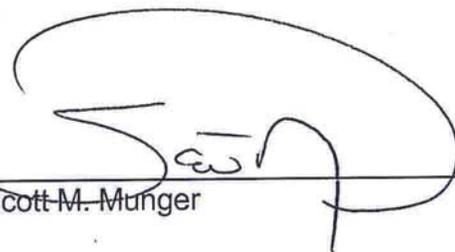
1. Developer covenants that a homeowner's association shall be formed for the purposes of maintaining the private roadways for the use and benefit of unit owners and to perform such other duties as may benefit members of the association.
2. Each unit owner who is a member of the association shall have one vote regardless of the number of units owned.
3. That the cost of improvements to lots dedicated for private roadways shall be the collective responsibility of all landowners and the costs of maintenance shall be pro-rated by unit and assessed to the unit owner for the purpose of improvements and maintenance.

4. All structures placed on said lots and the units in each structure shall be for personal use only as a storage facility.
5. No commercial use of the units of any kind will be allowed.
6. No outside storage shall be permitted on the property.
7. The units on the property shall be for sale only, and shall not be leased.
8. All exterior building modifications to any of the structures will not be permitted without prior approval of the Board of Directors of the Association.
9. The building material for each unit will be similar to materials used on residential homes on all sides facing the public view.
10. No existing building or structure or any portion or portions thereof may be moved on or placed on Williston Addition.
11. The placement of trees, shrubbery and fencing will not be permitted without the approval of the Board of Directors of the Association.
12. Snow removal, lawn care, upkeep and maintenance of the real estate, structural insurance on each of the buildings, maintenance of the private road available for use by the property owners, and garbage collection shall be the responsibility of the collective owners of the Association.
13. Each individual unit owner shall be a member of the Williston Addition Property Association.

Dated this 21 day of October, 2014.

WILLISTON, INC.

BY: 
Richard Stone, Treasurer


Scott M. Munger

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF CODINGTON)

ORDINANCE NO. 20-42

Amendment to the Zoning Designation of PUD Planned Unit Development for Williston Addition

BE IT ORDAINED by the City of Watertown, upon examination of the amendments to the covenants, conditions and restrictions by Westside Condos, LLC and Westside Condominium Association, the owners of real property described as:

“Williston Addition to the Municipality of Watertown, Codington County, South Dakota,” recorded on November 12, 2014 at 11:55 o’clock A.M., in Book “OP” of Plats on page 578, in the office of the Register of Deeds of Codington County, South Dakota.

BE IT FURTHER ORDAINED that the current use of the property as personal storage facilities be expanded to allow for single-family residential occupancy in units 15, 16 and 17 (southernmost structure on Lot 2 of Williston Addition).

The above and foregoing Ordinance was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon voice vote motion carried, whereupon the Mayor declared the Ordinance duly passed and adopted.

I certify that Ordinance No. 20-42 was published in the Watertown Public Opinion, the official newspaper of said City, on this ____ day of _____, 2020.

Kristen Bobzien, Finance Officer

First Reading: November 2nd, 2020
Second Reading: November 16th, 2020
Published: November 21st, 2020
Effective: December 11th, 2020

City of Watertown

Attest:

Kristen Bobzien
Finance Officer

Sarah Caron, PE, CFM
Mayor

Williston Addition Vicinity Map



SHEET INDEX

- C1 TITLE SHEET
- C2 EXISTING SITE PLAN
- C3 GRADING PLAN
- C4 UTILITY PLAN
- C5 GENERAL NOTES
- C6-C7 STANDARD PLATES
- C8 PREDEVELOPED DRAINAGE AREAS
- C9 POSTDEVELOPED DRAINAGE AREAS

REVISIONS:

- DATE: 5-4-2020
 BY: CBD
1. REVISED BUILDING SIZES AND UNIT LAYOUTS.
 2. REVISED PARKING SPACE LAYOUT.
 3. REVISED SANITARY SEWER AND WATER MAIN STUB LENGTHS ALONG FUTURE 5TH AVE S.
 4. REVISED WOCV ORIFICE SIZE AND TRASH GUARD.
- DATE: 5-29-20
 BY: CBD
1. REVISED SANITARY SERVICE LOCATIONS.
 2. REVISED SANITARY MAIN LOCATIONS AND ADDED PROFILE VIEW.

