

PLANNING AND ZONING AGENDA
TUESDAY, MARCH 26, 2024
CITY HALL - 7:00 P.M.

- 1) ROLL CALL
Mark Anderson, Tim Graham, Stacey Kutil, Michelle Kilbourn, Troy Jackson, Brad Miles, and Tony Randall

- 2) APPROVAL OF THE AGENDA

- 3) APPROVAL OF MINUTES
 - March 12, 2024 Meeting

- 4) PUBLIC COMMENTS
Action cannot be taken on items discussed unless specifically listed elsewhere on the agenda

- 5) NEW BUSINESS
 - Review/Approve County Plat for Lot 4, Block 1 of Brower Addition

- 6) UPDATES
 - Building Inspector Update – Paul Clarke
 - Building Inspector/Code Enforcer Update – Kyle Christensen
 - City Administrator Updates – Report provided by Teresa Sidel

- 7) ADJOURNMENT

Next Planning & Zoning Meeting: April 9, 2024

Planning and Zoning Meeting – Regular Meeting March 12, 2024

Chairman Tony Randall called the meeting to order at 7:00pm at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Tim Graham, Stacey Kutil, Michelle Kilbourn, Troy Jackson, and Brad Miles. Also present was City Administrator Teresa Sidel, Building Inspector/Code Enforcer Kyle Christensen, and Building Inspector Paul Clarke. There was no one present from the public.

Approve Agenda: A motion was made by Graham, second by Anderson to approve the agenda as set – all voted yes, motion carried.

Approval of the Minutes: The February 13, 2024, regular meeting minutes were reviewed. A motion was made by Kutil, second by Graham to approve the February 13, 2024, regular meeting minutes – all voted yes, motion carried.

Public Comments: None

New Business:

- **Discuss Possible Updates/Amendments to Current Zoning Regulations:** The Board had open discussion on non-typical construction such as tiny homes, shouses, and storage containers. These types of construction are becoming more popular and currently the city does not have any specific building regulations for these types of construction. It was the consensus of the Board to have staff gather additional information and discuss it again at a later meeting. Other items discussed by the Board include possible amendments to our sub-division regulations regarding easements and park land fee. ISG is currently working on a draft update and will incorporate Board suggestions.

Updates

- **Building Inspector Update:** Building Inspector Paul Clarke was present to provide his report, along with an update on building projects to the Board. There are currently 14 open single-family homes in various stages of construction, along with 1 twin home. Clarke also gave a recap of current commercial permits that are still open or being worked on. Clarke did contact the property owner at 1021 Diamond Circle to confirm that the building is not being used until an occupancy permit is granted.
- **Building Inspector/Code Enforcer Update:** Kyle Christensen was present to provide his report, along with an update on code enforcement to the Board. Current code violations being addressed by the city include no pet licenses, parking on grass, junk/nuisance, and animal at large. Christensen also noted that he received a complaint regarding the property at 101 W Hwy 38, along with pictures. This property is currently working under a conditional use permit and the complaint may show a violation to the CUP. After discussion by the Board, staff was directed to contact the city attorney for review and guidance. Staff was also directed to watch the property for further evidence of violations.
- **City Administrator Update:**
 - Project Updates
 - 6th & Mundt – The city has closed our permit with the state.
 - Hwy 38 Project – Plans have been sent to the state for review.
 - Western Ave Expansion – Funding options were discussed with SECOG and will be reviewed by the Council. A meeting for adjoining property owners has been scheduled for March 21st at noon in city hall.
 - WRRF – Work continues on the walls for the Aeromod tank. Siteworks just started work again on the piping. A tour of the plant will be scheduled within the next few weeks for the council and P&Z.
 - 12th/Oaks Project – Plans were reviewed by the city and comments are being addressed by IDG. We hope to have plan approval soon so advertising for bidding can start.
 - Hwy 38 Corridor Study: The state is conducting a corridor study for Hwy 38 from Humboldt to Marion Road. A public input meeting is being held for the city from 2:30 to 4:00 on 3/13 and a public input meeting from 5:30 to 7:00 that evening.
 - FEMA Floodplain Update: FEMA is in the process of updating floodplains throughout the country, including South Dakota. Preliminary maps have been sent to the city. Initial review does not show any significant changes to the floodplain in Hartford, but staff plans to review in depth over the next few weeks.

