

PLANNING AND ZONING AGENDA
TUESDAY, AUGUST 25, 2020
CITY HALL - 7:00 P.M.

- 1) ROLL CALL
Mark Anderson, Eric Bartmann, Tim Graham, Brad Miles, Steve Nolte, Stephanie Olson-Voth, Tony Randall

- 2) APPROVAL OF THE AGENDA

- 3) APPROVAL OF MINUTES for:
 - August 11, 2020 Meeting

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

- 5) HEARINGS/PETITIONS/APPLICATIONS
 - 7:05 Hearing – Rezone Application for Lots Lying in the NE corner of Opal Lane and Trojan Avenue of Western Meadows Addition

- 6) UPDATES
 - Building Inspector Update – Paul Clarke
 - City Administrator Updates – Teresa Sidel

- 7) ADJOURNMENT

Next Planning & Zoning Meeting: Tuesday, September 8, 2020

Planning and Zoning Meeting – Regular Meeting August 11, 2020

Chairman Tony Randall called the meeting to order at 7:00 p.m. at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Tim Graham, Eric Bartmann, Steve Nolte, and Brad Miles. Stephanie Olson-Voth was absent with notice. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present, along with city engineer Mitch Mergen. There were 2 in attendance from the public.

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

Approve Minutes of June 30, 2020 Regular Meeting: The June 30, 2020 meeting minutes were reviewed. A motion was made by Bartmann, second by Graham to approve the June 30, 2020 regular meeting minutes – all voted yes, motion carried.

Visitors:

- **Pat DeGroot:** Mr. DeGroot came before the Board to ask for a change in our zoning regulations. He is the pastor of a non-denominational church called The Church of New Beginnings. Currently they do not have a permanent building for their church, so they have been meeting temporarily in the upstairs of the Pizza Ranch on Sunday mornings. This space is becoming too small, so they are looking for another venue to rent or even land to build upon in the future. The city's current zoning regulations only allow "churches" in residentially zoned districts. The city is aware that religious entities should be afforded the same rights as any other organizations, clubs or groups so with that in mind, it was the consensus of the Board to amend the city's zoning regulations to allow religious entities in all districts within the city. A proposed amendment will be drafted and presented to the Board.

Hearings/Petitions/Applications

- **7:05 Hearing:** The City Council has been discussing our policy regarding street lift applications. Current sub-division regulations require the 1st street lift to be placed in one year and then the 2nd street lift cannot be placed until the following year. Some developers have asked if they could place both lifts the same year to save time and mobilization costs. The biggest concern regarding this is that if all the underground work and both street lifts were placed in one year, then the ground does not have time to go through a freeze and thaw cycle and we do not get a chance to see the "bad spots" or places where it may settle under the street. City Engineer, Mitch Mergen, was present to go over the proposed changes to the city's sub-division regulations with the Board. The proposed change would allow both lifts to be placed the same construction year if the underground work has gone through a freeze/thaw cycle. This policy change would only affect new sub-divisions. A motion was made by Bartmann, second by Nolte to recommend approval to the proposed sub-division changes to the city council – all voted yes, motion carried.

Old Business:

- **Swimming Pool Policy Discussion:** Due to the erection of several new pools within the city, discussion was held as to if the city needs additional regulations for them. Right now, the city has adopted the 2018 International Property Maintenance Code, which addresses access control for pools, hot tubs and spas with over 24" of water in them. These regulations do not address setbacks or drainage. A draft policy was reviewed by the Board on suggested regulations for not only access control but for setback and placement requirements. It was the consensus of the Board to consider pools as accessory buildings and draft an amendment to add pools under section 12.03 of the city zoning regulations for review by the Board.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke was present to provide a report to the Board. Currently there are 21 open single-family homes and 1 twin homes in various stages of construction. An update on commercial properties was also given to the Board, along with a progress report on the removal of the condemned trailer from Lot 6B in the Northside Mobile Home Court.
- **City Administrator Update:** The Board was provided a copy of the June & July code enforcement report, along with the following updates:
 - **City Council:** The election of LaVonne Randall for ward 3 and the appointment of Mark O'Hara for Ward 2 have filled the open seats on the city council.