DATE: 5-29-20
 BY: CBD

1. REVISED SANITARY SERVICE LOCATIONS.
 2. REVISED SANITARY MAIN LOCATIONS AND ADDED PROFILE VIEW.

1. REVISED SANITARY SERVICE LOCATIONS.
 2. REVISED SANITARY MAIN LOCATIONS AND ADDED PROFILE VIEW.

AASON ENGINEERING COMPANY
 1022 4th Street SW
 Watertown, SD 57257
 Phone No. (605) 882-2371
 Fax No. (605) 882-1042



This Work Coordinated By:

GRADING AND LANDSCAPE PLAN

LOT 2 WILLISTON ADDITION - PHASE 2
 WATERTOWN, SOUTH DAKOTA

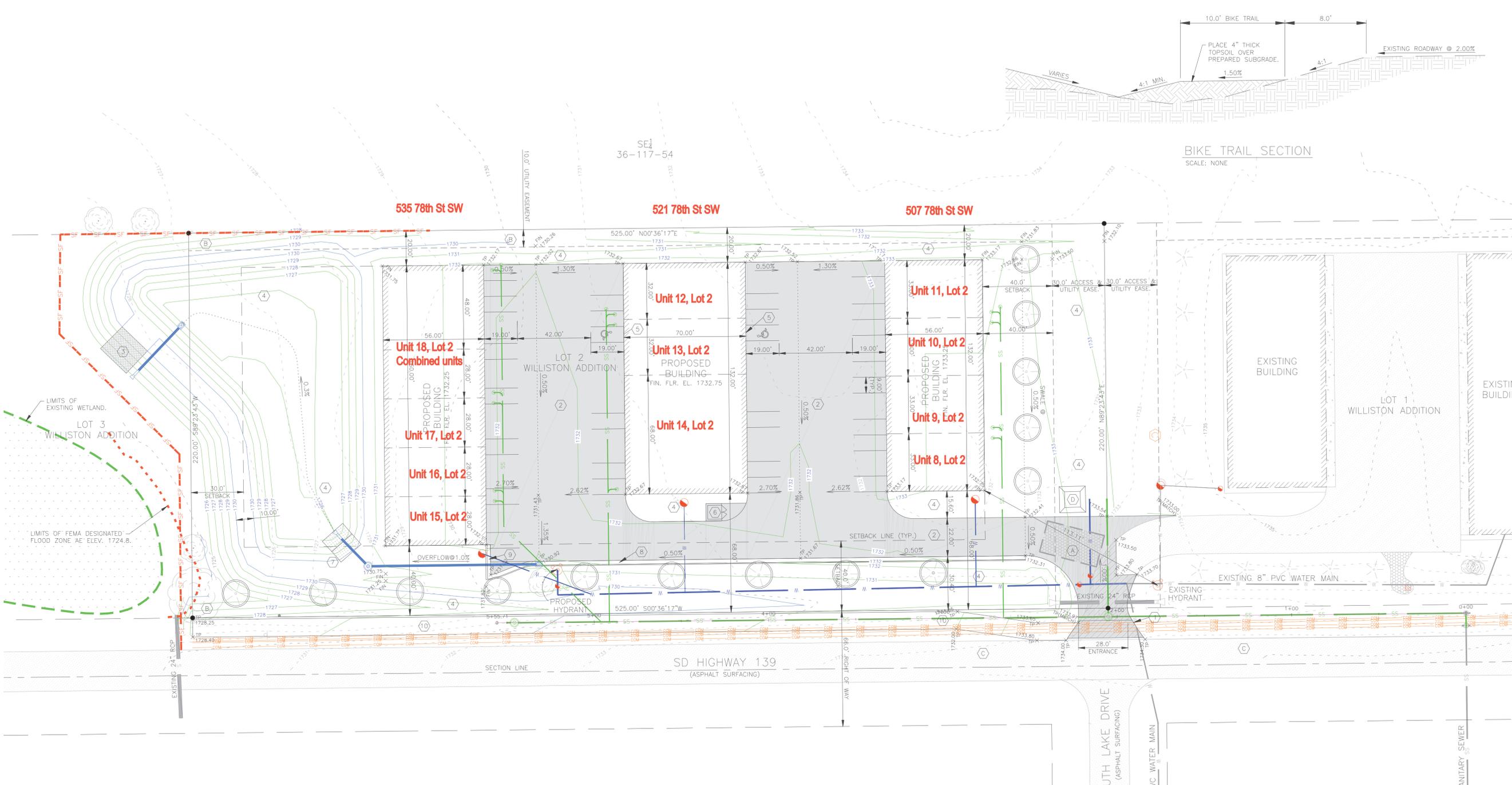
DATE: FEBRUARY 12, 2020

SCALE:

DRAWN BY: CBD

JOB NO.: 2019-075

SHEET 3 OF 9



ZONING DISTRICT
 ZONE: PUD, PLANNED UNIT DEVELOPMENT
 YARD SETBACK REQUIREMENTS PER ZONING:
 FRONT YARD: 40 FEET
 SIDE YARD: 20 FEET
 REAR YARD: 30 FEET

ZONING AUTHORITY: CITY OF WATERTOWN, SD
 PHONE NUMBER: (605) 882-6202 EXT. 3528
 CONTACT PERSON: BRANDI HANTEN

GENERAL NOTE
 1. BASIS OF BEARING: UTM ZONE 14 NORTH - WGS 84 (7P). GROUND DISTANCES SHOWN.

2. ELEVATIONS BASED ON NAVD 88 DATUM IN RELATION TO PID AE7987.

LEGAL DESCRIPTION
 LOT 2 OF THE PLAT ENTITLED, "WILLISTON ADDITION TO THE MUNICIPALITY OF WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA."

LOT AREA
 SUBJECT PROPERTY CONTAINS 2.65± ACRES

AREAS

1. SUBJECT PROPERTY CONTAINS 115,500± SQ. FT.
