

## **Hartford Planning and Zoning Minutes - Regular Meeting July 9, 2013**

Chairman Munce called the meeting to order at 7:00 p.m. with the following members present: Bender, Mitchell, Cunningham, Campbell and Wegleitner. Ham was absent with notice. City Administrator Teresa Sidel, City Code Enforcer/Building Inspector Paul Clarke and City Engineer Mitch Mergen were also present.

**Approval of the Agenda:** A motion was made by Cunningham, second by Mitchell to approve the July 9, 2013 agenda as set - all voted yes, motion carried.

**Approval of the Minutes:** The Board reviewed the June 25, 2013 regular meeting minutes. A motion was made by Mitchell, second by Cunningham to approve the June 25, 2013 minutes – all voted yes, motion carried.

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

**\*7:05 Public Hearing – Conditional Use Permit for 301E 5<sup>th</sup> Street (Lot 12C of North Lawn Addition):** Venice Becker has applied for a conditional use permit to erect an 8-plex housing unit with garages upon his lot at 301 E 5<sup>th</sup> Street. He purchased 3 lots 8 years ago and two years ago he erected two 8 plex buildings, now he wishes to erect a third building on his last lot. First hearing date for this property was on June 11, 2013. Area property owners were present at that meeting to voice concerns over the development. After this first hearing, the Board asked city staff to look at traffic issues, drainage issues and contact the fire department and sheriff department for their input. City Administrator, Teresa Sidel, noted the following:

**Sheriff's Department:** Deputy Jared Terrones noted that no formal complaints have been received by the sheriff's department regarding parking. He notes that there are typically trailer and campers that are parked on the roadway during the summer months, however, that is allowed by city ordinance and the same situation can be found on most city streets throughout town.

**Fire Department:** Fire Chief, Kelly Boysen, reviewed the site plan for this complex and noted that everything seems fine. There is access for emergency vehicles and a fire hydrant is located on the NW corner of this lot for a water supply.

**Traffic Study:** The city engineers did a traffic impact study on this area and found no issues to report. They noted that a typical street design, such as this one, can handle traffic flow for up to 5000 cars per day. The addition of these units will not have an impact on this capability.

**Drainage Study:** The city engineers also reviewed the drainage for this area. City Engineer, Mitch Mergen, explained the drainage situation to the Board. It was noted that this is a low-lying area and drainage is a concern. The present storm sewer system cannot handle additional water volume so Mr. Becker has been asked to provide a new drainage plan for this site that would incorporate a detention area for any additional water so it does not flow into the storm sewer system. Mr. Becker did not have enough time before this meeting date to have a new drainage plan to present to the City. The Board noted that before action can be taken on this item, a new drainage plan must be submitted and reviewed by the city engineers for approval. This is to ensure that building upon this property will not cause additional water concerns or problems for neighboring properties.

A motion was made by Bender, second by Cunningham to table the conditional use hearing for 301 E 5<sup>th</sup> Street until July 30, 2013 in order for a detail drainage plan to be submitted by the developer and reviewed by the city engineers – Wegleitner voted no, with all others voting yes, motion carried.

**A motion was made by Mitchell, second by Campbell, to adjourn as the Planning and Zoning Board and reconvene as the Board of Adjustments – all voted yes, motion carried.**

**\* Variance Hearing – 301 E 5<sup>th</sup> Street:** Venice Becker owns the property at 301 E 5<sup>th</sup> Street. He is proposing to erect an 8-plex apartment building with detached garages. Side yard setbacks for multi-family dwellings are 15'. Mr. Becker's site plans only allows for a 10' side yard setback on the east side of his property and a 12.5' setback on the west side of his property. He is asking the Board for a 5' setback variance on the east side and a 2.5' setback variance on the west side. In order to place a multi-family dwelling, a conditional use permit must be secured from the city. It is the consensus of the Board to postpone any variance application upon this property until a conditional use permit is secured. A motion was made by Munce, second by Cunningham to table the setback variance hearing for 301 E 5<sup>th</sup> Street until July 30, 2013 following the conditional use hearing for this property– all voted yes, motion carried.

**A motion was made by Campbell, second by Mitchell, to adjourn as the Board of Adjustments and reconvene as the Planning and Zoning Board – all voted yes, motion carried.**

**\*7:30/7:45 Public Hearing – Conditional Use Permit for Lot 1, 4, 3A-3C of Railway Addition:** The Hartford Farmers Elevator has submitted to the City a conditional use application for Lot 1, 4, 3A-3C of Railway Addition for the erection of a feed mill facility. The preliminary plans were reviewed by the Board. Kevin Maras was present to discuss with the Board items such as site plan, facility operations, nuisances, property lines, setbacks, zoning and drainage. It was noted that the required setbacks were in place on the site plan but the conditional use permit will have to allow for additional height on the mill, storage bin and auger leg. The property is zoned heavy industrial and a feed mill operation is allowed by city ordinance by conditional use permit. A motion was made by Campbell, second by Wegleitner to approval the conditional use application submitted by the Hartford Farmers Elevator for Lot 1, 4, 3A-3C of Railway Addition with the following conditions: 1) Screening must be provided on the north property line and meet city regulations under section 12.11(F) of the city’s zoning regulations- 2) All plans must be approved by the city engineers- 3) The height of any structures cannot exceed 135’- 4) Once all streets surrounding the facility are improved/ upgraded by the city with asphalt or concrete, the driveway and parking areas of the facility must be improved to asphalt or concrete- 5) Refuse areas must be surrounded by screening- 6) All lighting must meet the city’s lighting standards in section 12.11(H) of the city’s zoning regulations. – all voted yes, motion carried.

**Visitor Recognition:**

**\*Todd Yttreness:** Todd Yttreness is purchasing the property located at 209 N Feyder. Mr. Yttreness wanted to discuss with the Board his plans for this property. Plans include the cleanup of the site and demolition of the existing house and garage, which are both falling apart and do not meet city building code. After cleanup has been completed, he plans to erect a new detached garage and house structure with attached garage. Land usage and setback requirements were discussed, along with city regulations regarding the erection of a house and detached garage. The Board noted that they are willing to work with Mr. Yttreness to demolish the current structures and erect new structures to make this a buildable and usable property within the city. Board suggested to Mr. Yttreness to submit a site plan to the city zoning official for review.

**New Business & Updates:**

**\*June Code Enforcement/Building Permit Report:** The Board reviewed June’s code enforcement/building permit report with Paul Clarke.

**\*Updates:** City Administrator Sidel updated the Board on the city council’s decision to construct a new street section of Diamond Trail between Western Avenue and Ruud Lane. A map was reviewed and questions were addressed.

**Adjournment:** A motion was made by Cunningham, second by Mitchell to adjourn at 8:42 pm - all voted yes, motion carried.

Minutes recorded by City Administrator Teresa Sidel