- **Projects:** The 9th Street project is going well and should be completed on time. Underground work has been completed and street work should start next week. The Opal/Ruud Lane Intersection Project has also started. A temporary road has been placed and removals are currently being done. The city had a meeting with the state to review our grant application for phase 6 of the bike trail system and a check was received from Wellmark to refurbish playground equipment for Turtle Creek Park. The Board was also informed that the street slurry seal project for this year is scheduled for Monday (8/17) and Tuesday (8/18).

Adjournment: A motion was made by Anderson, second by Miles to adjourn at 8:10p.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

**APPLICATION FOR ZONING CHANGE OR AMENDMENT
HARTFORD, SOUTH DAKOTA**

469 rec'd 8.10.20

APPLICATION NUMBER: _____ FEE: \$20.00: check# ✓ or _____ cash

APPLICANT: Western Meadows LLC APPLICANT ADDRESS: 7409^S Bitterroot Place

Phone Number: 605-336-2779 Ext. 124 Email Address: brnogena@costelloco.com

LEGAL DESCRIPTION: Approx. 21545 sq. ft to be platted lying on North side of Opal Lane, Hartford

PROPERTY ADDRESS: TBD Opal Lane, Hartford SD

If Change of Zone: PETITION TO REZONE FROM Commercial DISTRICT TO Residential DISTRICT

REASON FOR REQUESTED CHANGE OF ZONE OR ZONE AMENDMENT:
Re-Plat area into 2 residential lots to conform with existing residential parcels located South + West of subject property

I (we) hereby certify that the information given is correct and true and furthermore, I (we) agree to comply with any and all conditions concerning approval of this application and other zoning requirements of the City of Hartford.

Gyanni Heger
Signature of Applicant

8/5/20
Date

Carol Heger
Signature of Property Owner (if different from petitioner)

8/5/20
Date

Authorized Zoning Official

Date

For Office Use Only:

Date of Public Hearing held by Planning and Zoning: 8.25.20 Time: 7:05

Recommendation to _____ approve or _____ disapprove change of zone by Planning and Zoning Board.

(Signature of Planning and Zoning President)

Date of Public Hearing held by the City Council: 9.1.20 Time: 7:05
Granted _____ Denied _____

(Signature of Mayor)

Notice sent to Official Newspaper for P&Z & CC Hearing (Not less than 10 days Prior to Hearing): 8.6.20