Adjournment: A motion was made by Kilbourn, second by Kutil to adjourn at 8:14pm – 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



Agenda Item Staff Report

DATE: March 26, 2024

AGENDA ITEM: Review/Approve County Plat for Lots 4, Block 1 of Brower Addition

PREPARED BY: Teresa Sidel, City Administrator

Staff Recommendation: Approval

Background/Summary:

A plat for Lot 4 , Block 1 of Brower Addition has been presented to the city for review and approval. This parcel is not currently within the city limits but is within the city's platting jurisdiction (growth area) so it must be approved by the city Planning & Zoning Board and City Council before it can be submitted to the county for approval. This plat is for property that is currently owned by Richard Brouwer and is within the Brower Industrial Park just to the south of the city. ISG is reviewing the plat to ensure it conforms to our regulations. Per city subdivision regulations, a pre-annexation agreement must be received by the city in order to approve any platting or re-platting of land within the city's platting jurisdiction - This agreement has already been signed by the owner. Staff is recommending approval contingent that the plat is approved by the city engineer by Tuesday. (If not approved by the city engineer by Tuesday, staff is recommending tabling this item till the next agenda)

Prior Council/Board Action: None

Possible Action:

Approval – Would allow the plat to move on to the City Council for review/approval.

Denial – The plat will not be able to move forward, and the land cannot be re-platted.

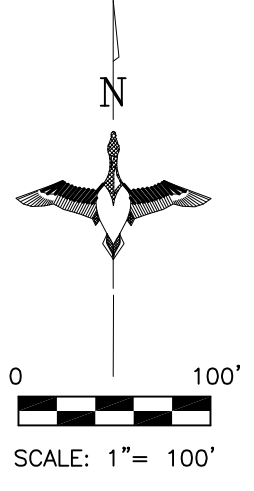
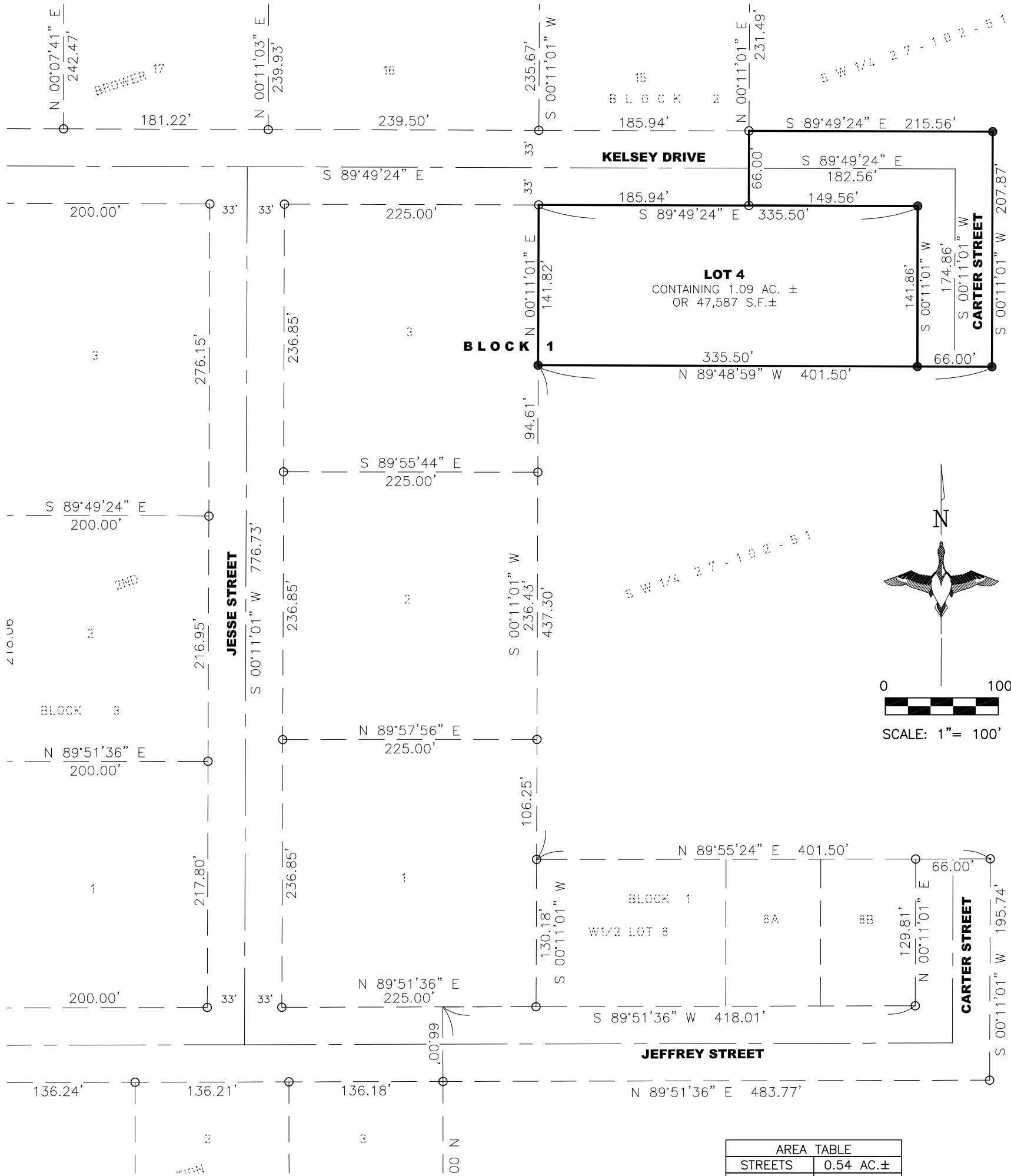
Fiscal Impact: None to the city

