



City Council

Agenda Item

Subject: First Reading of Ordinance No. 22-12, Amending the Zoning Map of the City of Watertown, SD, for Lots 17-22, Block 3 of KAK's Fourth Addition from PUD Planned Unit Development (KAK's Fourth Addition) to PUD Planned Unit Development (Pelican Lake Apartments)

Meeting: City Council - Apr 18 2022

From: Heath VonEye, Public Works Director/City Engineer

BACKGROUND INFORMATION:

Background:

Owner, Steven T. Horning, Acting Agent of KAK's Lakeside Addition Inc., has submitted a petition to rezone Lots 17-22, Block 3 of KAK's Fourth Addition from PUD Planned Unit Development (KAK's Fourth Addition) to PUD Planned Unit Development (Pelican Lake Apartments). Mike Lawrence is the applicant and developer of the rezone and PUD Plan proposal for Pelican Lake Apartments.

The Plat of KAK's Fourth Addition was approved by City Council on March 21st, 2022 which included R-1 Single Family Residential and PUD Planned Unit Development Districts. The PUD allowed for a rural residential development. This PUD proposal includes 6 lots adjacent to Lake Pelican to develop the lake front with mixed uses including commercial, residential, and recreational uses. The developer's vision is to provide affordable apartments with access to Lake Pelican, on-site recreational uses, and a local restaurant.

The PUD Plan states that apartment building shall have a uniform look and finishes to the neighboring single family homes. Islands shall be installed within the parking lot to provide areas for internal landscape and tree plantings.

The **setbacks** for this PUD will meet the requirements of the R-3 Multi-Family Residential District (Over 12 Dwelling units), being:

- Front Yard: 30'
- Side Yard: 20'
- Rear Yard: 25'
- Maximum Overall Height: 55'

The **density** for this development includes:

- Total Number of Units: 192
- Total Number of Bedrooms: 288
- Restaurant Occupancy: 75
- Total Parking Spaces Required: 313
- Total Parking Spaces Provided: 334

The PUD will meet minimum parking requirements for multi-family dwelling units being 1 per bedroom and for restaurants being 1/150 SF of gross floor area

This property includes a 0.9 Acres of jurisdictional wetland where the developer proposes to create a marina. The developer will be required to work with the US Army Corps of Engineers and the City to obtain necessary permits.

The PUD proposes a public boat ramp/lake access to be dedicated to the City of Watertown. Such dedication would require approval by the Parks, Recreation, & Forestry Board as well as the City Council during the platting phase. This PUD does not approve such dedication and further details will continue to be discussed with pertinent parties. This development does not require park dedication, however, as KAK's Fourth Addition has already met those requirements.

The Comprehensive Land Use Plan shows this area within the boundary of C-L Lake Commercial District for Lake Pelican which allows for the proposed uses in the PUD. The C-L District was created to allow for commercial activity that is conducive to Lake Pelican as well as Lake Kampeska. The Future Land Use map shows the area as residential.

The development would abut urban residential street sections of 18th Avenue SW and 19th Avenue SW and North Pelican Lane which are constructed to Engineering Design Standards. The development is served by two major collectors being 33rd Street SW and 42nd Street SW (unimproved township road). 33rd Street SW is approximately 24' in width which does meet the rural street section in Engineering Design Standards for residential with 24-hour volumes of 2000 or less. The Master Transportation Plan did not propose upgrades to 33rd St SW as a Long-Range Transportation Project.

The Plan Commission recommended approval to the City Council at the April 7th, 2022 meeting (4-3). There was extensive discussion during the public hearing. Many neighbors (approximately 25-30) expressed opposition with concerns including: increased traffic, the proposed public boat ramp, lack of public park space for children, and water quality.

Facts:

- Current Zoning Designation:
 - PUD Planned Unit Development (rural residential)
- Proposed Zoning Designation:
 - PUD Planned Unit Development (mixed use commercial & multi-family residential)
- Adjacent Zoning Designations:
 - R-1 Single Family Residential: East and North
 - PUD Rural Residential: West and North
 - Lake Pelican to the South
- Portion of property is within 100 year floodplain.

