

## City of Seward Planning Commission

### Minute Record      January 9, 2023

The City of Seward Planning Commission met in regular session at 7:30p.m. January 9, 2023, in the Council Chambers at the Municipal Building at 142 North 7<sup>th</sup> Street, Seward, Nebraska. Upon roll call the following Commission Members were present:, Dan Ellis, Ron Wallman, Jeremy Tonniges, Ron Niemoth, Scott Seevers, and Lacey Koch. Other Officials present: Building and Zoning Director, Tim Dworak, City Engineer, Michael Oneby, and Administrative Assistant, Sara Van Cura.

Absent members were: Clarence Kotera, Russ Soucek, & Sue Bowen.

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 November 14, 2022.

Moved by Vice Chairperson Ellis; seconded by Commission Member Tonniges to approve the minutes.

Aye: Ellis, Wallman, Tonniges, Niemoth, Seevers, Koch

Nay: None.

Absent: Kotera, Soucek, Bowen. Motion carried.

1. Public Hearing 7:30pm: review a rezone application for Luebbe-Martin Addition from RR Rural Residential District to R-3 Urban Residential Mixed-Density District.

Chairperson Wallman opened the public hearing.

Dworak stated the current property is zoned rural residential which is an agricultural zoning. We are looking at rezoning to R-3. Evergreen is currently R-3. The property is predominately floodplain and most likely will not be developed. There is a City code for annexation that states any time a property is annexed into the City limits, it needs to carry a zoning consistent within the property limits. Rural residential is not allowed inside City limits. The property is currently used as a residence. As an R-3 property it meets all the requirements. Part of the property will be sold to a neighbor for future development.

Chairperson Wallman suspends the public hearing.

Moved by Commission Member Tonniges to approve the rezone for Luebbe-Martin Addition from RR Rural Residential District to R-3 Urban Residential Mixed Density District; Vice Chairperson Ellis seconded.

Chairperson Wallman stated it makes sense for where it is at.

Commission Member Seevers asked if most of it is in the floodplain if it is typical to zone it Urban residential mixed density when it won't have residences on it.

Dworak stated yes, because the house is outside the floodplain, and we have to give it some residential designation.

Chairperson Wallman said we don't zone floodplain, but out of practically it would be difficult to take that little piece out of there.

Vice Chairperson Ellis asked about the proposed building being out of the floodplain.

Dworak stated that it is not but it is in the .2 and he can mitigate from his own property. The property is large enough to do that.

Chairperson Wallman stated the planning commission is in agreement this is the most appropriate zoning.

Aye: Ellis, Wallman, Tonniges, Niemoth, Seevers, Koch

Nay: None.

Absent: Kotera, Soucek, Bowen. Motion carried.

## 2. Public Hearing 7:30pm.: review a Preliminary and Final Plat of Luebbe-Martin Addition

Chairperson Wallman opened the public hearing.

Dworak stated this is a major subdivision because the Luebbe property is not platted and this will bring everything into conformity. You will see the preliminary with contours and the final plat. The major plat shows an access easement using the existing driveway. The Valley View Estates HOA has no issue with what he intends to do.

Chairperson Wallman closed the public hearing.

Moved by Commission Member Seevers to approve the Preliminary and Final Plat of the Luebbe-Martin Final Plat; Koch seconded.

Chairperson Wallman asked what the limitation on size for an accessory building.

Dworak stated 900 square feet.

Commission Member Tonniges asked if that is based on HOA limitation or City Code.

Dworak stated it is City code.

Aye: Ellis, Wallman, Tonniges, Niemoth, Seevers, Koch

Nay: None.

Absent: Kotera, Soucek, Bowen. Motion carried.

### 3. Administrative Item

Dworak stated in the last meeting Vice Chairperson Ellis asked about utilities working outside of the easement. The City does not have anything in City code or the franchise agreement with recourse. Trespassing may be a possibility.

### 4. Reports

### 5. Agenda Items

### 6. Upcoming Events

Meeting adjourned 7:46 PM.

Sara Van Cura  
Administrative Assistant