

Planning and Zoning Meeting – Regular Meeting February 27, 2018

Chairman Tony Randall called the meeting to order at 7:03 p.m. at Hartford City Hall with the following planning and zoning members present: Bob Bender, Matt Cain, Eric Bartmann, Stephanie Olson-Voth and John McMahon. Mark Anderson was absent with notice. City Administrator Teresa Sidel and Chamber and Economic Development Director Jesse Fonkert were also present.

Approve Agenda: A motion was made by Bender, second by Olson-Voth to approve the agenda as set – all voted yes, motion carried.

Approve Minutes of February 13, 2018 Regular Meeting: The February 13, 2018 meeting minutes were reviewed. A motion was made by Bartmann, second by Cain to approve the February 13, 2018 regular meeting minutes – all voted yes, motion carried.

Hearings, Petitions, Applications:

A motion was made by Bartmann, second by Olson-Voth, to adjourn as the Planning and Zoning Board – all voted yes, motion carried. A motion was made by Bender, second by Bartmann to reconvene as the Board of Adjustments – all voted yes, motion carried.

- **7:05 Variance Hearing:** The Hartford Area Development Corporation (HADC) owns Lots 1, 2 and 3 of Block 9 in Hartford City Proper. These lots are on the NE corner of 1st Street and Main Avenue. The HADC is proposing to sell these lots for the development of a proposed brewery on this site. According to the site plan, the brewery developer would like to erect a building that is approximately 60' wide on the site. They can meet all the setback requirements on the east, west and north side but since there is a street on the south side the building needs to be 7 feet off the property line. The brewery developers would like the HADC to obtain a 7 foot south side variance to allow the building to be placed along the south property line and allow room on the north side for brewery equipment. Chapter 13 of the Hartford Zoning Regulation does provide an exception that would allow an adjustment to this setback requirement if it conforms to current setbacks of any existing adjacent structures. The only adjacent commercial structure along the same street line is the building at 101 N Main Avenue – this structure does abut the property line along 1st street. There was no public input. A motion was made by Bender, second by Bartmann to approve the 7 foot south side setback variance for aesthetic purposes in accordance with zoning regulation 13.01 – all voted yes, motion carried.

A motion was made by Bender, second by Olson-Voth, to adjourn as the Board of Adjustments and reconvene as the Planning and Zoning Board – all voted yes, motion carried.

- **7:10 Conditional Use Hearing:** The Hartford Area Development Corporation (HADC) has also applied for a conditional use permit to allow a bar upon Lot 1, 2, and 3 of Block 9 in Hartford City Proper. The proposed brewery will have a tap room and will be serving malt beverages upon the premise. Since this would fall under the city's definition of a "bar", a conditional use permit is required. Developers Chris Tuschen and Damon Sehr were present to discuss their plans for the proposed brewery and address any questions. The Board did discuss items such as the production size of the brewery, anticipated truck traffic, signage and fencing with the brewery developers. Dave Obenauer of 101 N Main Avenue was present to address the Board with his concerns regarding the limited parking downtown, the added pedestrian traffic and possible problems with illegal activity. It was noted that there are no parking space requirements for Central Business Zone since parking is allowed on both sides of Main Avenue. It was also noted that the city cannot be responsible for the actions of individuals. Mr. Obenauer also had concerns regarding noise generated from the outside equipment. The developers noted that the noise should be minimal and that the equipment is between two building walls so most of the noise will filter up. Larry Fossum of 46089 263d Street had questions regarding the differences between alcohol licenses and he expressed concerns with the number of licenses within a specific area. He also had concerns with possible increase in truck traffic from the manufacturing and distributing of the product being brewed. The Board held discussion amongst themselves. A motion was made by Bartmann, second by Cain to approve the conditional use permit for Lot 1, 2 and 3 of Block 9 of Hartford City Proper with the following conditionals: 1) There must be screened fencing around all outside garbage receptacles; 2) All sign

regulations must comply with city ordinance and the owners cannot apply for a sign variance; 3) there must be fencing around all outside coolers and equipment – motion was rescinded by Bartmann. A motion was made by Cain, second by Bender to approve the conditional use permit for Lot 1, 2 and 3 of Block 9 of Hartford City Property with the following conditionals: 1) There must be screened fencing around all outside garbage receptacles; 2) All sign regulations must comply with city ordinance and the owners cannot apply for a sign variance; 3) there must be fencing around all outside coolers and equipment – Bartmann abstained with all others voting yes, motion carried.

New Business:

- **Review of Preliminary Plans for Knapp’s Landing:** Preliminary Plans has been received for Knapp’s Landing Addition, which is a proposed residential development along N Vandemark Avenue. The plans have been reviewed by city staff and the city engineer. All plans comply with city regulations. The developer, Don Sieverding, was present to address any questions from the Board. Items such as access, wetlands, walking trail, and lot numbers and phases were discussed. A motion was made by Bender, second by Cain to approve the plans as submitted and recommend final approval to the City Council – McMahon abstained with all others voting yes, motion carried.

Updates:

- **City Administrator Update:** Sidel informed the Board that new flatwork, construction and grading permits are being drafted and will come before the Board at a future meeting. The Board was also updated about a couple of properties south of the instate that were brought to the attention of the county for possible non-compliance – the county is following up on the matters. Chairman Randall suggested that the city have Board representation present at future meetings to give input from Hartford.

Adjournment: A motion was made by Bartmann, second by McMahon to adjourn at 7:55p.m. – all voted yes, motion carried.

Minutes recorded by City Administrator, Teresa Sidel.

I, the undersigned, Teresa Sidel, City Administrator, in and for the City of Hartford, South Dakota, do hereby certify that the above and foregoing is a true and correct copy of the minutes which is on file at Hartford City Hall.

Teresa Sidel, City Administrator