



City Council

Agenda Item

Subject: Ruesink-Stofferahn Addition Annexation and Zoning:

1. Approval of Resolution No. 23-31, Initiating Annexation of a Tract of Land Contiguous to the City of Watertown, South Dakota, known as Ruesink-Stofferahn Addition
2. Second Reading of Ordinance No. 23-17, Establishing the Zoning Designations of C-L Lake Commercial District for the property to be known as Ruesink-Stofferahn Addition

Meeting: City Council - Sep 18 2023

From: Heath VonEye, Public Works Director/City Engineer

BACKGROUND INFORMATION:

Janie Schuchard, Shane C. Schuchard, and Shannon L. York, Owners, and Kolt Ruesink, Agent Petitioner for Ownership and have submitted a petition for annexation and zoning for a portion of property to be known as "Ruesink-Stofferahn Addition". The area being annexed includes approximately 18.68 acres and is generally located south of 169th Street, west of North Lake Drive, north of 1st Avenue North, and primarily east of 448th Avenue. The property is contiguous to city limits from the east and is proposing to be zoned C-L lake Commercial District (see exhibit). The lot area meets the minimum requirements for the C-L District of 10,000 SF as well as the lot width of 100'. The proposed lot, to be platted upon annexation, is 813,700.8 SF and approximately 1,282 lin. ft. of width. The rezone is in conformance to the Comprehensive Land Use Plan and is within the boundaries of the C-L District Boundary Map for Lake Kampeska.

The Plan Commission recommended approval to City Council at the August 10, 2023 meeting (5-0), Initiating Annexation of a Tract of Land Contiguous to the City of Watertown, South Dakota, known as Ruesink-Stofferahn Addition.

The Plan Commission recommended approval to City Council at the August 10, 2023 meeting (5-1), Establishing the Zoning Designation of C-L Lake Commercial District for the property to be known as Ruesink-Stofferahn Addition.

The first reading of the zoning ordinance was read at the August 21, 2023 City Council Meeting.

Facts:

1. Adjacent Property Zoning Designation:
 - a. North→ Codington County
 - b. East→ R-1 Single Family Residential District
 - c. South → Codington County
 - d. West→ Codington County
2. Rezone will extend to the centerline of the adjacent right-of-ways

3. 18.68 acres will be annexed and zoned C-L Lake Commercial District
 4. A portion of the property is in the 100-year (AE) and 500-year (X) floodplain.
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SUGGESTED MOTION:

1. I move to approve Resolution No. 23-31, Initiating Annexation of a Tract of Land Contiguous to the City of Watertown, South Dakota, known as Ruesink-Stofferahn Addition
 2. I move to approve Ordinance No. 23-17, Establishing the Zoning Designations of C-L Lake Commercial District for the property to be known as Ruesink-Stofferahn Addition
-

STAFF REFERENCE(S):

Brandi Hanten, Heath VonEye, Jana Mills

ATTACHMENT(S):

[Petition](#)

[Petition Exhibit](#)

[Vicinity Map](#)

[Resolution No. 23-31](#)

[Ordinance No. 23-17](#)

Prepared by:
Community Development Division
23 2nd Street NE
Watertown, SD 57201
(605) 882-6201

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

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA:

The undersigned, *Janie Schuchard, Shane C. Schuchard and Shannon L. York*, being the owners of all the following property currently outside the corporate limits of the Municipality of Watertown, South Dakota described as:

"The NW1/4 NE1/4 Less the South 10 Rods Thereof, and Less the West 865' Thereof, and including the North 760' of the East 140' of the West 865' Thereof; And that part of Government Lot 1 Lying West of Highway Right of Way, Less the South 10 Rods Thereof, All in Section 19, T117N, R53W of the 5th P.M., Codington County, South Dakota"

which upon platting will be known as "Ruesink-Stofferahn Addition to the Municipality of Watertown, Codington County, South Dakota"

do hereby petition the City of Watertown, Codington County, South Dakota, to include said contiguous property within the limits of said City, pursuant to SDCL 9-4-1, as shown on the drawing, attached hereto and incorporated by reference. Petitioners avers there are no legal voters residing thereon.

Petitioners further request the zoning ordinance of the City of Watertown be amended to provide said property with the zoning designation of *C-L Lake Commercial District*.

Dated 27th day of July, 2023.

By *Janie Schuchard*
Janie Schuchard

State of South Dakota)
JSS:
County of Codington)

On this the 27 day of July, 2023, before me, the undersigned officer, personally appeared Janie Schuchard known to me or satisfactorily proven to be the person whose name is subscribed to within this instrument and acknowledged that she executed the same for the purposes therein contained.

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

Robin Doerr
Notary Public

(SEAL)

My Commission Expires: 02/02/2027



Dated 26 day of July, 2023.

By [Signature]
Shane C. Schuchard

State of South Dakota)

)SS:

County of Codington)

On this the 26 day of July, 2023, before me, the undersigned officer, personally appeared Shane C. Schuchard 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.

[Signature]
Notary Public

(SEAL)



My Commission Expires:

6/8/28

Dated 27 day of July, 2023.