SUGGESTED MOTION:

No Action; First Reading

STAFF REFERENCE(S):

Brandi Hanten

ATTACHMENT(S):

[Petition](#)

[PUD Plans](#)

[PUD Narrative](#)

[Ordinance No. 22-12](#)

Prepared by:
Colin B. DeJong, LS
Aason Engineering Company, Inc.
1022 6th St SE
Watertown, SD 57201
Phone #: 605-882-2371

STATE OF SOUTH DAKOTA)
:
COUNTY OF CODINGTON) **PETITION TO CHANGE ZONING**

**TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL OF THE CITY
OF WATERTOWN, SOUTH DAKOTA:**

1. Your Petitioner(s), Steven T. Horning, Acting Agent for KAK's Lakeside Addition Inc., respectfully request that the following described real property in the City of Watertown, Codington County, South Dakota, be re-zoned from its current designation as "PUD – Planned Unit Development (KAK's Fourth Addition)" to "PUD – Planned Unit Development (Pelican Lake Apartments)".

All of Lots 17 thru 22 Block 3 of the plat entitled, "KAK's Fourth Addition to the Municipality of Watertown, in the County of Codington, South Dakota", containing 10.22+/- Acres;

Upon platting to be known as, "Pelican Lake Apartments First Addition to the Municipality of Watertown, in the County of Codington, South Dakota."

2. Petitioner is the owner of record of the above-described real property.
3. The petitioner intends to develop the next phase within the KAK's Development.
4. The following Exhibit is attached hereto and are by reference incorporated as part of this Petition:

Exhibit A – Pelican Lake Apartments First Addition to the Municipality
of Watertown, in the County of Codington, South Dakota.

WHEREFORE, PETITIONER(S) REQUEST that the City Council of Watertown, South Dakota adopt an ordinance re-zoning the above-referenced real property from its current designation as "PUD – Planned Unit Development (KAK's Fourth Addition)" to "PUD – Planned Unit Development (Pelican Lake Apartments)".

Dated this 9th day of March, 2023

Steven T. Horning

Steven T. Horning

Acting Agent

KAK's Lakeside Addition, Inc.

State of South Dakota

County of Codington)SS:

On this the 9th day of March, 2023, before me, the undersigned officer, personally appeared **Steven T. Horning, Acting Agent for KAK's Lakeside Addition, Inc.**, known to me or satisfactorily proven to be the person whose name is subscribed to within this instrument and acknowledged that he executed the same for the purposes therein contained.

