



Plan Commission

Agenda Item

Subject: Commission Consideration of Ordinance No. 24-07, Amending the Zoning Map of the City of Watertown, SD, for a Portion Berven's Addition, from I-1 Light Industrial District to C-3 Highway Commercial District

Meeting: Plan Commission - Jun 06 2024

From: Heath VonEye, Public Works Director

BACKGROUND INFORMATION:

The owner, Brian Brandriet, 6B Rentals LLC, has petitioned to rezone a portion of property in the Berven's Addition from I-1 Light Industrial District to C-3 Highway Commercial District. The property was annexed into the City of Watertown in 1981 with the I-1 Light Industrial District zoning designation. The property addressed 718 31st St SE was subdivided without platting presumably to separate the existing residential dwelling from Duininck, Inc. property that it was carved out of.

The existing residential dwelling has existed in that location since 1966, being annexed in a I-1 Light Industrial and existing as legal non-conforming. The property that is proposed to be rezoned from I-1 to C-3 is 21,696.62. The I-1 Light Industrial District requires a minimum of 30,000 SF while the C-3 Highway Commercial District requires 20,000 SF; if rezoned, the property will be brought into conformance to meet the minimum lot size requirements.

The applicant also plans to remove the residential structure and utilize the property as C-3 Highway Commercial. Currently, the existing residence is served by a septic and drain field system which will be required to be mitigated and removed at the time of the demolition or relocation of the existing residential structure. Until the sanitary sewer system is within 200' of the property, a sealed holding tank will be allowed but the owner will be noticed of the requirement to connect when the sanitary sewer is within 200' to connect within 60 days of that being extended.

The property has frontage and access to 31st St SE which currently is not improved to Engineering Design Standards and at the time of building permit issuance the property owner will be required to sign a Waiver of Right to Protest agreement for the future installation, improvement and any financial assessments toward 31st St NE.

The property proposed to be rezoned will be required to replat to have that recorded at the Register of Deeds after the effective date of the rezone, *if approved*.

Facts:

1. Adjacent Property Zoning Designation:
 - a. North → I-1 Light Industrial District
 - b. East → County
 - c. South → County

- d. West→ C-3 Highway Commercial District
2. Rezone will extend to the centerline of the adjacent right-of-ways
3. No floodplain in area

FINANCIAL CONSIDERATIONS:

N/A

OVERSIGHT / PROJECT RESPONSIBILITY:

Brandi Hanten, Community Development Manager

STAFF RECOMMENDATION / SUGGESTED MOTION:

Staff recommends approval of this Zoning Map Amendment through following motion:

I move to approve Ordinance No. 24-07, Amending the Zoning Map of the City of Watertown, SD, for a Portion Berven's Addition, from I-1 Light Industrial District to C-3 Highway Commercial District

ATTACHMENT(S):

[Application](#)

[Vicinity Map](#)

[Petition](#)

[Ordinance No. 24-07](#)



City of Watertown, SD

5/30/2024

RZ-24-4

Rezoning Application

Status: Active

Submitted On: 5/21/2024

Primary Location

Owner

Applicant Colin DeJong +1 650-882-2371 colindejong@iw.net 1022 6th St SE
Watertown, SD 57201

Applicant Information

I the applicant am the...*

Project Agent

Project Information

Existing Legal Description*

The South 100' of the West 217' of Lot 3 of Bervin's Addition

Proposed Legal Description* ?

Same as existing

Reason for Rezone

Future construction of C3 uses.

