



City Council

Agenda Item

Subject: Application for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License to Infinity Fun LLC d/b/a Infinity Fun LLC, 714 9th Ave SE, Lots 9 thru 16 in Block 2; Vacated 7th Street East Lying Between 9th Avenue South and 10th Avenue South; Lots 1 thru 16 in Block 3; All that Part of the Vacated Alley Lying Between Lots 1 thru 8 and Lots 9 thru 16 in said Block 3; The West 21 feet of Lot 1 thru 4 Less Highway Right of Way of Lot 1. Lot 5 Less the North 30 feet less the West 21 feet in Block 4; All that part of the Vacated 6th Street East Lying Between 9th Avenue South and 10th Avenue South, Less the West 56.5 feet Lying Adjacent to and Along the East Line of said Lots 1 thru 4 and the North 30 feet of Lot 5, in Block 4, All in the Plat Entitles: "Davlin's Addition to Watertown", Codington County, South Dakota.

Meeting: City Council - Jan 06 2025

From: Kristen Bobzien, Interim City Manager/Chief Financial Officer

BACKGROUND INFORMATION:

Fees have been paid and a Notice of Hearing has been published on December 28th, 2024.

The property received Conditional Use approval from the Board of Adjustment for a Bar or Tavern in the C-3 Highway Commercial District on May 6th, 2021 to allow for on-premise / on-sale alcohol licensing, sale and consumption. See attached Zoning Verification Letter for more details.

FINANCIAL CONSIDERATIONS:

There are no major financial considerations for this item.

STAFF RECOMMENDATION / SUGGESTED MOTION:

I move to approve the application for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License to Infinity Fun LLC d/b/a Infinity Fun LLC, 714 9th Ave SE, Lots 9 thru 16 in Block 2; Vacated 7th Street East Lying Between 9th Avenue South and 10th Avenue South; Lots 1 thru 16 in Block 3; All that Part of the Vacated Alley Lying Between Lots 1 thru 8 and Lots 9 thru 16 in said Block 3; The West 21 feet of Lot 1 thru 4 Less Highway Right of Way of Lot 1. Lot 5 Less the North 30 feet less the West 21 feet in Block 4; All that part of the Vacated 6th Street East Lying Between 9th Avenue South and 10th Avenue South, Less the West 56.5 feet Lying Adjacent to and Along the East Line of said Lots 1 thru 4 and the North 30 feet of Lot 5, in Block 4, All in the Plat Entitles: "Davlin's Addition to Watertown", Codington County, South Dakota.

ATTACHMENT(S):

[Infinity Fun](#)

Date Received _____
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

A. Owner Name and Address

Infinity Fun LLC
721 20th Ave SE
Watertown SD 57201

Owner's Telephone #: 605-881-5671

C. Indicate the class of license being applied for (submit separate application for each class of license).

- ☐ Retail (on-sale) Liquor
☐ Retail (on-sale) Liquor - Restaurant
☐ Convention Center (on-sale) Liquor
☐ Package (off-sale) Liquor
☐ Retail (on-off sale) Wine and Cider
☒ Retail (on-off sale) Malt Beverage & SD Farm Wine
☐ Package Delivery
☐ Hunting Preserve
☐ Other _____

Is this license in active use? ☐ Yes ☒ No

Do you or any officers, directors, partners, or stockholders
hold any other alcohol retail, manufacturing, or
wholesaler licenses?

☒ Yes ☐ No If Yes, please list on the back page.

B. Business Name and Address

Infinity Fun LLC
714 9th Ave SE
Watertown SD 57201

Business Telephone #: 605-881-5671

Place of business is located in a municipality? ☒ Yes ☐ No

County: Codington

Do you own or lease this property? ☐ Own ☒ Lease

Are real property taxes paid to date? ☒ Yes ☐ No

D. Legal description of licensed premise:

See attached

Have you ever been convicted of a felony? ☐ Yes ☒ No

E. State Sales Tax Number 1041-9318-ST

F. New license ☒ Transfer? (\$150) ☐ Re-issuance ☐

G. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Date 12-13-24 Print Name Jared Paulson Signature [Signature]

H. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on 12/28/24. Public hearing on the application was held 1/6/25, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Renewal - no public hearing held ☐

Amount of fee collected with application \$ 350.00

Amount of fee retained \$ 200.00

Forwarded with application \$ 150.00

For Local Government Use

Transferred (State Use)

(Seal) _____
Mayor or Chairman

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY:

APPROVAL _____ REVIEW _____

If disapproved, endorse reason thereon and return to applicant

Please complete the reverse side if applicable

Company supplement information
(For corporate/partnership/LP/LLC applicants)