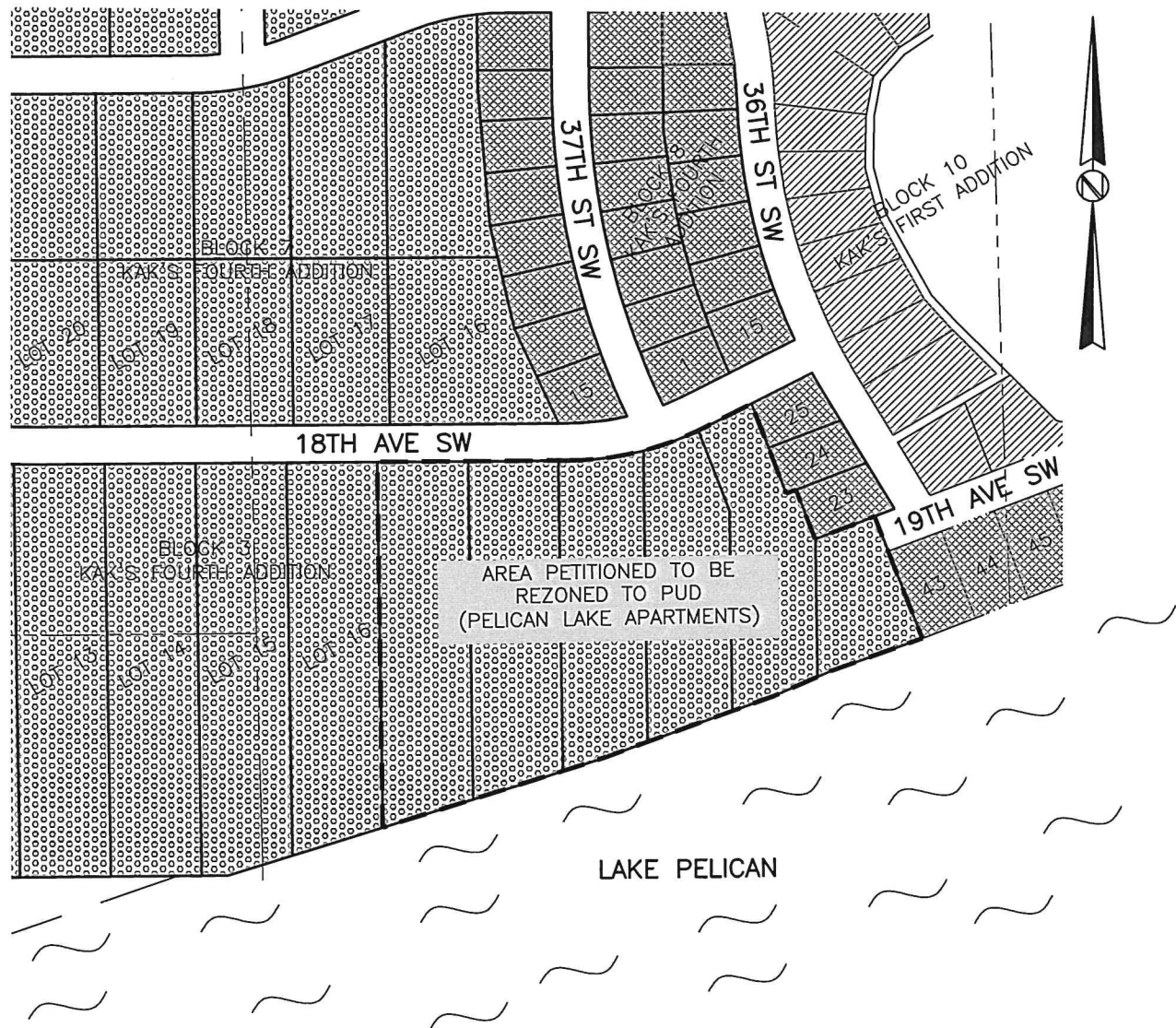
IN WITNESS WHEREOF I hereunto set my hand and official seal.

Michelle Burdorn
Notary Public

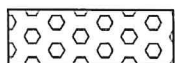
(SEAL)

My Commission Expires: 9-28-2024

Exhibit A
Pelican Lake Apartments First Addition to the
Municipality of Watertown, in the County of
Codington, South Dakota.



ZONING DESIGNATIONS



PUD ZONING DESIGNATION



R1 ZONING DESIGNATION



R2 ZONING DESIGNATION



Prepared By
AASON ENGINEERING COMPANY, INC.

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

PUD PLANS FOR
PELICAN LAKE APARTMENTS
WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA

SHEET INDEX
TITLE SHEET / VICINITY MAP
EXISTING CONDITIONS
PROPOSED LAND USE AND STANDARD NOTES

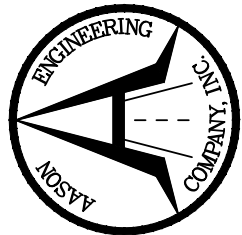
OWNER:
KAK'S LAKESIDE ADDITION, INC.
15 9TH AVE SE
WATERTOWN, SD 57201
CONTACT: STEVE HORNING
PHONE: (605)886-4936
EMAIL: STH@DAILYPOST.COM

DEVELOPER:
ACCESS REALTY
188 4TH ST NE
WATERTOWN, SD 57201
CONTACT: MIKE LAWRENCE
PHONE: (605)878-3108
EMAIL: ACCESSWATERTOWN@GMAIL.COM

CIVIL ENGINEER / SURVEYOR:
AASON ENGINEERING COMPANY, INC.
1022 6TH STREET SE
WATERTOWN, SD 57201
CONTACT: COLIN DEJONG, LS
PHONE: (605)882-2371
EMAIL: COLINDEJONG@IW.NET

REVISIONS:
DATE:
BY:
1.