Size of site being rezoned (Acres)*

0.4966

Size of site being rezoned (SF)

21631.896



Current Zoning Designation*

I-1 Light Industrial District

Proposed Zoning Designation*

C-3 Highway Commercial District

Property Owner Information

Name*

6B Rentals, LLC

Phone Number*

605-881-8825

Email Address*

briankbrandriet@gmail.com

Mailing Address*

770 N Lake Drive

City*

Watertown

State*

SD

Zip*

57201

Design Professional Information

Name*

Colin DeJong

Phone Number*

6058822371

Email Address*

COLINDEJONG@IW.NET

Mailing Address*

1022 6th St SE

City*

Watertown

State*

SD

Zip*

57201

Applicant Signature

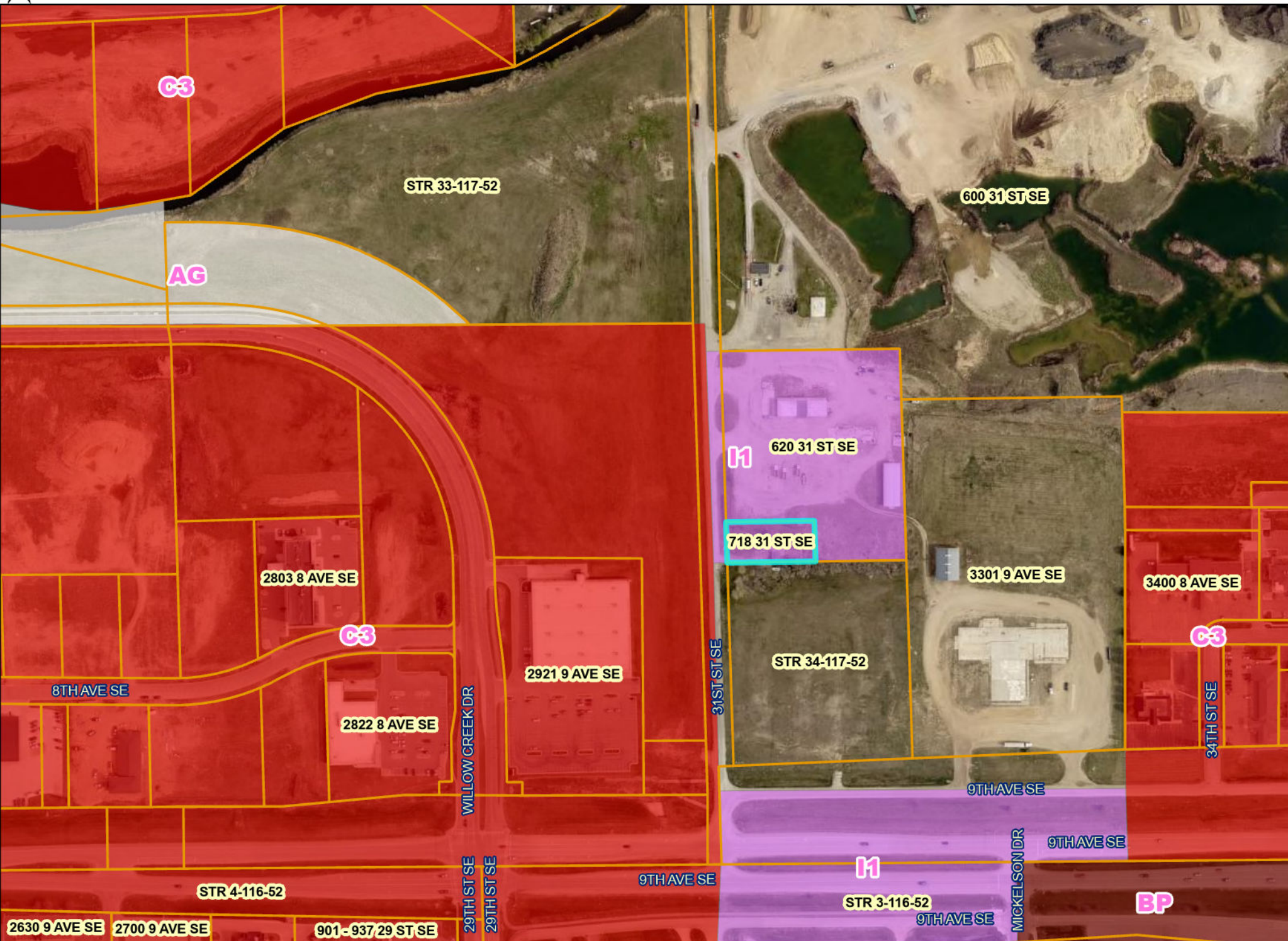
I agree that all information provided is true and accurate to the best of my knowledge.

