

City of Seward Planning Commission
Minute Record June 13, 2022

The City of Seward Planning Commission met in regular session at 7:30p.m. June 13, 2022, in the Council Chambers at the Municipal Building at 142 North 7th Street, Seward, Nebraska. Upon roll call the following Commission Members were present: Clarence Kotera, Russ Soucek, Ron Wallman, Sue Bowen, Ron Niemoth, Scott Seevers, and Lacey Koch. Other Officials present: Building and Zoning Director, Tim Dworak, and Administrative Assistant, Sara Van Cura.

Absent members were: Dan Ellis, and Jeremy Tonniges.

All proceedings hereafter shown were taken while the convened meeting was open to the public. The meeting with the Planning Commission was called to order by Chairperson Wallman at 7:30 p.m. He requested that all individuals speaking during the public hearing limit their comments to five minutes.

Minutes

Consideration of Approval of Draft Minutes of May 9, 2022, and Draft Minutes of May 17, 2022.

Moved by Seevers, seconded by Kotera, to approve the minutes.

Aye: Kotera, Soucek, Wallman, Bowen, Niemoth, Seevers, Koch

Nay: None.

Absent: Ellis, Tonniges. Motion carried.

1. Public Hearing 7:30pm: review a Special Use Permit for 317 South 3rd Street to allow construction of single-family homes and residential living in the Central Business District.

Chairperson Wallman opened the public hearing.

Dworak state a couple months ago we had a construction company in here for a special use permit for CNG 1st which is the old middle school property in the Central Business District. According to our ordinance, any single family attached, detached, or duplex in the Central Business District requires a special use permit. The previous eight units were approved. Cottonwood Rentals is the last lot.

Craig Slepicka, 2586 Waverly Rd. Seward Nebraska, spoke for Seward Vision Clinic. Slepicka stated that there is a concern that this new one creates much more opportunity for people driving through the Seward Vision Clinic's parking lot.

Dworak stated that according to their plan, the access will be facing the street.

Jonathan Jank, Seward County Chamber and Development Partnership, spoke in favor of any type of housing. Jank stated this is a great infill opportunity.

Chairperson Wallman suspends the public hearing.

Commission Member Seevers made a motion to approve the Special Use Permit for 317 S. 3rd Street to allow construction of single-family homes and residential living in the Central

Business District with the provision that the garages of the unit face 3rd street; Kotera
Seconded.

Aye: Kotera, Soucek, Wallman, Bowen, Niemoth, Seevers, Koch

Nay: None.

Absent: Ellis, Tonniges. Motion carried.

2. Public Hearing 7:30pm: review a Final Plat of Prairie View Subdivision

a. Final Subdivision Agreement

Chairperson Wallman opened the public hearing.

Dworak stated this is a major subdivision final plat for the development along east Highway 34 heading out of town. The applicant is 1640 LLC. Olsson is the professional design team. The final plat that you see if front of you is the first phase of seven. It has 35 single family residential lots. There is a large outlot that will be replatted as the phases come along. It is within the City limits and zoned R-3. Lot sizes are all conforming. It involves extending utilities and City streets.

Jonathan Jank, Seward County Chamber and Development Partnership stated this will fit very well with the housing study and the comprehensive plan.

Commission Member Koch asked for clarification on where constructions vehicles will be entering.

Lizzie Potter, Olsson, stated they are going to utilize the existing drive for the acreage, and come off that for our first phase. The only thing that would come off the future Prairie Flower would be large excavators.

Commission Member Seevers asked if there were any significant changes between the preliminary and final plat.

Potter stated no, the lines were made square, but the lots are generally the same size.

Commission Member Kotera asked where the large outlot was located.

Dworak stated is the large lot to the east.

Chairperson Wallman suspended the public hearing.

Chairperson Wallman stated there is a handout of the subdivision agreement that was not included in the packet.

Dworak stated the biggest correction is fences on the street facing yards. The only yards street facing we are concerned about is East Seward and Prairie Flower.

Commission Member Koch asked about the houses facing the highway.

Dworak stated they have a buffer and shelter belt there.

Commission Member Kotera asked there would be a fence on East Seward and all-around Prairie Flower.

Dworak stated yes all those houses would be required to have a fence in the rear yard.

Commission Member Kotera asked if the fencing is owners' choice.

Dworak stated no, it's white PVC and some other specs that go with it.

Commission Member Seevers stated it will run the whole length of the north side and east side of the development. Commission Member Seevers asked if that was because the houses were so close to the road and for safety.

Dworak stated that safety is part of it. Another part of it is view from the north side.

Commission Member Koch asked if the traffic issue was resolved.

Dworak stated it is before City Council.

City Council Member Sid Kamprath stated it's still in the long-term process.

Commission Member Kotera made a motion to approve the Final Plat of Prairie View Subdivision and Subdivision Agreement, Escrow and Security Funds; Commission Member Koch seconded.

Commission Member Seevers stated that if the fencing is a safety matter, then it's legitimate but if it's an aesthetics matter maybe it shouldn't be a requirement of the City to put up a fence

Chairperson Wallman stated to let the record show that it is in keeping with the general stipulations of the preliminary plat.