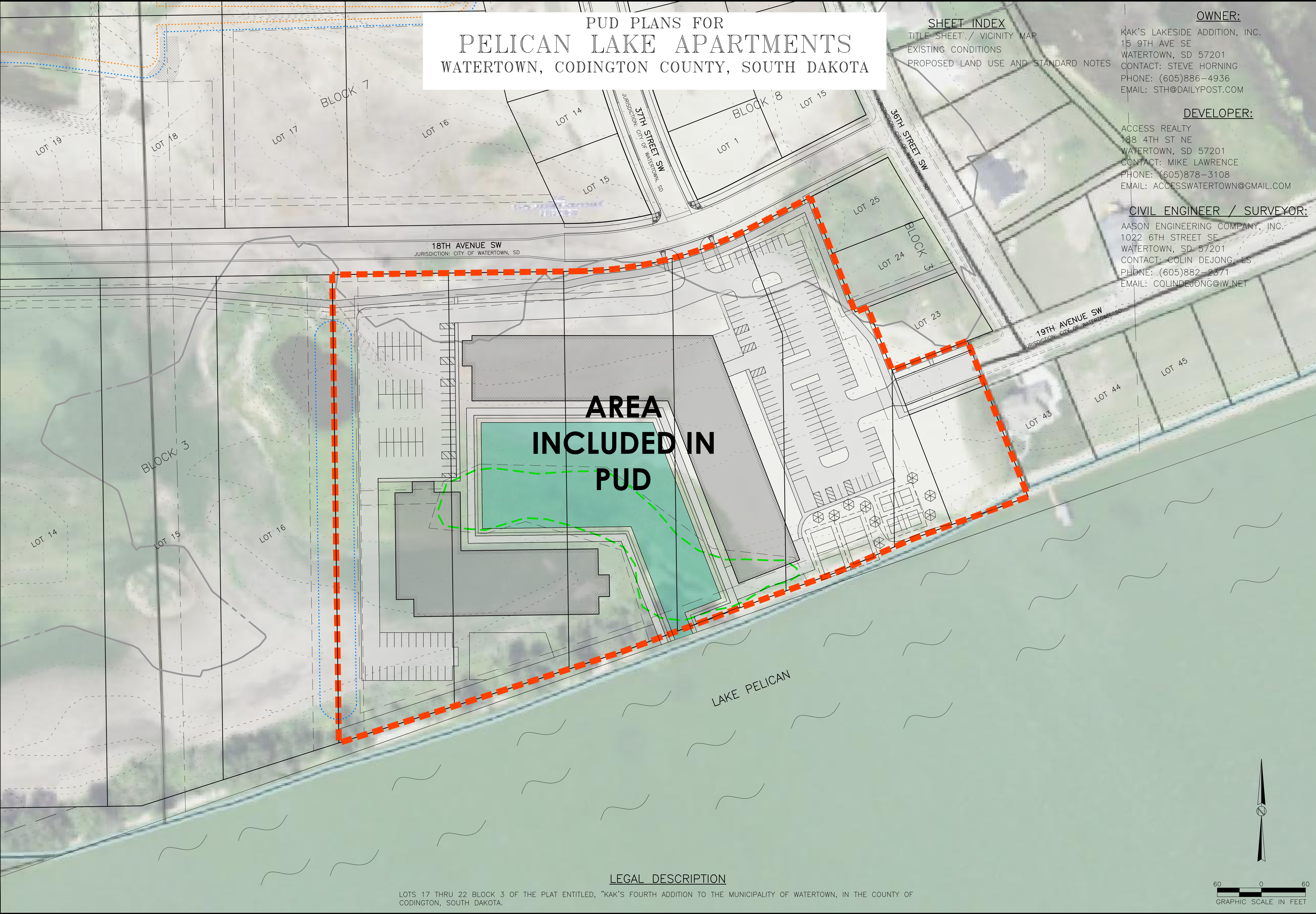
This Work Coordinated By:
AASON ENGINEERING COMPANY
1022 6TH STREET SE
WATERTOWN, SD 57201
PHONE NO: (605) 882-2371
FAX NO: (605) 882-1421



TITLE SHEET

MONTGOMERY'S DEVELOPMENT
WATERTOWN, SD

DATE: JANUARY 24, 2022
SCALE:
DRAWN BY: CBD
JOB NO.: 2020-175
SHEET 1 OF 3



LEGAL DESCRIPTION
LOTS 17 THRU 22 BLOCK 3 OF THE PLAT ENTITLED, "KAK'S FOURTH ADDITION TO THE MUNICIPALITY OF WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA.