Attachments:

- Copy of the Plat as submitted

PLAT OF LOT 4 IN BLOCK 1 OF BROWER 2ND ADDITION

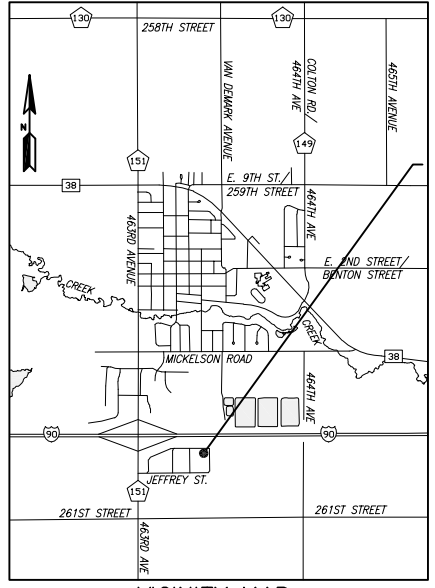
IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.



AREA TABLE	
STREETS	0.54 AC.±
LOTS	1.09 AC.±
TOTAL	1.63 AC.±

LEGEND:

- SET 5/8" REBAR W/CAP #8145
- FOUND MONUMENT
- △ SECTION CORNER (AS NOTED)
- (R) RECORD INFORMATION
- (M) MEASURED DISTANCE
- AC. ACRES
- S.F. SQUARE FEET
- A.E. ACCESS EASEMENT
- R/W RIGHT-OF-WAY
- PREVIOUSLY PLATTED LINE
- - - RIGHT OF WAY LINE
- R.M.C. RECORDS OF MINNEHAHA COUNTY
- N.T.S. NOT TO SCALE



SITE

NOTES:
 BASIS OF BEARINGS IS ASSUMED.
 THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
 EASEMENTS OF RECORD WERE NOT RESEARCHED AND ARE NOT SHOWN ON THE PLAT.



211 E. 14th street, Sioux Falls, SD 57104 | Phone: (605) 339-8901

PLAT OF LOT 4 IN BLOCK 1 OF BROWER 2ND ADDITION

IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.

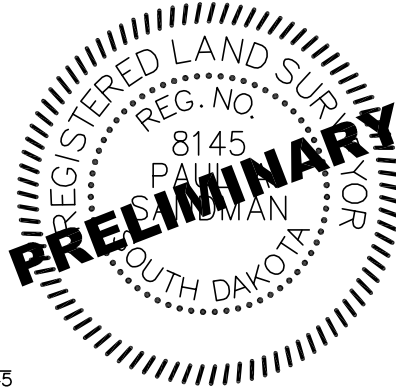
SURVEYOR'S CERTIFICATE

I, Paul A. Sandman, a Registered Land Surveyor in the State of South Dakota, do hereby state that I did, on or before this date, survey a portion of the Southwest Quarter of Section 27, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota, and did plat a portion of the same into Lot 4 in Block 1 of Brower 2nd Addition in the Southwest Quarter of Section 27, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota, as shown on the foregoing PLAT.

