City Council

Agenda Item

Subject: First Reading of Ordinance No. 22-23, Amending the Zoning Map of the City of Watertown, SD for a portion of Third Railway Addition, from I-1 Light Industrial District to C-3 Highway Commercial District

Meeting: City Council - Sep 19 2022

From: Amanda Mack, City Manager

BACKGROUND INFORMATION:

Background :

Owner, Casey's Retail Company, has submitted a petition to rezone Lots 1-3 less Lot H1 & N15' Lot 4 less Lot H2 & S35' Lot 4 & E100' Lot 5 & N50' E100' Lot 6 Less Lot H1 Block 75 3rd Railway Addition within the City of Watertown from its current designation of I-1 Light Industrial District to C-3 Highway Commercial District.

185 4th Street NE, the property address for the above-described legal description, contains approximately 37,226 SF, meeting the minimum lot area requirement in the C-3 Highway Commercial District. The applicant has proposed the rezone to allow for retail establishment as a permitted use to allow for the application of a Retail (off-sale) Malt Beverage & SD Farm Wine License.

The Plan Commission recommended approval to City Council at the September 8th, 2022 meeting (7-0).

Facts:

1. Adjacent Property Zoning Designation:
    a. North→R-3 Multi-Family Residential
    b. East→ C-3 Highway Commercial
    c. South → I-1 Light Industrial District
    d. West→ R-3 Multi-Family Residential

2.Rezone will extend to the centerline of the adjacent right-of-way

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SUGGESTED MOTION:

No Action; First Reading

STAFF REFERENCE(S):

Brandi Hanten, Heath VonEye, Jana Mills

ATTACHMENT(S):

Petition
Vicinity Map
Ordinance No. 2022-23

Prepared by:
James Skloda, Casey's General Stores, Inc.
One SE Convenience Blvd. Ankeny, IA 50021
515-446-6494

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, Casey's Retail Company, respectfully requests that the following described real property in the City of Watertown, Codington County, South Dakota, be re-zoned from its current designation as "I-1 Light Industrial District" to "C-3 Highway Commercial District".

   LOTS 1-3 LESS LOT H1 & N15' LOT 4 LESS LOT H2 & S35' LOT 4 & E100' LOT 5 & N50' E100' LOT 6 LESS LOT H1 BLOCK 75 3RD RAILWAY ADDITION TO THE TOWN OF WATERTOWN, IN THE COUNTY OF CODINGTON, SOUTH DAKOTA

2. Petitioners are the owners of record of the above-described real property.
3. Casey's request to rezone the property will allow us to apply for a Retail (off-sale) Malt Beverage & SD Farm Wine license. Obtaining a license for beer sales would further our mission of providing our guests with the products they desire at a convenient location.

4. The purpose of C-3 Zoning is to establish appropriate locations along major streets and highways for highway and automobile related retail and service establishments. The current use of the property fits with that purpose and is a permitted use under the C-3 Zoning.

5. The following Exhibits are attached hereto and are by reference incorporated as part of this Petition:

   *Exhibit A title – **VICINITY MAP***

WHEREFORE, PETITIONER REQUESTS that the City Council of Watertown, South Dakota adopt an ordinance re-zoning the above-referenced real property from its current designation as "I-1 Light Industrial District" to "C-3 Highway Commercial District".

Dated this 23rd day of August, 2022.

DocuSigned by:
JIM SKLODA
21DAA0768A4E429...

James Skloda, Assistant General Counsel,
Casey's Retail Company

State of Iowa)
)SS:
County of Polk)

On this the 23rd day of August, 2022, before me, the undersigned officer, personally appeared *James Skloda* known to me or satisfactorily proven to be the person(s) who signed the foregoing PETITION.