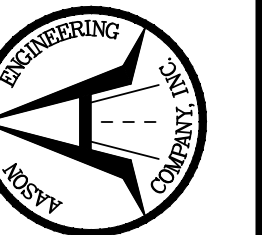
EXISTING CONDITIONS

1. THERE IS A 0.9 ACRE JURISDICTIONAL WETLAND LOCATED ON THE SUBJECT PROPERTY. RECENT DISCUSSIONS WITH THE USACE HAVE INDICATED THAT THE CONVERSION OF THIS WETLAND INTO THE PROPOSED MARINA WILL REQUIRE COMPENSATORY MITIGATION.
2. THERE IS A PROPOSED DETENTION POND FOR THE NEIGHBORING DEVELOPMENT ON THE WEST SIDE OF THE SUBJECT PROPERTY, WHICH WILL SERVE AS PART OR ALL OF THE REQUIRED STORM WATER QUANTITY AND QUALITY CONTROL FOR THIS DEVELOPMENT.
3. THE EXISTING SOILS CONSIST OF 12"-24" OF TOPSOIL OVER A SAND SUB-BASE.
4. THE EXISTING GROUND COVER CONSISTS OF BARE TOPSOIL. THE EARTHWORK OPERATIONS FOR THE NEIGHBORING DEVELOPMENT HAVE JUST BEEN COMPLETED.

REVISIONS:
DATE:
BY:
1.

This Work Coordinated By:

AASON ENGINEERING COMPANY
1000 Main Street, Suite 500
Watertown, SD 57251
Phone No. (605) 852-2321
Fax No. (605) 852-1421