Notice posted on Property for P&Z Hearing (10 days prior to Hearing): 8.14.20

Public Hearing by Planning and Zoning: 8.25.20

Notice posted on Property for CC Hearing (10 days prior to Hearing): 8.25.20

First Reading & Public Hearing by City Council: 9.1.20

Second Reading and Adoption: 9.15.20

Publication Date: 9.23.20

Effective Date: 10.15.20

PUBLIC NOTICE

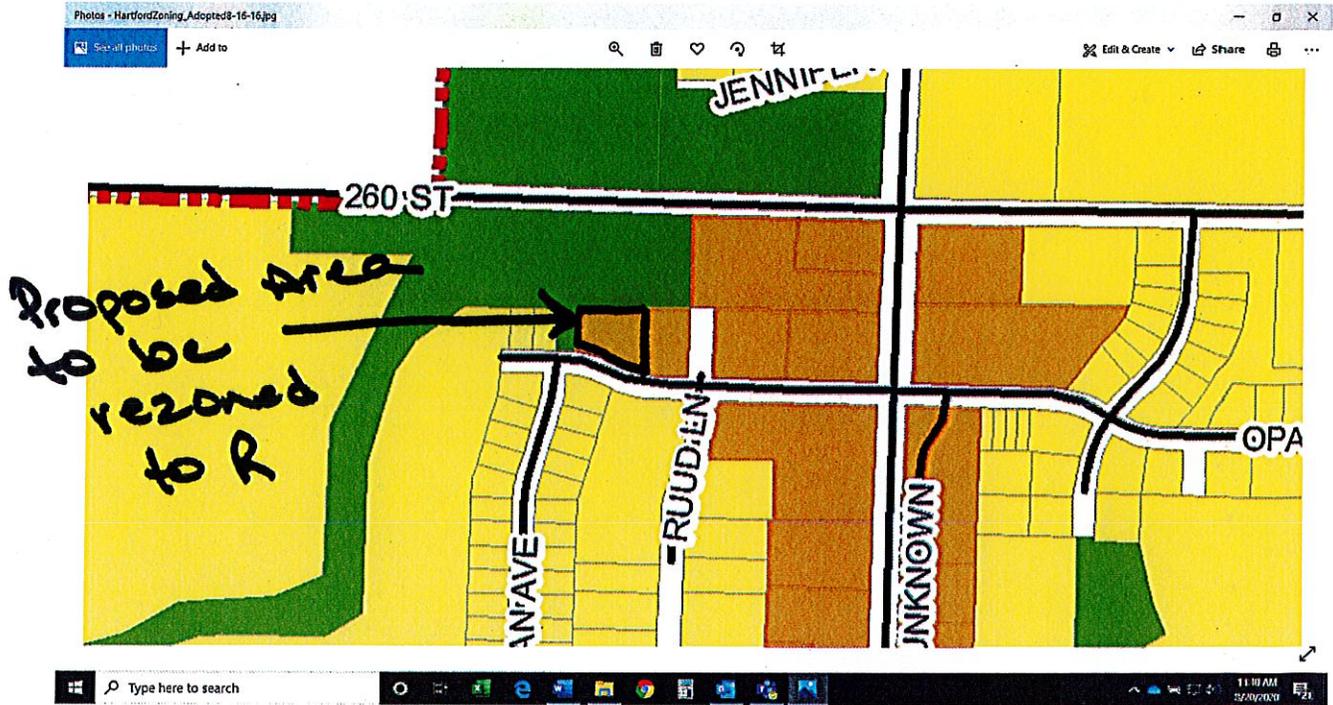
The Hartford Planning and Zoning Commission will conduct a public hearing at 7:05p.m. on August 25, 2020 at Hartford City Hall to review and make a recommendation to the Hartford City Council in regards to a zoning change application submitted by Western Meadows LLC to rezone approximately 21,545 square feet of land lying on the north side of Opal Lane to be platted as Lots 5 and 6 in Block 3 of Western Meadows Addition, City of Hartford, Minnehaha County, South Dakota from Zoning classification of Community Commercial (CC) to Residential (R). The Hartford City Council will conduct a public hearing at 7:05 p.m. on September 1, 2020, at Hartford City Hall to either approve or deny the zoning change. All interested parties may appear and be heard.

Dated this 14th day of August 2020.

Teresa Sidel
City Administrator

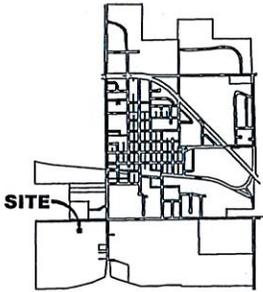
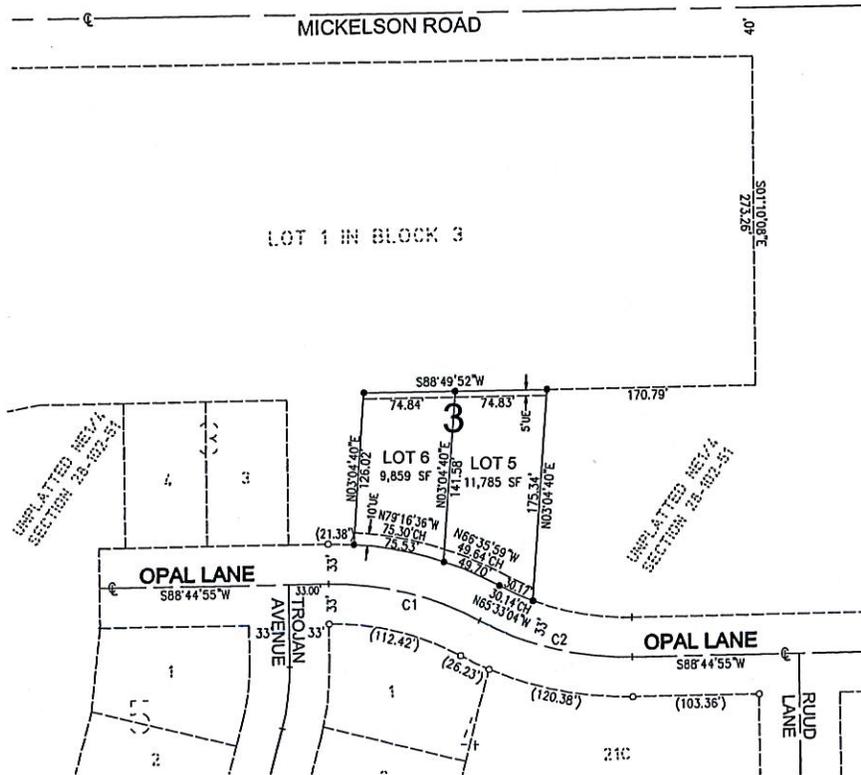
City of Hartford