By [Signature]
Shannon L. York

State of South Dakota)

)SS:

County of Codington)

On this the 27th day of July, 2023, before me, the undersigned officer, personally appeared Shannon L. York known to me or satisfactorily proven to be the person whose name is subscribed to within this instrument and acknowledged that she executed the same for the purposes therein contained.

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

[Signature]
Notary Public

(SEAL)



My Commission Expires:

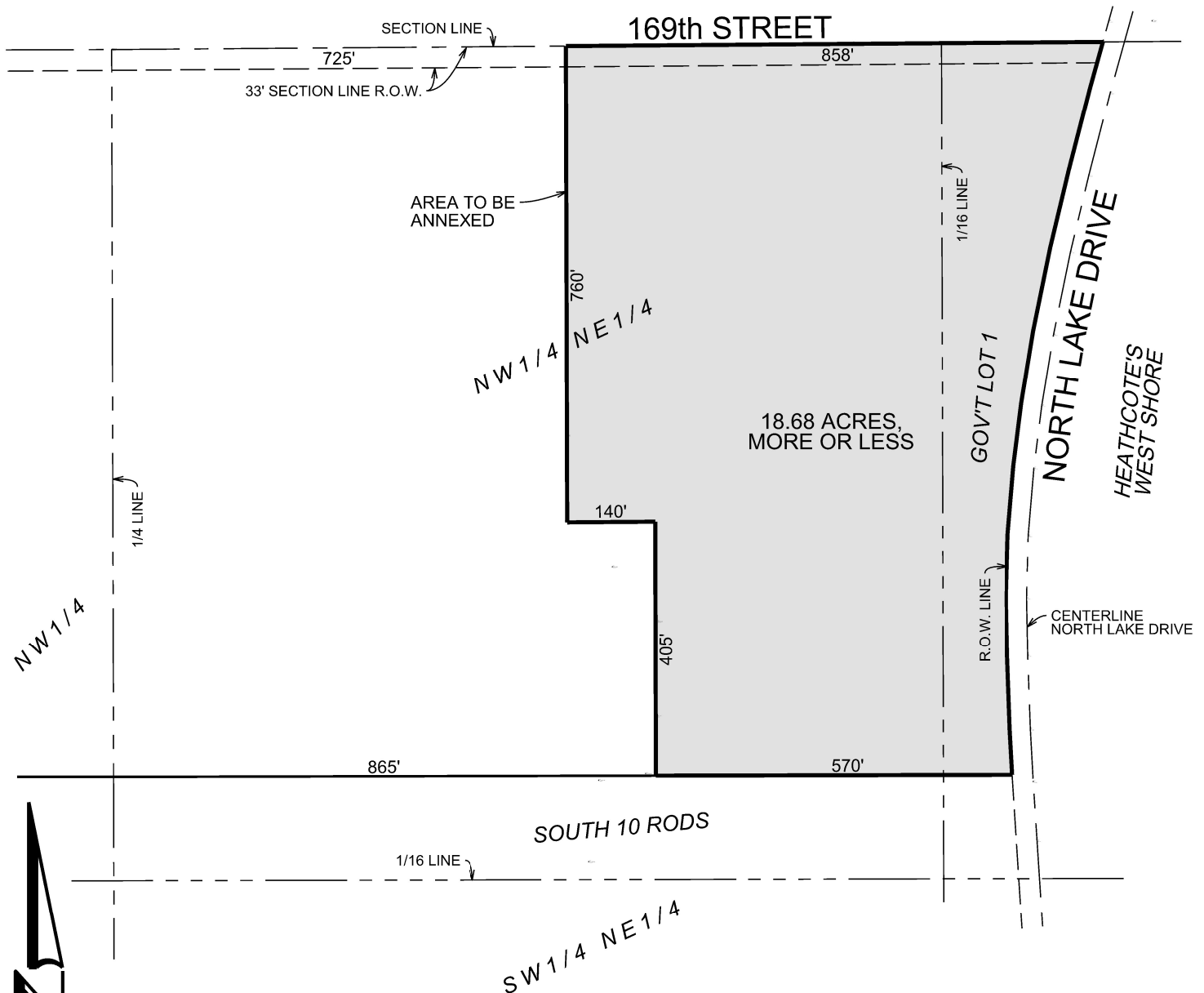
3/31/2026

PROPOSED ANNEXATION EXHIBIT

LEGAL DESCRIPTION:

THE NW1/4 NE1/4 LESS THE SOUTH 10 RODS THEREOF, AND LESS THE WEST 865' THEREOF, AND INCLUDING THE NORTH 760' OF THE EAST 140' OF THE WEST 865' THEREOF; AND THAT PART OF GOVERNMENT LOT 1 LYING WEST OF HIGHWAY RIGHT OF WAY, LESS THE SOUTH 10 RODS THEREOF, ALL IN SECTION 19, T117N, R53W OF THE 5th P.M., CODINGTON COUNTY, SOUTH DAKOTA