EXISTING CONDITIONS

PELICAN LAKE APARTMENTS
WATERTOWN, SD

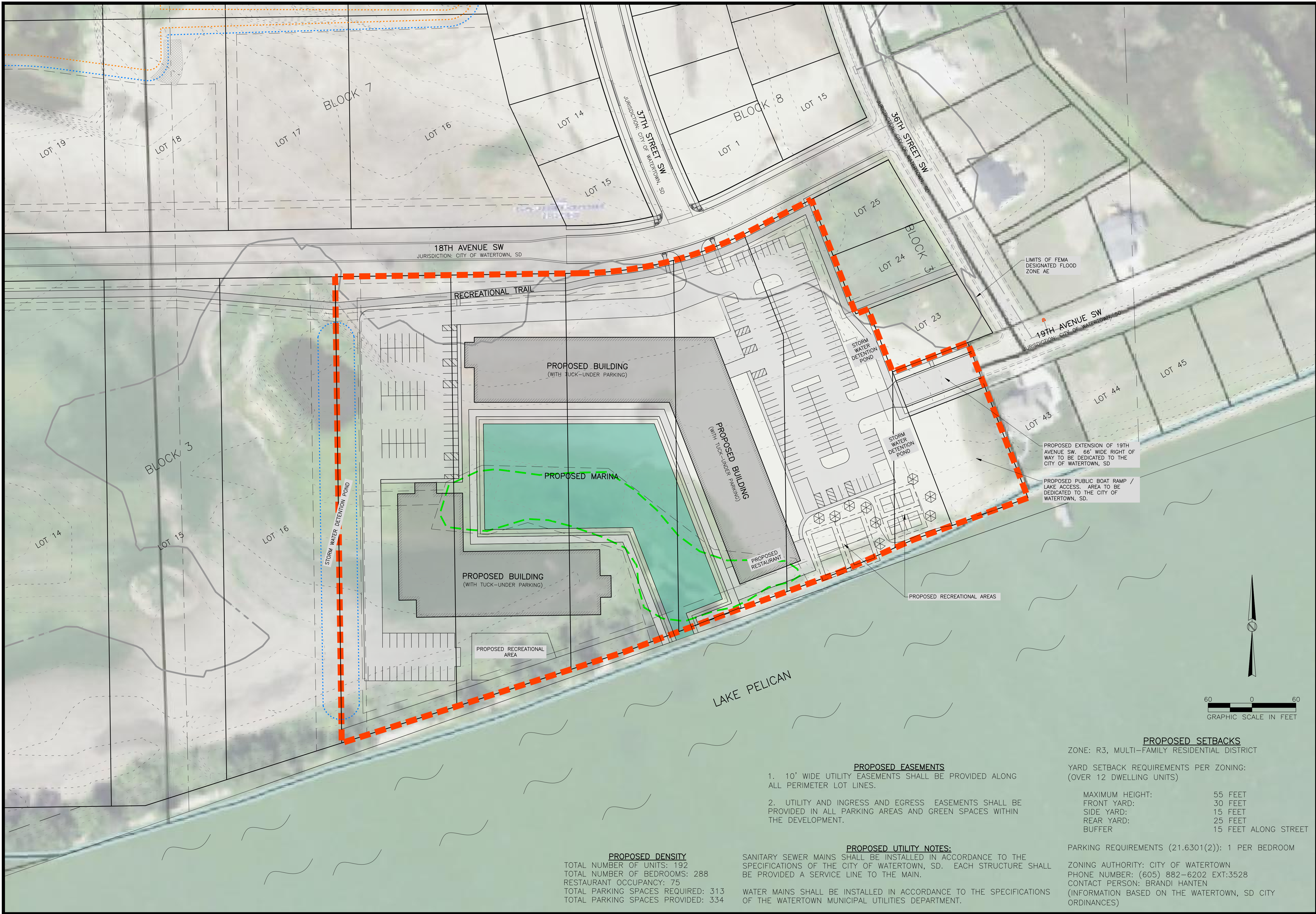
DATE: MARCH 7, 2022

SCALE:

DRAWN BY: CBD

JOB NO.: 2022-029

SHEET 2 OF 3



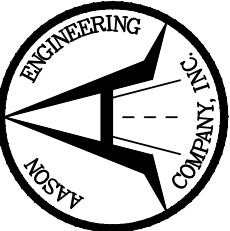
REVISIONS:

DATE: 11/15/2021

BY: 1.

This Work Coordinated By:

AASON ENGINEERING COMPANY
1000 S. 10th St.
Watertown, SD 57201
Phone No. (605) 882-2321
Fax No. (605) 882-1242



PUD CONCEPT PLAN

PELICAN LAKE APARTMENTS
WATERTOWN, SD

DATE: MARCH 7, 2022

SCALE:

DRAWN BY: CBD

JOB NO.: 2022-029

SHEET 3 OF 3

PROPOSED DENSITY
TOTAL NUMBER OF UNITS: 192
TOTAL NUMBER OF BEDROOMS: 288
RESTAURANT OCCUPANCY: 75
TOTAL PARKING SPACES REQUIRED: 313
TOTAL PARKING SPACES PROVIDED: 334

PROPOSED UTILITY NOTES:
SANITARY SEWER MAINS SHALL BE INSTALLED IN ACCORDANCE TO THE SPECIFICATIONS OF THE CITY OF WATERTOWN, SD. EACH STRUCTURE SHALL BE PROVIDED A SERVICE LINE TO THE MAIN.
WATER MAINS SHALL BE INSTALLED IN ACCORDANCE TO THE SPECIFICATIONS OF THE WATERTOWN MUNICIPAL UTILITIES DEPARTMENT.

- PROPOSED EASEMENTS**
- 10' WIDE UTILITY EASEMENTS SHALL BE PROVIDED ALONG ALL PERIMETER LOT LINES.
 - UTILITY AND INGRESS AND EGRESS EASEMENTS SHALL BE PROVIDED IN ALL PARKING AREAS AND GREEN SPACES WITHIN THE DEVELOPMENT.