Name of corporation/partnership/LP LLC Infinity Fun LLC

Address of office and principal place of business of corporation/partnership/LP/LLC 714 9th Ave SE WTN SD 57201

Are all managing officers of this corporation/partnership/LP/LLC of good moral character having never been convicted of a felony? ☒ Yes ☐ No

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
Jared Paulson	Owner	721 20 th Ave SE WTN SD 57201	Self Employed

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other alcoholic beverage license:

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
Jared Paulson	Liquor RL-6257 Leasing 519-9 th Ave SE WTN
Jared Paulson	Beer/wine RB-28247 517 9 th Ave SE WTN

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

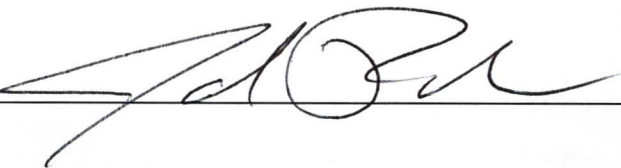
With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner

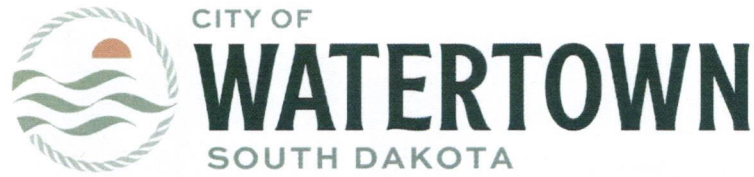
Date



12-13-24

Legal Description:

Lots 9 thru 16 in Block 2; Vacated 7th Street East Lying Between 9th Avenue South and 10th Avenue South; Lots 1 thru 16 in Block 3; All that Part of the Vacated Alley Lying Between Lots 1 thru 8 and Lots 9 thru 16 in said Block 3; The West 21 feet of Lot 1 thru 4 Less Highway Right of Way of Lot 1. Lot 5 Less the North 30 feet less the West 21 feet in Block 4; All that part of the Vacated 6th Street East Lying Between 9th Avenue South and 10th Avenue South, Less the West 56.5 feet Lying Adjacent to and Along the East Line of said Lots 1 thru 4 and the North 30 feet of Lot 5, in Block 4, All in the Plat Entitles: "Davlin's Addition to Watertown", Codington County, South Dakota.



December 16, 2024

Infinity Fun LLC
714 9th Avenue SE
Watertown, SD 57201

RE: Zoning Verification Letter

Property Address: 714 9th Avenue SE, Watertown SD 57201

Legal Description: Lots 9 thru 16 in Block 2; Vacated 7th Street East Lying Between 9th Avenue South and 10th Avenue South; Lots 1 thru 16 in Block 3; All that Part of the Vacated Alley Lying Between Lots 1 thru 8 and Lots 9 thru 16 in said Block 3; The West 21 feet of Lot 1 thru 4 Less Highway Right of Way of Lot 1. Lot 5 Less the North 30 feet Less the West 21 feet in Block 4; All that part of the Vacated 6th Street East Lying Between 9th Avenue South and 10th Avenue South, Less the West 56.5 feet Lying Adjacent to and Along the East Line of said Lots 1 thru 4 and the North 30 feet of Lot 5, in Block 4, All in the Plat Entitles: "Davlin's Addition to Watertown", Codington County, South Dakota

To Whom It May Concern:

The property described above received a Conditional Use approval from the Board of Adjustment for a Bar or Tavern in the C-3 Highway Commercial District, pursuant to Chapter §21.2803 3. on May 6, 2021 (5-0) which allows for on-premises/on-sale alcohol licensing, sale, and consumption. On June 7, 2021, a retail (on-sale) liquor and video lottery license was approved by City Council.

The previous business vacated the location at 714 9th Avenue SE in April 2024 which utilized the bar or tavern conditional use. The license was transferred on April 15, 2024 retail (on-sale) liquor and video lottery license from the location. §21.0202 2. (8) states: "In any case where the holder of a conditional use permit issued under City zoning ordinance has not instituted the use or begun construction, as applicable, within one year of the date of approval, the permit shall be null and void. Similarly, any such conditional use, upon its cessation or abandonment for a period of one year, will be deemed to have been terminated." One year has not been exceeded since the bar or tavern use has been in place at the location of 714 9th Avenue SE which allows for the use to continue and a new alcoholic beverage license be issues at the location.

Sincerely,

A handwritten signature in cursive script that reads "Brandi Hanten".

Brandi Hanten
Community Development Manager
City of Watertown



CITY OF

WATERTOWN

SOUTH DAKOTA

CC: Carla Heuer, Planner
Heath VonEye, Assistant City Manager/Public Works Director
Jennifer Collins, Records and Licensing Manager
Kristen Bobzien, Chief Financial Officer