

## **Planning and Zoning Meeting – Regular Meeting March 29, 2022**

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, Michelle Kilbourn, Stacey Kutil, Brad Miles, and Steve Nolte. City Administrator Teresa Sidel, Building Inspector Paul Clarke, and Building Inspector/Code Enforcer Kyle Christensen, and city attorney Tom Frieberg were also present. There were 2 people from the public present.

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

**Approval of the Minutes:** The March 8, 2022, regular meeting minutes were reviewed. A motion was made by Anderson, second by Kutil to approve the March 8, 2022, regular meeting minutes – all voted yes, motion carried.

### **Hearings/Petitions/Applications/Ordinances:**

- **7:05 Public Hearing - Review Draft Ordinance #731:** Over the last few weeks, the P&Z Board has been talking about allowing the separation and sale of individual mini-warehouses (storage units). A draft ordinance was presented to the Board at their last meeting that would add verbiage to the City’s current regulations to allow for zero lot lines separation for storage units this would then allow the division of the units along the common wall so they could be sold to individual owners either by a condo type situation or by platting along the common wall. After further discussion by the Board, it was decided that our zoning ordinances should allow the option for all commercial buildings to be divided or platted by a common wall not just storage units. City Administrator Sidel worked with SECOG to make the changes discussed and Ordinance #731 incorporates those changes. Verbiage under “Lot and Yard Regulations” to our zoning regulations for Neighborhood Commercial District, Community Commercial District, Regional Commercial District, Central Business District, Light Industrial District, and Heavy Industrial District to allow common wall splits. The wording of our current regulations stays the same but extra wording was put in under all commercial and industrial district to allow “Zero Lot Line Options”. It was the consensus of the Board that this additional verbiage would allow more flexibility and option to property owners within commercial or industrial zoned areas. A motion was made by Graham, second by Nolte to recommend approval of ordinance #731 to the city council – all voted yes, motion carried.

\*\*\*Mark Anderson excused himself as a Board Member on all Board discussion/action regarding the Maple Pass LLC Development

- **7:10 Public Hearing – Rezone N 989’ of the to be platted Tract 1 of Maple Pass Addition:** The city recently approved the annexation of land just to the east of Hartford – Parcel #16000. The land has been annexed as agricultural, but the city has received a rezone application from Maple Pass LLC to change the zoning of the north 686’ from agricultural to residential. Josh Kruger, representative for the applicant, was present and indicated that the applicant would like to construct multifamily housing upon this north portion of the property - approximately 10.44 acres. A motion was made by Miles, second by Kilbourn to recommend to the city council the approval of rezone application 2022-2-8 for the north 686’ of parcel #16000 from agricultural zoning to residential zoning – all voted yes, motion carried.
- **7:15 Conditional Use Hearing submitted by Maple Pass LLC:** Maple Pass LLC has submitted a conditional use application for the north 686’ of parcel #16000. Josh Kruger indicated the applicant plans to do multifamily housing in this area with 2 phases of construction. Phase 1 consisting of 89 units (69 apartment units and 4 5plex units). The Board reviewed a proposed layout. It was noted that the plan is consistent with the city’s comprehensive plan and city-wide development plan. No conditions were set but the developer will have to follow all applicable standards and regulations. A motion was made by Kutil, second by Kilbourn to approve conditional use permit 2022-2-8 - all voted yes, motion carried.
- **7:20 Variance Application submitted by Maple Pass LLC:** Variance application withdrawn by the applicant – no action taken

### **New Business**

- **Review Application submitted by Talon Development for Maple Pass LLC for the creation of a Tax Increment Finance District (TIF):** The city has received an application from Talon Development on behalf of Maple Pass LLC for the creation of a Tax Increment Finance District (TIF). Josh Kruger and Mark Anderson presented the TIF plan on behalf of the development. If approved, this would be the first TIF district created by the city. The developer has proposed to create the TIF district for economic development, which will allow affordable/workforce housing and commercial development. The TIF would fund the expenses for the road and utilities to their development – not improvements within their development. The TIF loan would be held by the developer and not the city. The application was reviewed by the Board with the city attorney and question were addressed. The city did receive a support letter from the West Central School District since the state aid formula will help supplement their lost tax revenue. Travis Kuehl also talked in support of this TIF application, noting that this will spur economic development and not go against the city’s debt limit. A motion was made by Kutil, second by Kilbourn to recommend approval of the TIF #1 application and creation of the proposed TIF district – all voted yes, motion carried.

\*\*\*Mark Anderson rejoined the Board.

**Updates:**

- **Building Inspector Update:** Building Inspector Paul Clarke provided an update to the Board on open building permits. There are currently 20 open single-family homes in various stage of construction, along with 2 twin home. Clarke also gave an update on commercial properties under construction.
- **Building Inspector/Code Enforcer Update:** Kyle Christensen, the city's new Building Inspector/Code Enforcer, was also present. He provided an update on code enforcement issues that he has been addressing. It was noted that he continues to study the building codes and work towards certification.
- **City Administrator Update:**
  - WWTF – The city's SRF loan application and facility plan has been being finalized and has been sent to the state. Mayor Jones has asked ISG to submit a design contract to the council for review. This review will be on their 4/5 agenda.
  - Western Ave Industrial Sewer Main – The Contractor is making good progress. If the weather cooperates, they hope to be done in May.
  - Park & Recreation Board – The city's new Park and Recreation Board has made a recommendation to the council to move forward with a dog park just east of our yard waste collection site. The council seems in favor of this project, but asked staff to update the project costs and they will discuss it at their next meeting on 4/5.
  - Downtown Committee - The Downtown Committee did ask the city council to consider an interim and then permanently closing of 1<sup>st</sup> Street between Main Ave and the alley to the East. If the council is agreeable to this, they want to turn that area into a Downtown "park" area with tables or benches, shrubbery, maybe even a water feature. The council is considering the request but asked staff to do some traffic counts of the area before any action is taken. They will discuss this again on 4/5.
  - Community Plan – ISG is in their final stages of this process. They are looking at having one more community meeting on April 6th. Once the community plan is finalized, the P&Z Board will begin work on updating our comprehensive plan.

**Adjournment:** A motion was made by Nolte, second by Kutil to adjourn at 8:09pm – 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.

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Teresa Sidel, City Administrator