The same shall be known and described as LOT 4 IN BLOCK 1 OF BROWER 2ND ADDITION IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.

Dated this _____ Day of _____, 20 ____.

I further certify that the above PLAT correctly represents the same, is true and correct and that it was made at the request of the owners.



Paul A. Sandman, Registered Land Surveyor No. 8145

OWNER'S CERTIFICATE

I, the undersigned, do hereby certify that I am the owner of all land included in the above plat and that said plat has been made at my request and in accordance with my instructions for the purposes of transfer, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

I hereby dedicate to the public for public use forever, the streets, roads, alleys, parks and public grounds, if any, as shown on said plat. Including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the streets, roads, alleys, parks and public grounds whether such improvements are shown or not. I also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone, cable television, or other public utility lines or services, under, on or over those strips of land designated hereon as easements for the purposes of constructing, maintaining, repairing, and improving said facilities. The owner, their lessees and assignees shall, at their own expense, keep the easement area in good repair and clear of obstructions. No improvements of any kind may be erected within an easement which might interfere in any way with the proper maintenance, use, repair, reconstruction, and patrolling of the easement. This covenant shall run with the land.

I hereby waive any rights of protest to any special assessment program which may be initiated for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Hartford.

I do hereby certify that this replat will not place any existing lot or building in violation of any applicable ordinance, code, regulation, or law including but not limited to zoning, building, subdivision, and flood prevention.

Dated this _____ Day of _____, 20 ____.

Richard Brower

State of _____

County of _____

On this the ____ day of _____, 20____, before me, the undersigned officer, personally appeared Richard Brower, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Notary Public – State of _____
My Commission Expires:

PLAT OF LOT 4 IN BLOCK 1 OF BROWER 2ND ADDITION

IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE
5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.

<p style="text-align: center;">CITY ENGINEER'S CERTIFICATE</p> <p>I, _____, City Engineer of the City of Hartford, South Dakota, do hereby certify that this plat has been reviewed by me or my authorized agent and that this plat is recommended for approval.</p> <p>Signed on this _____ day of _____, 20____</p> <p>_____ City Engineer City of Hartford, South Dakota</p>	<p style="text-align: center;">COUNTY PLANNING DIRECTOR'S CERTIFICATE</p> <p>I, the Planning Director of Minnehaha County, do hereby certify that this plat has been reviewed by me or my authorized agent and has been approved.</p> <p>Approved this _____ day of _____, 20____.</p> <p>_____ PLANNING DIRECTOR Minnehaha County, South Dakota</p>
<p style="text-align: center;">CITY PLANNING COMMISSION CERTIFICATE</p> <p>Be it resolved by the Planning Commission of the City of Hartford, South Dakota that this Plat be approved and that the same be presented to the City Council with the recommendation to adopt said plat.</p> <p>Approved this _____ Day of _____, 20____.</p> <p>_____ Chairman City of Hartford Planning Commission</p>	<p style="text-align: center;">COUNTY AUDITOR CERTIFICATE</p> <p>I Leah Anderson, do hereby certify that the above certificate of approval is true and correct including the signature thereon.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ COUNTY AUDITOR Minnehaha County, South Dakota</p>
<p style="text-align: center;">CITY COUNCIL RESOLUTION</p> <p>Whereas this Plat has been examined by the City Council of Hartford and it appears to the City Council that the system of streets set forth therein conforms to the system of streets of the existing Plats of the City, that all provisions of the City's subdivision regulations have been complied with, that all taxes and special assessments upon the tract or subdivision have been fully paid, and that such plat and the survey thereof have been executed according to law.</p> <p>Now therefore, be it resolved by the City Council of Hartford, South Dakota that said Plat is hereby approved, and the City Finance Officer is hereby directed to endorse on said Plat a copy of this resolution and certify the same thereon.</p> <p>Approved this _____ Day of _____, 20____.</p> <p>_____ Mayor City of Hartford, South Dakota</p>	<p style="text-align: center;">TREASURER</p> <p>I, the Treasurer of Minnehaha County, South Dakota, do hereby certify that all taxes which are liens upon any land shown in the above plat, as shown by the records of my office have been paid in full.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ TREASURER Minnehaha County, South Dakota</p>
<p style="text-align: center;">FINANCE OFFICER'S CERTIFICATE</p> <p>I, _____, the duly appointed, qualified and acting Finance Officer of the City of Hartford, South Dakota, hereby certify that the certificate of approval is true and correct including the signature thereon, and that any special assessments which are liens upon the land shown in the above plat, as shown by the records in my office on this _____ day of _____, 20____ have been paid in full.</p> <p>_____ City Finance Officer City of Hartford, South Dakota</p>	<p style="text-align: center;">DIRECTOR OF EQUALIZATION</p> <p>I, the Director of Equalization of Minnehaha County, South Dakota, do hereby certify that a copy of the above and foregoing described plat has been filed in my office.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ DIRECTOR OF EQUALIZATION Minnehaha County, South Dakota</p>
<p style="text-align: center;">ROAD DISTRICT ACCEPTANCE OF ROAD DEDICATION</p> <p>I hereby certify that Brower Road District (established by Resolution MC07-20) accepted the roads indicated on the plat of Lot 4 in Block 1 of Brower 2nd Addition in the SW1/4 of Section 27, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota.</p> <p>_____ Brower Road District Representative</p> <p>Approved this _____ day of _____, 20____.</p>	<p style="text-align: center;">REGISTER OF DEEDS</p> <p>Filed for record this _____ day of _____, 20 _____, at _____ o'clock, ____m., and recorded in Book _____ of Plats on Page _____.</p> <p>_____ REGISTER OF DEEDS Minnehaha County, South Dakota</p>
<p style="text-align: center;">CERTIFICATE OF ROAD AUTHORITY</p> <p>I, _____ (Name), _____ (Title) of the _____ (Agency), do hereby certify that this plat and access location has been reviewed by me or my authorized agent and that this plat is recommended for approval.</p> <p>By. _____</p> <p>TITLE: _____</p>	