*CONTAINING 18.68 ACRES, MORE OR LESS, OF WHICH 0.65 ACRE IS SECTION LINE RIGHT OF WAY



SCALE 1"=250'
JULY 11, 2023

PROPERTY ADDRESS:
801 NORTH LAKE DRIVE
WATERTOWN, SD 57201

BRINKMAN
LAND SURVEYING

17275 449th Ave.
Watertown, S.D. 57201
Brandon Huppler Darwin Brinkman
Cell: (605) 520-5526 Cell: (605) 881-7259
Email: Brandon.Huppler@outlook.com
Project Number: 23-311 Date: 7/11/2023

PROPOSED ANNEXATION EXHIBIT

LEGAL DESCRIPTION:

THE NW1/4 NE1/4 LESS THE SOUTH 10 RODS THEREOF, AND LESS THE WEST 865' THEREOF, AND INCLUDING THE NORTH 760' OF THE EAST 140' OF THE WEST 865' THEREOF; AND THAT PART OF GOVERNMENT LOT 1 LYING WEST OF HIGHWAY RIGHT OF WAY, LESS THE SOUTH 10 RODS THEREOF, ALL IN SECTION 19, T117N, R53W OF THE 5th P.M., CODINGTON COUNTY, SOUTH DAKOTA

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Email: Brandon.Huppler@outlook.com
Project Number: 23-311 Date: 7/11/2023

Vicinity Map



Prepared by:
Community Development Division
City of Watertown
23 Second Street NE
P.O. Box 910
Watertown, SD 57201
(605) 882-6201

RESOLUTION NO. 23-31

A RESOLUTION FOR ANNEXING A PORTION OF PROPERTY IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 117 NORTH, RANGE 53 WEST OF THE 5TH P.M., CODINGTON COUNTY, SD

WHEREAS, Janie Schuchard, Shane C. Schuchard, and Shannon L. York, Owners, and Kolt Ruesink, Agent Petitioner for Ownership, of real property in Codington County described as:

The NW1/4 NE1/4 less the south 10 rods thereof, and less the west 865' thereof, and including the north 760' of the east 140' of the west 865' thereof; and that part of Government Lot 1 lying west of highway right of way, less the south 10 rods thereof, all in Section 19, T117N, R53W of the 5th P.M., Codington County, South Dakota

which upon platting will be known as: Ruesink-Stofferahn Addition to the Municipality of Watertown, in the County of Codington, South Dakota

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

WHEREAS, the City Plan Commission of the City of Watertown, in its Resolution No 2023-26 has recommended that the above described property be annexed into the city limits with no zoning designation and the condition that the property be platted, and that an appropriate zoning designation be assigned to said property upon recommendation of the Plan Commission and following a public hearing of the City Council; and

WHEREAS, there are no legal voters residing on the said property, and the property petitioned for annexation is contiguous to the City of Watertown and should be annexed thereto.

BE IT FURTHER RESOLVED that the portion of the public right-of-way adjacent to the above-described property be annexed to the centerline with no zoning designation.

NOW, THEREFORE, BE IT RESOLVED by the City Council, City of Watertown, Codington County, South Dakota, that the petition is hereby approved and the above-described property is hereby declared to be annexed to the City of Watertown, South Dakota with no zoning designation.

Dated at Watertown, South Dakota this ____ day of _____, 2023.

The above and foregoing Resolution was moved for adoption by Alderperson _____, seconded by Alderperson _____, and upon roll call all voted aye whereupon the Mayor declared the resolution to be duly passed and adopted.

I hereby certify that Resolution No. 23-31 was published in the Watertown Public Opinion, the official newspaper of said City, on Saturday, September 02, 2023.

Kristen Bobzien, Finance Officer
City of Watertown

Attest:

Kristen Bobzien
Finance Officer

Ried Holien
Mayor

ORDINANCE NO. 23-17

An Ordinance Amending Zoning District Boundaries by Zoning Ruesink-Stofferahn Addition to C-L Lake Commercial District District

BE IT ORDAINED by the City of Watertown, upon examination of the Petition for Zoning of property to the City of Watertown by Janie Schuchard, Shane C. Schuchard, and Shannon L. York, Owners, and Kolt Ruesink, Agent Petitioner for Ownership of real property in Codington County described as:

The NW1/4 NE1/4 less the south 10 rods thereof, and less the west 865' thereof, and including the north 760' of the east 140' of the west 865' thereof; and that part of Government Lot 1 lying west of highway right of way, less the south 10 rods thereof, all in Section 19, T117N, R53W of the 5th P.M., Codington County, South Dakota

which upon platting will be known as: Ruesink-Stofferahn Addition to the Municipality of Watertown, in the County of Codington, South Dakota

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 No. 23-17 was published in the Watertown Public Opinion, the official newspaper of said City, on this ____ day of _____, 2023.

Kristen Bobzien, Finance Officer

First Reading: Monday, August 21, 2023
Second Reading: Monday, September 18, 2023
Published: Saturday, September 23, 2023
Effective: Friday, October 13, 2023

City of Watertown

Attest:

Kristen Bobzien
Finance Officer

Ried Holien
Mayor