

---

**AGENDA, JOINT CITY COUNCIL/COUNTY COMMISSION MEETING**  
**MONDAY, MAY 23, 2011, 5:30 P.M.**  
**CITY COUNCIL CHAMBERS, 123 SOUTH LINCOLN STREET, 3<sup>RD</sup> FLOOR**

---

1. ROLL CALL
  
2. ORDINANCE NO. 11-05-03 (396) – ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM SECTION 701 (A-1) TO SECTION 707 (C-2)  
PROPOSED LOT 1, BEADLE SUBDIVISION IN THE NW ¼ OF SECTION 26, T124N, R64W OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SOUTH DAKOTA AND YEOMAN'S OUTLOTS 2 AND 3 AND S. 700' OF 50' EAST OF OUTLOTS 2 AND 3 IN THE NE ¼ OF SECTION 27, T124N, R64W OF THE 5<sup>TH</sup> P.M., BROWN COUNTY, SOUTH DAKOTA.  
POSSIBLE FIRST READING OF ORDINANCE NO. 11-05-03

**ANY OTHER SUCH BUSINESS WHICH MAY COME BEFORE THIS COUNCIL AT THE MEETING**

City of Aberdeen  
Request for Council Action

Agenda Item No.	2	Meeting Date:	May 23, 2011
Agenda Section	New Business	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	11-05-03 (396)	Prepared by:	Brett Bill Planning and Zoning Director/Building Official
No. of Attachments	4	Presented by:	Brett Bill Planning and Zoning Director/Building Official

Item:

Rezoning: A-1 (Agricultural District) to C-2 (Highway Commercial District)  
12850 386<sup>th</sup> Avenue (Hwy. #281) – Beadle Floral and Nursery and 12849 386<sup>th</sup> Avenue (Hwy. #281) – Michael Beadle.

City Manager's Proposed Action:

Motion by \_\_\_\_\_, Second by \_\_\_\_\_ to approve first reading of the proposed petition to rezone.

Overview:

The petitioners are requesting this petition to rezoning with the intention of bringing an existing business into compliance with the zoning ordinance, along with an additional property east across Highway #281. The property east of highway #281 is in the process of having a plat drawn up and it will be on the agenda for the June 21, 2011 Joint City/County Planning Commission meeting.

Primary/Issues/Alternatives to Consider:

Proposed plat for Lot 1, Beadle Subdivision must be approved and filed with the Brown County Register of Deeds prior to September 1, 2011.

Budgetary/Fiscal Issues:

None.

Attachments:

Ordinance  
Staff Report  
Petition to Rezone  
Map of proposed Rezone

ORDINANCE NO. 11-05-03  
AN ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE  
CERTAIN DESCRIBED PROPERTY

BE IT ORDAINED by the Aberdeen City Council, Brown County, South Dakota, that the Petition to Amend Ordinance No. 1164 to rezone the following described property filed by Michael Beadle is hereby granted and Ordinance No. 1164 is hereby amended to change the zoning on the following described property from its present zoning designation of Section 701 (A-1) Agricultural District to Section 707 (C-2) Highway Commercial District said property being described as follows:

Proposed Lot 1, Beadle Subdivision in the NW ¼ of Section 26, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota and Yeoman's Outlots 2 and 3 and S. 700' of 50' East of Outlots 2 and 3 in the NE ¼ of Section 27, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota

BE IT FURTHER ORDAINED by the Aberdeen City Council, Brown County, South Dakota, that the zoning official for the City of Aberdeen is hereby authorized to change the official zoning map for the City of Aberdeen to reflect this Ordinance.