City Administrator Update

March 26, 2024

Project Updates (Changes in Red):

- City Projects:

- 6th & Mundt Street – Project is substantially complete, with a few punch list items and some seeding, restoration, and painting to be done in the spring. A walk-through of the project was conducted by ISG and city staff to update this punch list for the contractor. Homeowners were provided a letter on proper care for the new seeding, and they were also provided a letter on how to make their sump pump connections to the new storm sewer system. The contractor continues to work on punch list items. Due to the heat and drought, the spring seeding has failed – contractor will re-seed in the fall. Now that the weather is cooling down, we are working with the contractors to do some reseeding on the areas that did not come in good. Some of the project areas have been reseeded and a letter was sent to the property owners. ISG will be conducting an inspection and reviewing punch list items to ensure everything is addressed before we close out the project. A punch list of incomplete items has been sent to the contractor. The city will monitor any reseeding to ensure that it takes next spring. We have closed out our stormwater permit with the state.
- Hwy 38 Water Main Extension – The city council previously approved plans to have ISG work on a design for a water extension that will run along Railroad Street & S Colton Road. The plans were reviewed by staff and city council approved the project on 1/3. Financing was discussed and approved on 2/21, with part of the project being funded with water fund reserves and part with an SRF loan. SECOG has completed the SRF loan application, and it was sent to the state on Thursday (3/30) for review. This project was also placed on the state water plan (requirement for SRF funding). The state reviewed our SRF loan application on 6/29 for \$500,000 and it was approved. The city pledged system revenues for repayment, so no surcharge is required. ISG is completing plans to get ready for bid. The plan is to bid this fall for construction next year. Final plan edits are being made by ISG and then they will be reviewed by staff and sent to DANR. We are working with the city engineer to look at a possible redesign as discussed at our last meeting. Staff and ISG will coordinate with developers to ensure the new water main placement will satisfy their needs. Plans have been sent to the DOT for review.
- Western Avenue Expansion - ISG continues to work on plans. Schedule for plans and bidding was provided by ISG to staff. We are still reviewing plans along with funding options. ISG is working with HR Green and meeting with them regularly to ensure communication on coordinating the state and city project. ISG and city staff met with DOT officials on Monday, 9/18 to discuss this project and bidding procedure/coordination. Both projects will be let by the state for bidding and any contractor that bids on one project will be required to bid on the other project as well – thus ensuring the same contractor for both projects. This will make project coordination much easier. Once a contractor is secured, each project will be independent, with the state in charge of their bridge portion and the city in charge of our Western Ave portion. Bidding is still set for next spring with the project commencing in 2025. ISG continues to work on plans and coordinate with HR Green and the state. Project is still planned to be bid next year, with work being performed in 2024. I have talked with ISG about setting up property owner meetings for 2024 to go over the project and address any concerns they may have. ISG states the plans are 90% complete and a final set will be sent to the state by Feb 2024. I met with SECOG this last week to discuss funding for this project. Unfortunately, there are very few funding options for street reconstruction projects. There is a community access grant, which we will apply for, but maximum grant funding is only \$600,00 (this is a 5.6M project). We are checking with USDA for a possible option, but this project may not qualify. The council may have to look at possible funding with property assessments and a sales tax bond. **The city held a meeting with abutting property owners on Thursday (3/21). There were about 8 in attendance. ISG reviewed the proposed project and addressed any questions. The city will meet individually to discuss specific properties as we continue to move forward with this project.**
- WRRF – Work continues on this project. The City council approved a contract with Rice Lake – the contract has been executed. Grading work continues at the site. The groundbreaking was a great success. Dirt work for the road and facility is underway, along with utilizes. ISG has been reviewing shop drawings and bi-weekly construction meetings are being planned. We are still working on finalizing easement documents with Assam and Tyler. The last progress meeting was held with the engineers, staff and contractors on 2/14 – 3/13. The lift station lid was placed, and work continues on the pouring of the Aeromod walls. Piping has ceased for the winter but is expected to start again within the next month or two. City Council would like a tour of the project – we are looking at doing this on a Friday in May – the P&Z Board will be invited as well if you are interested. **It seems like we are shooting for a tour of the project in June verses May. I will keep the Board updated on the specific date and time when set.**