Aye: Kotera, Souchek, Wallman, Bowen, Niemoth, Seevers, Koch
Nay: None.
Absent: Ellis, Tonniges. Motion carried

3. Public Hearing 7:30pm: review a Text Amendment to the City of Seward Unified Land Development Ordinance; Article 3 use Types 410-3.7.W Pet Services and Chapter 410 Attachment 1- Use Matrix for Pet Services

Chairperson Wallman opened the public hearing.

Dworak stated the applicant is asking for a change in the definition of pet services. He would ask that along with it, it would be a special use permit so each time it would be reviewed. The current definition that pet services is entirely within a building but he would like to have an outdoor exercise area for these pets. We reached out to a number of municipalities. With the exception of Lincoln, all other municipalities do not allow pet services outside of a building within the Central Business District. Gretna was the only one that has a doggy daycare clause, but only allows in certain business districts. However, it is not allowed in their downtown business district.

Scott Dinslage, 1869 184th Road Garland, stated The Alps Bark Park is in need of an outdoor play yard. Dinslage passed around a handout showing the economic Impact for a year, community support, and neighborhood support. Dinslage stated it is the undeveloped lot to the west of the building. Dinslage described the game yard and 3rd space would look like. Dinslage stated it's a goal to make this town pet friendly and would like to blaze this trail to be a community that is pet friendly. Dinslage quoted Steven from Lincoln stating he expects his downtown business district to be active and at times to be loud.

Commission Member Seevers asked the exercise yard is restricted to clients, dogs you are caring for at the moment, and the third site is a social place for anyone to come and visit.

Dinslage answered that yes, that is correct, but the third space would require dogs on leash at all times.

Dinslage explained the exercise yard. He stated at max this would be used between 830 and 10 in the morning, and then maybe an hour and a half to two hours in the afternoon.

Commission Member Kotera asked what the maximum number be in the play yard at one time.

Dinslage responded that play groups would be between seven & nine.

Commission Member Koch asked how many dogs are in your indoor play yard.

Dinslage stated about eight to ten.

Dinslage gave an explanation on how the exercise yard would look listing the following:

1. Enclose in a 6 ft reverse fence. The smooth side will be facing in so the dogs cannot have anything to potentially jump on and jump out.
2. It will be covered in pea gravel. We will sterilize the land so nothing can grow. It will be five inches of pea gravel. Pea gravel is easily cleaned and raked so there are no odors. It's in direct sunlight and UVA rays are great at killing odors. It will be treated with an enzyme cleaner and disinfectant once or twice daily.
3. The dogs will be supervised while they are socializing
4. To eliminate excessive barking, all adventure guides will have spray bottles. The dogs that like to just bark, they would not be allowed outdoors.
5. Forty-five minutes to an hour outdoors per play group

Commission Member Kotera stated that the fence would have to fence out.

Dworak stated there is an ordinance that requires the finished side out.

Commission Member Bowen stated that a year ago we asked very specifically if there would be any dogs outside. Commission Member Bowen asked what has changed.

Dinslage stated the clients calls and requests.

Commission Member Kotera asked if Dinslage has contacted all the surrounding businesses.

Dinslage stated he has not contacted all of them but has statements from most of them.

Chairperson Wallman asked Dworak if nuisance ordinances are still citizen complaint.

Dworak stated that it is still a complaint driven system.

Chairperson Wallman asked if we have any language for this yet.

Dworak stated we do have a draft ordinance.

Chairperson Wallman stated his concern is the unintended consequences of this.

Commission Member Koch asked if the traffic from Highway 15 will cause issues with the dogs.

Dinslage stated as long as the dogs can't see the traffic, it won't be an issue.

Jack Russell, 546 Jackson Ave Seward NE, stated I'm the one it affects the most and thinks it would be a huge benefit.

Bethany Turner, 2326 C Street #3 Lincoln NE, stated Seward has a lot of potential and this would be very beneficial for a town. Turner stated bark park is loud for about 10 minutes to get the jitters out and then they are playing quietly.

Pat Sanley 1107 Rainbow Ave. Seward NE, state she was a driving for the dog park and these same questions came up with the dog park. Sanley stated the dog park hasn't had any problems.

Commission Member Soucek asked how this would work with the 4th of July.

Dinslage stated that their clients come to them on the 4th of July because they want their dogs inside.

Jonathan Jank, Seward County Chamber and Development Partnership stated he and Dinslage have talked about this and reflect on the comprehensive plan and downtown revitalization plan. Jank stated as they looked through these documents to see if this fits, it fits. Jank stated this is a unique opportunity to make a young professional friendly and will cross pollinate to other business.

Chairperson Wallman closed the public hearing

Chairperson Wallman stated he is not opposed to the concept but there needs to be different language to the ordinance. Chairperson continued that the outdoor exercise area needs to be defined and defined by limitations how long an individual animal can be out there, and the hours of operation.

Commission Member Bowen stated she thinks downtown Seward is the wrong location.

Commission Member Soucek stated we can write the ordinance with those restrictions.

Chairperson Wallman stated there is no motion to table.

4. Administrative Items

5. Reports

6. Agenda Items

None

7. Upcoming Events

Meeting adjourned 9:02 PM.

Sara Van Cura
Administrative Assistant