Zoning Map



Checked By: G. Andersh
 Project No. 20103
 Dated: 8/06/20
 Dwg: Western Meadows B3 L5-6

WESTERN MEADOWS ADDITION TO THE CITY OF HARTFORD, MINNEHAHA COUNTY, SOUTH DAKOTA (Lots 5 & 6 in Block 3)



HARTFORD, SD
VICINITY MAP



CENTERLINE CURVE TABLE					
CURVE NO.	RADIUS	DEFLECTION	ARC	CHORD	BEARING
C1 & C2	250.00'	29°40'59"	129.52'	128.07'	S76°24'35\"/>

- LEGEND**
- PROPERTY CORNER FOUND
 - PROPERTY CORNER SET (#5x1.5\"/>
 - PREVIOUSLY PLATTED AREA
 - ue UTILITY EASEMENT

NOTES:
 Orientation of bearings is the universal transverse meicator system.

SURVEYOR'S CERTIFICATE

I, Gary L. Andersh, of Schmitz, Kalda & Associates, Inc., a Registered Land Surveyor in the State of South Dakota, do hereby certify that I have, on or before this date, and at the request and direction of the property owner, surveyed a portion of the Northeast Quarter (NE1/4) of Section 28, Township 102 North, Range 51 West of the 5th P.M., Minnehaha County, South Dakota, and divided and platted the same into the following as shown on the plat:

Lots 5 and 6 in Block 3

The same shall hereafter be known and described as Western Meadows Addition to the City of Hartford, Minnehaha County, South Dakota.

I further certify that to the best of my knowledge the plat correctly represents the same, is true and correct and that it was made under my direct supervision.

Dated: August 6, 2020

Gary L. Andersh, LS



Prepared By:
 SCHMITZ, KALDA & ASSOC., INC.
 320 N. Main Avenue
 Sioux Falls, SD 57104
 (605) 332-8241

August 25, 2020 P&Z Notes

Hearing:

- **7:05 Rezone Hearing:** Western Meadows LLC has submitted a rezone application for a portion of land lying in the NE corner of Opal Lane and Trojan Avenue. The property is currently zoned community commercial and the developers are asking for it to be rezoned to residential. This is a less intensive use and is a one down from the current zoning. The lots to the west and south are currently zoned residential and have already been developed with housing. The property to the east is undeveloped yet. A copy of our current zoning map, along with a proposed plat map from Western Meadows, is in your packet for review. Western Meadows is proposing to plat the rezone area into Lot 5 & 6 in Block 3.

Updates:

Building Inspector Updates:

- Paul Clarke will be present to provide an update to the Board on building permits and projects.

City Administrator Updates:

- Projects:
 - 9th Street Project: The 9th Street Project is going well is on schedule. Underground utility work is completed and removals and preparation for the street work is now being done. Curb and gutter, along with miscellaneous concrete work will be starting.
 - Ruud & Opal Project: The temporary access road has been laid and prep work has begun on this project. Coordination with the utility companies is underway to relocate some services and utility work is beginning.
- Upcoming Meeting: Our agenda for September 8th will consist of a rezone hearing for 2 city lots in downtown and a review of our zoning regulations to incorporated "places of worship" in all district and pools as accessory buildings.

Call if you have any Question: 528-6187