Applicant Signature*

Colin DeJong

May 21, 2024

Vicinity Map



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

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

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

1. Your Petitioner(s), 6B Rentals, LLC, 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 "I1 – Light Industrial District" to "C3 – Highway Commercial District".

The South 100' of the West 217' of Lot 3 of the plat entitled, "Berven's Addition in the County of Codington, South Dakota, Being formerly a portion of the SW ¼ Section 34 – Township 117 North – Range 52 West of the 5th P.M., Codington County, South Dakota." Subject property contains 21,632 +/- Sq. Ft.

2. Petitioner is the owner of record of the above-described real property.
3. The petitioner intends to develop the property for uses within the C3 District.
4. The following Exhibit is attached hereto and is by reference incorporated as part of this Petition:

Exhibit A – The South 100' of the West 217' of Lot 3 of the plat entitled, "Berven's Addition in the County of Codington, South Dakota, Being formerly a portion of the SW ¼ Section 34 – Township 117 North – Range 52 West of the 5th P.M., Codington County, 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 "I1 – Light Industrial District" to "C3 – Highway Commercial District".

By Brian Brandriet
 Brian Brandriet, Acting Agent
 6B Rentals, LLC

On this the 21st day of May, 2024, before me, the undersigned officer, personally appeared Brian Brandriet, Acting Agent for 6B Rentals, LLC, known to me or satisfactorily proven to be the person whose name(s) are subscribed to within this instrument and acknowledged that he executed the same for the purposes therein contained.