Notice of Hearing May 5, 12, and 19, 2011

Passed First Reading \_\_\_\_\_

Passed Second Reading \_\_\_\_\_

Adopted \_\_\_\_\_

Published \_\_\_\_\_

Effective Date \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

STAFF REPORT  
May 17, 2011

---

REZONING A-1 to C-2

---

GENERAL INFORMATION

PETITIONER	Michael Beadle
REQUEST	<b>Rezone from Agricultural District to Highway Commercial District</b>
LEGAL DESCRIPTION	Proposed Lot 1, Beadle Subdivision in the NW ¼ of Section 26, T124N-R64W of the 5 <sup>th</sup> P.M., Brown County, South Dakota and Yeoman's Outlots 2 – 3 and the South 700' of 50' East of Outlots 2 and 3 in the NE ¼ of Section 27, T124N-R64W of the 5 <sup>th</sup> P.M., Brown County, South Dakota.
LOCATION	12850 386 <sup>th</sup> Avenue (Hwy. #281) – Beadle Floral and Nursery and 12849 386 <sup>th</sup> Avenue (Hwy. #281).
EXISTING ZONING	Agricultural District
PROPOSED ZONING	Highway Commercial District
SURROUNDING ZONING	
North:	Agricultural District
South:	Mini-Agricultural District
East:	Agricultural District
West:	Agricultural District
PUBLIC UTILITIES	WEB water.
REPORTED BY	Brett Bill

RECOMMENDATION: Staff recommends approval of this petition to Rezone with the stipulation that the proposed plat for Lot 1, Beadle Subdivision is approved and filed with the Brown County Register of Deeds.

GENERAL COMMENTS: The petitioner is requesting this Rezoning with the intention of bringing an existing business into compliance with the zoning ordinance, along with an additional property East across Highway #281. The property East of Highway #281 is in the process of having a plat drawn up and it will be on the agenda for the June 21<sup>st</sup> Joint City/County Planning Commission meeting.

REVIEW: Staff have reviewed this petition to Rezone and concur with its approval, with the stipulation that the proposed plat for Lot 1, Beadle Subdivision is approved and filed with the Brown County Register of Deeds.

REZONING PETITION (Three Mile Jurisdiction)

To the City Commission and County Commission  
City Hall and Brown County Courthouse  
Aberdeen, SD 57401

Petition No:	_____
Date:	4/22/11
Receipt No:	40045
Filing Fee: City	180
County	150
(non-refundable)	
Ord/Res No:	11-0503 (376)

City Commission and County Commission Members

I/We, the undersigned, do hereby petition the City Commission of Aberdeen and the Brown County Commission, Brown County, South Dakota, to rezone property as follows:

Legal Description (Please print in black ink or type):

Proposed Lot 1, Beadle Subdivision in the NW 1/4 of Sect. 26 - T124N - R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota and Yeoman's Outlets 2-3 & S. 700' of 50' East of Outlets 2+3, NE 27-124-64

General Area Location or Street Address: 12849 386<sup>th</sup> Ave & property across Hwy 281 to the East. and 12850 386<sup>th</sup> Ave. (Beadle Forel & Nursery)

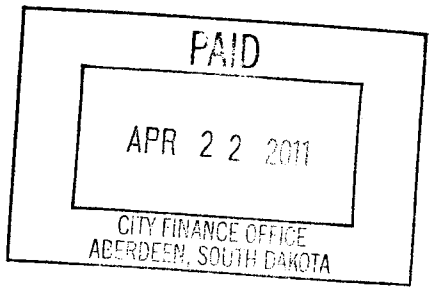
From the A-1 Agricultural District

To the C-2 Highway Commercial District

Purpose: Bring property into compliance ~~needed~~ with current use.

Size of Parcel: Appx. 2 acres.

Existing Land Use: Vacant & Beadle's Nursery



Petitioner (Print): Michael Beadle

Signature: [Signature]

Date: 4-22-11 Phone: 380-1700

Address: 12850 386<sup>th</sup> Ave  
Aberdeen SD 57401  
City State Zip

Checked by:	<u>[Signature]</u>
Given Sign:	<u>✓</u>
Exhibit A:	<u>✓</u>
Site Plan:	_____
PC Meeting:	<u>5/17</u>
1st Reading:	_____
2nd Reading/Final Adoption:	_____

Owner (Print): \_\_\_\_\_

*If different than above.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City State Zip