PROPOSED SETBACKS
ZONE: R3, MULTI-FAMILY RESIDENTIAL DISTRICT
YARD SETBACK REQUIREMENTS PER ZONING:
(OVER 12 DWELLING UNITS)

MAXIMUM HEIGHT:	55 FEET
FRONT YARD:	30 FEET
SIDE YARD:	15 FEET
REAR YARD:	25 FEET
BUFFER	15 FEET ALONG STREET

PARKING REQUIREMENTS (21.6301(2)): 1 PER BEDROOM
ZONING AUTHORITY: CITY OF WATERTOWN
PHONE NUMBER: (605) 882-6202 EXT:3528
CONTACT PERSON: BRANDI HANTEN
(INFORMATION BASED ON THE WATERTOWN, SD CITY ORDINANCES)

PELICAN LAKE APARTMENTS – PUD NARRATIVE WATERTOWN, SD

SUMMARY OF THE PLANNED UNIT DEVELOPMENT OBJECTIVES

Pelican Lake Apartments is a proposed development that mixes commercial, residential, and recreational uses. The developer's vision is to provide affordable apartments with access to Lake Pelican, on-site recreational uses, and a local restaurant.

- **SETBACKS AND PERMITTED USES** (see page 3 of the PUD Plans)
 - Setback distances shall match the requirements set forth in the City of Watertown, SD ordinances for R3, Multi-Family Residential Zoning District.
 - Permitted uses shall match the requirements set forth in the City of Watertown, SD ordinances for R3, Multi-Family Residential Zoning District, with the addition of a Lake Side Restaurant. The approximate location of the Restaurant is as shown on page 3 of the PUD Plans.
- **PROPOSED PARKING AREA AND UTILITIES** (see page 3 of the PUD Plans)
 - Utility and Ingress and Egress Easements shall be provided over and across all of the interior parking areas and green spaces.
 - All tenants shall share monetary responsibility for maintenance and operation of the parking areas which shall be provided by the developer or their assigns.
 - Private Sanitary Sewer and Water Mains shall be installed within the PUD area to provide service and fire protection to the proposed buildings.
 - Parking shall be provided within the lower level of the proposed buildings to reduce additional exterior impervious areas.
- **TYPE AND CHARACTER OF BUILDINGS / LOTS**
 - The proposed apartment building shall have a uniform look and finishes to the neighboring single family homes. Islands shall be installed within the parking lot to provide areas for internal landscape and tree plantings. Sidewalks shall be installed to provide pedestrian connectivity through the development to the adjoining right of ways.

ORDINANCE NO. 22-12

Petition to Amend Zoning District Boundaries by Rezoning a Portion of KAK's Fourth Addition from PUD Planned Unit Development (KAK's Fourth Addition) to PUD Planned Unit Development (Pelican Lake Apartments)

BE IT ORDAINED by the City of Watertown, upon examination of the Petition to Change Zoning by Petitioner, Steven T. Horning, Acting Agent for KAK's Lakeside Addition Inc., being the owner of the real property described as:

All of Lots 17 thru 22 Block 3 of the plat entitled, "KAK's Fourth Addition to the Municipality of Watertown, in the County of Codington, South Dakota"

Upon platting to be known as, *"Pelican Lake Apartments First Addition to the Municipality of Watertown, in the County of Codington, South Dakota"*

and based on the report and recommendation of the City Plan Commission in its Resolution No. 2022-16, that the property be, and is hereby, rezoned from the existing designation of *PUD Planned Unit Development (KAK's Fourth Addition)* pursuant to Watertown Revised Ordinance §21.38 to *PUD Planned Unit Development (Pelican Lake Apartments)* pursuant to Watertown Revised Ordinance §21.38.

BE IT FURTHER ORDAINED that the new zoning designation referenced above be extended to the centerline of all 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 No. 22-12 was published in the Watertown Public Opinion, the official newspaper of said City, on this ____ day of _____, 2022.

Kristen Bobzien, Finance Officer

First Reading: April 18th, 2022
Second Reading: May 2nd, 2022
Published: May 7th, 2022
Effective: May 27th, 2022

City of Watertown

Attest:

Kristen Bobzien
Finance Officer

Ried Holien
Mayor