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

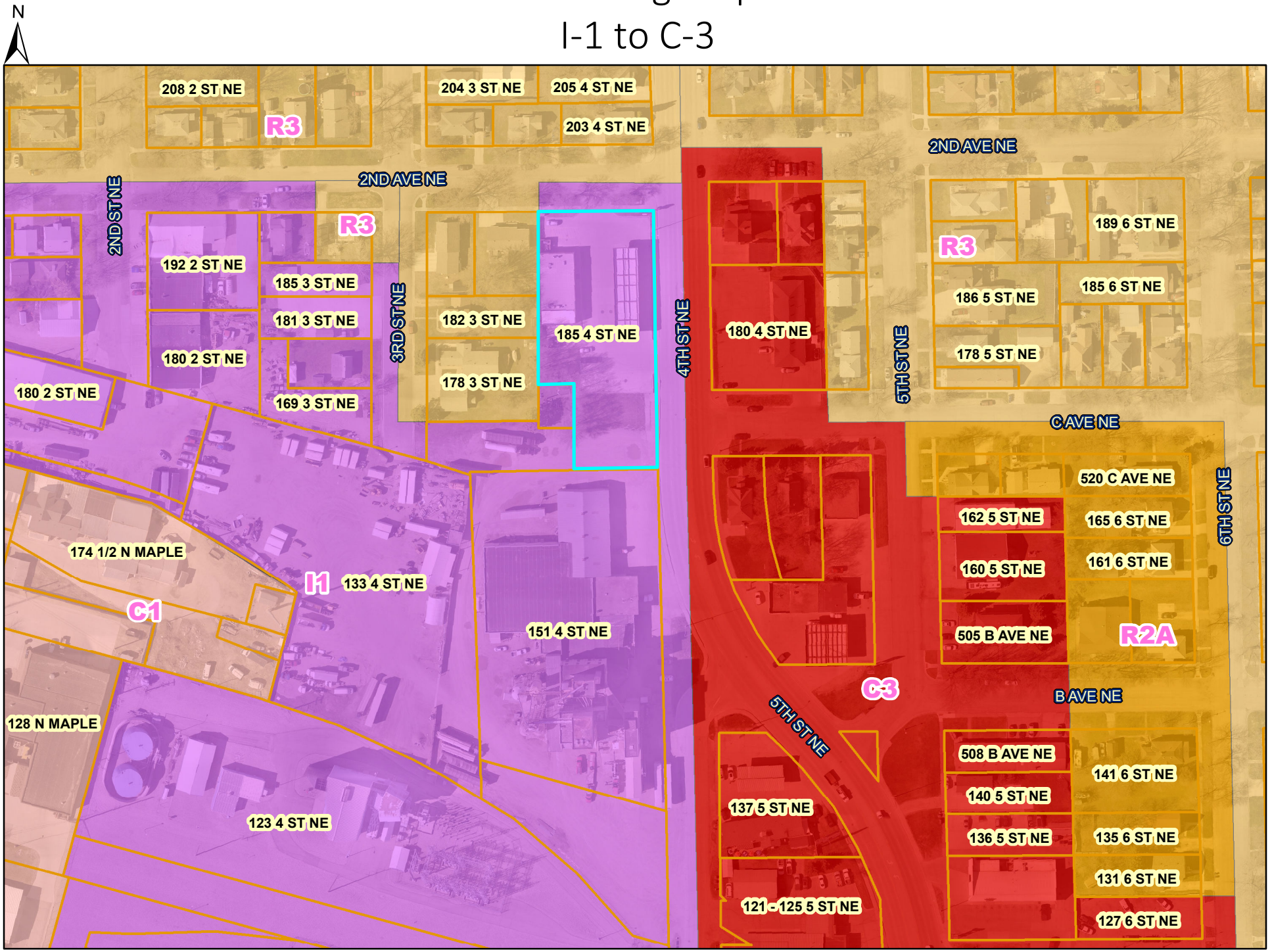
Jamie Dietrich
Notary Public

(SEAL)

JAMIE DIETRICH
Commission Number 820699
My Commission Exp. 10-15-22

My Commission Expires:

Rezoning Map
I-1 to C-3



ORDINANCE NO. 22-23

Petition to Amend Zoning District Boundaries by Rezoning a Portion of Third Railway Addition from I-1 Light Industrial District to C-3 Highway Commercial District

BE IT ORDAINED by the City of Watertown, upon examination of the *Petition to Change Zoning* by Casey's Retail Company, the owner of real property described as:

> *"LOTS 1-3 LESS LOT H1 & N15' LOT 4 LESS LOT H2 & S35' LOT 4 & E100' LOT 5 & N50' E100' LOT 6 LESS LOT H1 BLOCK 75 3RD RAILWAY ADDITION TO THE CITY 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. 2022-38, that the property be, and is hereby, rezoned from the existing 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

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. 22-23 was published in the Watertown Public Opinion, the official newspaper of said City, on this ____ day of _____, 2022.

Kristen Bobzien, Finance Officer

First Reading: September 19th, 2022
Second Reading: October 3rd, 2022
Published: October 8th, 2022
Effective: October 20th, 2022

City of Watertown

Attest:

_____
Ried Holien
Mayor

_____
Kristen Bobzien
Finance Officer