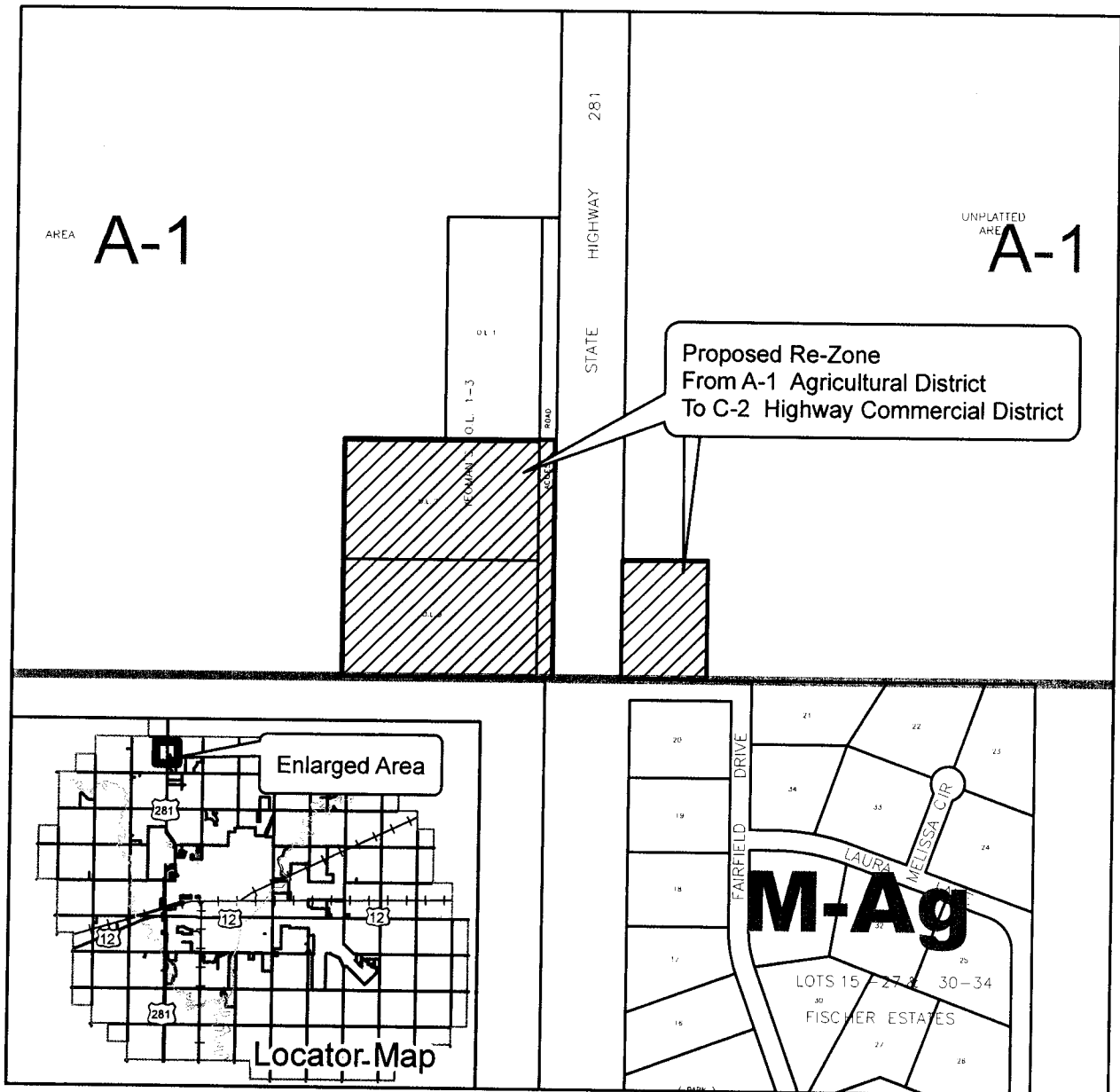
(Additional Signatures may be submitted on a separate page)

# Proposed Re-Zone

Address / Legal Description : 12849 386th Ave & property across Hwy 281 to the east / Proposed Lot 1, Beadle Subdivision in the NW 1/4 of Sec. 26 T124N R64W, and Yeoman's Outlots 2-3 & the south 700' of 50' east of Outlots 2 & 3 of the NE 1/4 Sec. 27 T124N R64W

Current Zone: A-1 Agricultural District

Proposed Zone: C-2 Highway Commercial District



Prepared By: Dwayne Schueller, GIS/Planning Technician, City of Aberdeen File: Re-Zone 11-05-03  
 Address boundaries and legal descriptions were obtained from the assessor's office of Brown county, South Dakota  
 Not a Legal Document