2. BUILDING CONTAINS 25,912± SQ. FT.
3. DRIVEWAY AND PARKING AREA PAVEMENT CONTAINS 32,962± SQ. FT.
4. PEDESTRIAN SIDEWALKS CONTAIN 0 SQ. FT.
5. GREEN SPACE AREA CONTAINS 56,626± SQ. FT. (EXCLUDING RIGHT OF WAY)

POST-DEVELOPED DRAINAGE AREA: 2.10 ACRES
 IMPERVIOUS AREA: 1.35 ACRES

PRE-DEVELOPED RELEASE RATES:
 2YR = 1.80 CFS
 100YR = 4.55 CFS

POST-DEVELOPED RELEASE RATES:
 2YR = 0.83 CFS
 100YR = 2.27 CFS

PROPOSED DECIDUOUS SHADE TREE
 (REFER TO WATERTOWN ORDINANCE NUMBER 21.7303)
 MINIMUM SIZE SHALL BE 1 1/4" CALIPER
 (1) TREE SPACED AT 50' ALONG FRONTAGE: 14

SITE WORK

1. SAW CUT REMOVE AND DISPOSE OF 128 SQ. YD. OF ASPHALT PAVEMENT. SALVAGE EXISTING BASE COURSE.
2. INSTALL 4" THICK ASPHALT PAVEMENT OVER 8" THICK BASE COURSE.
3. INSTALL 40 SQ.YD. P300 TURF REINFORCEMENT MAT BY NORTH AMERICAN GREEN OR EQUAL PRIOR TO SEEDING.
4. 6" THICK MIN. TOPSOIL PLACEMENT IN GREEN AREAS.
5. SECURE ADA SIGNS TO BUILDING. (SEE DETAILS)
6. REFUSE STORAGE AREA WITH SCREENING FENCE.
7. INSTALL 28 SQ.YD. OF EROSION CONTROL BLANKET IMMEDIATELY AFTER SEEDING.
8. INSTALL TYPE B66 CURB GUTTER. SEE STANDARD PLATES.
9. INSTALL TYPE P GUTTER. SEE STANDARD PLATES.
10. CONSTRUCT 10' WIDE BIKE TRAIL TO SUBGRADE ONLY.

