



Board of Adjustment Agenda Item

Subject: Board Consideration of a Conditional Use request for Apartments at "Lot A less the North 190' of the West 190' Moriarty Subdivision to Watertown, Codington County, South Dakota" and "Outlot D in Lot 3 and the SE1/4 of the NW1/4 Section 5, T116N, R52 West of the 5th P.M., Codington County, South Dakota, less deeded and platted parcels contained therein" in the C-3 Highway Commercial District.

Meeting: Board of Adjustment - Jun 12 2023

From: Heath VonEye, Public Works Director

BACKGROUND INFORMATION:

Owner: Marquette Property & Development Co Lp etal

Applicant: Colin DeJong, Project Agent

Property Addresses: TBD

Legal Description: Lot A less the North 190' of the West 190' Moriarty Subdivision to Watertown, Codington County, South Dakota" and "Outlot D in Lot 3 and the SE1/4 of the NW1/4 Section 5, T116N, R52 West of the 5th P.M., Codington County, South Dakota, less deeded and platted parcels contained therein.

Conditional Use Request: Apartments in the C-3 Highway Commercial District

Applicant seeks a Conditional Use approval for Apartments to be located in the C-3 Highway Commercial pursuant to §21.2803(9) and contingent upon compliance with §21.0202 (2b7a-h).

The applicant desires to develop the property with the proposed construction of Apartments with parking, loading, and access as required by City Ordinance at time of building permit issuance. Mixed use buildings are planned along Jenson Avenue with townhouses and possible apartments behind the mixed use buildings. The property utilizing the conditional use is approximately 18.68 acres, conforming to the minimum lot size of 20,000sf in the C-3 Highway Commercial District.

Before any conditional use shall be issued, the Board shall make written findings certifying compliance with the specific rules governing individual conditional uses and the satisfactory provision and arrangement has been made concerning the following, where applicable:

(a) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

- (b) Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district.
 - (c) Refuse and service areas, with particular reference to the items in (a) and (b) above,
 - (d) Utilities, with reference to locations, availability and compatibility.
 - (e) Screening and buffering with reference to type, dimensions and character.
 - (f) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic affect, and compatibility and harmony with properties in the district.
 - (g) Required yards and other open space.
 - (h) General compatibility with adjacent properties and other property in the district.
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SUGGESTED MOTION:

I move to approve the Conditional Use Request for Apartments at "Lot A less the North 190' of the West 190' Moriarty Subdivision to Watertown, Codington County, South Dakota" and "Outlot D in Lot 3 and the SE1/4 of the NW1/4 Section 5, T116N, R52 West of the 5th P.M., Codington County, South Dakota, less deeded and platted parcels contained therein" in the C-3 Highway Commercial District.

STAFF REFERENCE(S):

Brandi Hanten, Jana Mills

ATTACHMENT(S):

[Application](#)

[Property Owner Approval](#)

[Vicinity Map](#)



CU-23-7

Conditional Use Application

Status: Active

Date Created: May 17, 2023

Applicant

Colin DeJong
colindejong@iw.net
1022 6th St SE
Watertown, SD 57201
16058822371

Primary Location

Point Location
44.8877, -97.1011

Applicant Information

Applicant is...

Agent

Main Contact Information

Responsible party for all correspondence throughout the project.

Main Contact Name

Colin DeJong

Main Contact Phone Number

605-882-2371

Main Contact Email

colindejong@iw.net

Main Contact Address

1022 6th St SE, Watertown, SD 57201

Property Information

Address of Conditional Use Request

NA

Owner Name

Marquette Property & Development Co LP ETAL

Legal Description

OUTLOT D IN LOT 3 AND THE SE1/4 OF THE NW1/4 SECTION 5, T116N, R52 WEST OF THE 5TH P.M., CODINGTON COUNTY, SOUTH DAKOTA, LESS DEEDED AND PLATTED PARCELS CONTAINED THEREIN AND LOT A LESS THE NORTH 190' OF THE WEST 190' MORIARTY SUBDIVISION TO WATERTOWN, CODINGTON COUNTY, SOUTH DAKOTA.

Property Zoning District

C-3 Highway Commercial District

Requested Conditional Use

21.2803(9) Apartments in the C3 Zoning District

Please reference Title 21

(<https://www.watertownsd.us/DocumentCenter/View/2382/Ordinance-Book-for-Website?bidId=>) for applicable conditional uses in specific districts.

Describe how the use will be established on the property

Mixed use buildings are planned along Jensen Avenue with townhomes and possible apartments behind the mixed use buildings.

How many parking spaces are provided on site for the proposed use?

Parking Spaces shall be provided as required by ordinance.

What is the square footage of the structure the use will encompass?

Not known at this time.

Justification for Request

Before any conditional use shall be issued, the Board shall make written findings certifying compliance with the specific rules governing individual conditional uses and the satisfactory provision and arrangement has been made concerning the following, where applicable:

Please answer the below items (a-h) on how they are addressed on the property or how the requested conditional use will be accommodated for if approved. If an item(s) will not be affected, insert "NA" in that field(s).

A. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Ingress and Egress to the proposed structures shall be from Jensen Avenue or an extension of 11th St SE through the property.

B. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district.

Parking and Loading Areas shall be provided as required by city ordinance.

C. Refuse and service areas, with particular reference to the items in (a) and (b) above

Refuse and service area shall be provided and screened as required by city ordinance.

D. Utilities, with reference to locations, availability and compatibility

Utilities shall be provided from Jensen Avenue or the future extension of 11th St SE.

E. Screening and buffering with reference to type, dimensions and character

The existing shelterbelt to the south shall remain to provide screening between the currently zoned C3 and I1 areas.

F. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic affect, and compatibility and harmony with properties in the district.

Signs and exterior lighting shall be installed as required by city ordinance.

G. Required yards and other open space.

Yard and open spaces shall be provided as required by city ordinance.

H. General compatibility with adjacent properties and other property in the district

There is commercial property to the north and east, light industrial / storage shops to the west / undeveloped land to the south.

You can also upload any site plans, images, sketches, etc. in the attachment section later in the application if that helps to better explain your request.

Sign Posting

Provided by the City, a sign must be posted by the applicant on the property requesting a conditional use at least five (5) days before the time of hearing, per City Ordinance Ch. 21. 0202 2.B.3.

City staff will send notification when the sign is ready to be picked up via OpenGov. Please check the application or the email address provided for notification.

I acknowledge that I will be required to post the sign stating the requested conditional use for the above referenced property.

Colin DeJong
05/17/2023

Board of Adjustment

Acknowledgement

I, the undersigned, do hereby affirm the above statements are true and correct and agree to comply with the provisions of the ordinances of the City of Watertown and the approved plans and specifications accompanying this application.

Colin DeJong
05/17/2023

I am the...

Agent

Date

05/17/2023

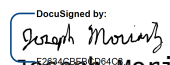
May 12, 2023

Amanda Mack
City Manager, City of Watertown
13135th St SE
Watertown, SD 57201

Dear Ms. Mack,

Colin DeJong, Aason Engineering Company Inc., is authorized to serve as an agent acting on behalf of Marquette Property & Development Company LP ETAL and Joseph D Moriarty Family Limited Partnership for the purpose of submitting a conditional use application for the construction of apartments within the area currently zoned C3 on the property adjacent to Jensen Avenue SE in Watertown, SD.

Sincerely,

DocuSigned by:

DocuSigned by: 0125237B06A1451
Joseph Moriarty

DocuSigned by:

DocuSigned by: 0125237B06A1451
John Moriarty

Acting Agent
Marquette Property & Development Company LP ETAL

VICINITY MAP