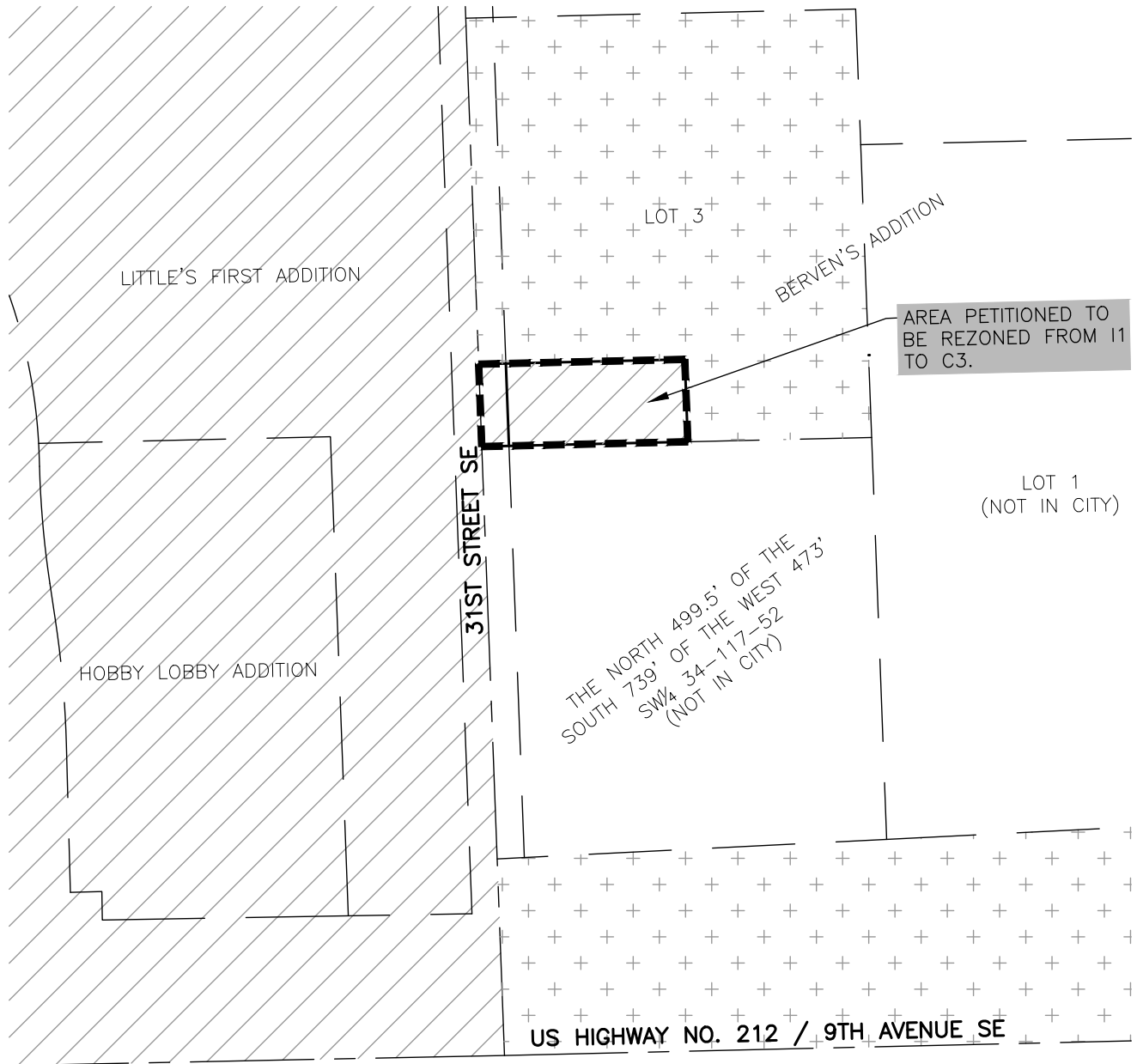
Michelle Burleson
Notary Public

My Commission Expires: 9-28-2024

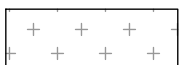


Exhibit A

The South 100' of the West 217' of Lot 3 of the plat entitled, "Berven's Addition in the County of Codington, South Dakota, Being formerly a portion of the SW ¼ Section 34 - Township 117 North - Range 52 West of the 5th P.M., Codington County, South Dakota. Subject parcel contains 21,632 +/- Sq. Ft.



ZONING DESIGNATIONS



I1 ZONING DESIGNATION



C3 ZONING DESIGNATION



Prepared By
AASON ENGINEERING COMPANY, INC.

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

Report and Recommendation of the City Plan Commission to
Change Zoning District Boundaries

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 duly called meeting of the City Plan Commission held on the 6th day of June, 2024.

ORDINANCE NO. 24-07

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

WHEREAS, In accordance with §21.0505 and §21.0209 of Watertown's Revised Ordinances, the Petitioner, Brian Brandriet, 6B Rentals, LLC, is the owner of real property described as:

"The South 100' of the W217' of Lot 3 of the plat entitled "Berven's Addition, in the County of Codington, South Dakota, Being formerly a portion of the SW ¼ Section 34-Township 117 North-Range 52 West of the 5th P.M., Codington County, South Dakota,"

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 changing the zoning of the above referenced real property from its current designation of *I-1 Light Industrial District* pursuant to Watertown Revised Ordinance §21.32 to *C-3 Highway Commercial District*, pursuant to Watertown Revised Ordinance §21.28.

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 the Ordinance rezoning the above referenced property from of *I-1 Light Industrial District*, pursuant to Watertown Revised Ordinance §21.32 to *C-3 Highway Commercial District*, pursuant to Watertown Revised Ordinance §21.28.
- 2) The *C-3 Highway Commercial District* will be extended to the centerline of all adjacent public rights-of-way.

I hereby certify that the above Ordinance No. 24-07 was duly adopted by the City Plan Commission of the City of Watertown.

Dated this 6th day of June, 2024

City Plan Commission