SEDIMENT CONTROL WORK

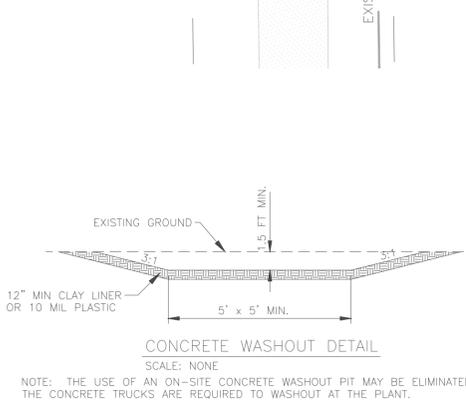
- A. INSTALL ROCK ENTRANCE. ROCK ENTRANCE SHALL BE A MIN. OF 24" WIDE AND 50' LONG. SEE STANDARD PLATES.
- B. INSTALL HIGH FLOW SILT FENCE. SEE STANDARD PLATES.
- C. PICK UP ANY MUD TRACKED ONTO STREET WITH POWER BROOM.
- D. PROPOSED CONCRETE TRUCK WASHOUT AREA. CONSTRUCT A MIN. OF 2.0' DEEP PIT WITH 5'X5' BOTTOM AND 4:1 SIDE SLOPES. SEE STANDARD PLATES.

LOT A SANDY SHORES WEST SECOND ADDITION

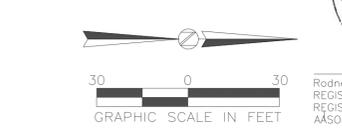
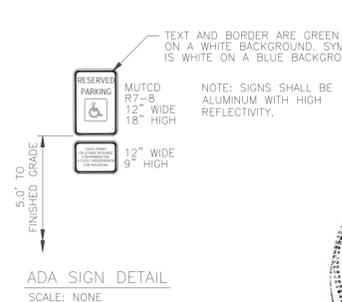
SEDIMENT CONTROL NOTES

1. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE PROPER INSTALLATION AND MAINTENANCE OF ALL EROSION CONTROL DEVICES AND ANY PROBLEMS THAT MAY ARISE.
2. THE CONTRACTOR SHALL TAKE CARE NOT TO ALLOW SEDIMENT TO LEAVE THE SITE OR ENTER THE CITY STREETS AND STORM SEWER SYSTEM. ADDITIONAL EROSION CONTROL MEASURES OTHER THAN SHOWN ON THIS SHEET MAY BE NECESSARY.
3. ANY SEDIMENT OR MUD TRACKED INTO THE STREETS SHALL BE CLEANED UP BY THE CONTRACTOR ON A DAILY BASIS.
4. THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL DEVICES ONCE EVERY WEEK AND WITHIN 24 HOURS AFTER EVERY RAINFALL EVENT GREATER THAN 1/4". THE CONTRACTOR SHALL COMPLETE THE INSPECTION REPORTS.
5. EROSION CONTROL DEVICES MOVED FOR CONSTRUCTION PURPOSES SHALL BE REPLACED OR RELOCATED TO AN APPROPRIATE POSITION WITHIN 24 HOURS.
6. PERMANENT SEEDING SHALL BE ESTABLISHED 14 DAYS AFTER GRADING OPERATIONS HAVE BEEN COMPLETED.
7. THE OWNER IS RESPONSIBLE FOR REMOVAL OF EROSION CONTROL DEVICES ONCE PERMANENT SEEDING IS ESTABLISHED AND ALL FINISHED SURFACES ARE IN PLACE.

LOT F SANDY SHORES WEST SECOND ADDITION



ADA SIGN DETAIL



Rodney S. DeJong
 REGISTERED ENGINEER
 REGISTRATION NO. 3503
 AASON ENGINEERING COMPANY, INC.