- 12th/Oaks Project – Infrastructure Design Group has started plan. Once the plans are completed, ISG will review. We hope to bid this project in Jan/Feb 2024 and construction to begin in spring 2024. Plans are at 50% and a meeting between the project engineer, city engineer, and staff is planned for Monday, 12/18 for review. IDG did present 100% plans to the city and they have been reviewed by ISG and staff. Comments have been made and sent back to IDG to address. We are hoping to have council approval on 3/19 to proceed with bidding for the project and hope to award it in April. **City Council tabled approval of bid letting until they have further review of the project plans. Bid letting approval will be on their 4/2 agenda.**
- Other Projects –
 - Bike Trail – We continue to work with FEMA to get floodplain approval of this project so the city can move forward with the project at a future date if so desire. ISG has sent additional information to FEMA for our LOMR approval. FEMA required the city to send letters to adjoining property owners noting that this project would not impede the floodplain – this was done February 21st. This should be the last requirement before FEMA approval.
 - ISG is working with Maple Pass, Knapp’s Landing, and Assam development to ensure compliance with city design standards and completion of punch list items. **ISG plans to do a walk-through of each of these developments to see if any punch list items remain or if the city can accept the streets/utilities.**

Other:

- **Planning & Demonstration Grant:** SECOG is planning to apply for a Planning & Demonstration Grant from the US Dept of Transportation that would help implement safer streets and roads region wide. This study would develop a Safety Action Plan that would promote safety and incorporate strategies and projects that would help prevent fatalities and injuries. Participants could apply for future funding opportunities for sidewalks, lighting, signage, traffic control, etc. The study will be conducted this year and applications for grant funds will be available in 2025. The cost to the city is minimal (\$2,500) and having the study completed will help secure future grant funds for projects. The Mayor and council have approved our commitment to this study.
- **Subdivision & Design Standard Updates:** ISG completed their review of our current subdivision regulations and design standards. It was reviewed with staff last Thursday. Staff requested a couple of changes and there were a couple of items that we wanted more data on. ISG will follow-up on these items and then we can present them to the P&Z Board for discussion/review.
- **Out of Office:** I will not be able to attend this meeting, but our finance officer, Karen Wilber, will attend to take notes. If you have any questions at all about the packet information, please call or email me – I will be in the office Monday and Tuesday morning this next week.

Please call if you have any Question: 528-6187 or 605-906-1750.