



**CITY OF SEWARD
City Council
Committee Meeting
Agenda**

| | | |
|-----------------------------|----------------|---|
| Monday, July 8, 2024 | 7:30 PM | Council Chambers at the Municipal Building |
|-----------------------------|----------------|---|

NOTICE IS HEREBY GIVEN that a meeting of the City Council of the City of Seward, Nebraska will be held at 7:30 PM on Monday, July 8, 2024, in the Council Chambers, 142 N 7th Street, Seward, Nebraska in which the meeting will be open to the public. The Mayor and City Council reserve the right to adjourn into Closed Session as per Section 84-1410 of the Nebraska Revised Statutes. An Agenda for such meeting, kept continually current, is available at the Office of the City Clerk, 537 Main Street, Seward, Nebraska, during normal business hours. Individuals requiring physical or sensory accommodations, who desire to attend or participate, please contact the City Clerk's Office at 402.643.2928 no later than 3:30 PM on the Friday preceding the Council Meeting.

City financial claims and related invoices will be available for Council member review, audit and voluntary signatures at the meeting location beginning 30 minutes prior to the scheduled meeting time.

CALL TO ORDER

DISCLOSURE OF OPEN MEETINGS ACT & OTHER NOTIFICATIONS

This is an Open Meeting of the Seward Planning Commission. The Seward Planning Commission abides by the Nebraska Open Meetings Act in conducting business. A copy of the Nebraska Open Meetings Act is displayed on the north wall of this meeting room facility as required. Disclosure of meeting recording processes is posted in the Meeting Room. A participant sign-in sheet is available for use by any Citizen addressing the Commission. Presenters shall approach the podium, state their name & address for the record and are asked to limit remarks to five minutes. All remarks shall be directed to the Chair who shall determine by whom any appropriate response shall be made. The Seward Planning commission reserves the right to adjust the order of items on this Agenda if necessary and may elect to take action on any of the items listed.

ROLL CALL

CONSENT AGENDA

MINUTES

1. Consideration of Approval of Draft Minutes of June 10, 2024

City of Seward Planning Commission

Minute Record

June 10, 2024

The City of Seward Planning Commission met in regular session at 7:30p.m. June 10, 2024, in the Council Chambers at the Municipal Building at 142 North 7th Street, Seward, Nebraska. Upon roll call the following Commission Members were present: Russ Soucek, Dan Ellis, Ron Wallman, Sue Bowen, Jake Miller, Ron Niemoth, Scott Seevers, and Lacey Koch. Other Officials present: Building and Zoning Director, Tim Dworak, Street Superintendent, Bob Miers, City Engineer, Mike Oneby, and Administrative Assistant, Sara Van Cura.

Absent members were: Clarence Kotera, Traci Menke

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 13, 2024.

Moved by Commission Member Koch; Seconded by Commission Member Seevers to approve the minutes.

Aye: Soucek, Ellis, Wallman, Bowen, Miller, Niemoth, Seevers, Koch

Nay: None.

Absent: Kotera, Menke. Motion carried.

1. Public Hearing 7:30pm: Vacate a part of South First Street as platted in the Midland Pacific Railway Townsite Company's Addition.

Chairperson Wallman opened the public hearing.

Dworak stated we are asking to vacate a street. No utilities have been run. Everything down there has already been vacated. 1st street has not been vacated. The intent is to take the two south lots slim them down and sell them as one house lot. The remaining north lot will be developed into affordable homes. It's been that way since 1874.

Commission Member Koch asked if this is what they wanted in 1874.

Dworak stated that is how they saw it was going to be developed.

Commission Member Koch asked if these lots still exist.

Dworak stated that yes.

Chairperson Wallman suspended the public hearing.

Moved by Vice Chairperson Ellis to approve to vacate a part of South First Street as platted in the Midland Pacific Railway Townsite Company's Addition; seconded by Commission Member Koch.

Commission Member Koch stated this makes sense.

Commission Member Seever asked if makes sense to build houses there.

Dworak stated that yes. We talked with the Floodplain Administrator since they're in the 500-year, the houses will be built one foot above flood elevation.

Commission Member Miller asked if there are any future adjustments for it getting put into the 100 year.

Dworak stated that they'd never seen it up to the house.

Let the record show that the Planning Commission agrees this is the best use of the land.

Aye: Soucek, Ellis, Wallman, Bowen, Miller, Niemoth, Seever, Koch

Nay: None.

Absent: Kotera, Menke. Motion carried.

2. Public Hearing 7:30pm: review the 2025 One (1) and Six (6) year public roads plan for the City of Seward, NE.

Chairperson Wallman opened the public hearing.

Michael Oneby, City Engineer, stated there has been considerable juggling of the one-year plan. Project one is the NDOT project. We will only pay for angled parking. Project two for East Hillcrest design is virtually done and to bid is late summer. Projects three, four, and five in the rail campus were not expected to be in this fiscal year but do to land purchase and a tentative purchase and with grants, it was decided to build that out to what the City owns. Project five is storm water detention provided by the City.

Chairperson Wallman asked is it odd to be building streets outside of City limits.

Oneby states that it is odd, but the City does own it, and believes the City is planning on annexing it.

Dworak stated it is on the list to be annexed.

Oneby stated project eight is the only new project. We had a groundbreaking ceremony for a 48-unit apartment complex. There will be an increase in stormwater. It would be added to complement the much needed apartment complex. Project nine is a carryover and may be pushed due to staffing. The six-year plan is quite similar to previous years. There have been projects that have been stretched over multiple years. Project one we

have 100% funding. It is expected to be built in 2026. The rest of the projects are the same with some number changes. Project fifteen is traffic lights at Worthman. That will be based on growth. Projects 36, 37, and 38 are unpaved roads. We have a goal of having all streets paved. There is a plan to extend the bike trail from Evergreen to the Liebs. We will be extending that further west behind Lindner's property over to the dog park.

Chairperson Wallman asked what the projection of the west loop of the bike path.

Oneby has it to construct in 2026.

Chairperson Wallman asked if it was still going through the fairgrounds.

Oneby stated he thought it was.

Commission Member Koch asked with North 2nd Street being used as the bypass, do you anticipate any road construction or repaving for that.

Oneby stated no.

Commission Member Koch asked about the bricks on the sidewalks.

Oneby stated we decided to do one block

Dworak stated we are coming up with a sidewalk plan for next budget year. It will start around the schools. How it fits into the downtown is yet to be determined.

Commission Member Seevers asked about projects four, eight, and seventeen. He asked if it's being contemplated to bury the electrical lines.

Oneby stated it has not been decided.

Commission Member Seevers suggested talking with Concordia regarding their long-term plan and see if that would help.

Commission Member Seevers asked what made the Plum Creek bridge qualify for federal funding.

Oneby stated when the infrastructure bill came out, it was decided to use that for bridges that didn't qualify for any other funding.

Commission Member Miller asked about projects eleven and fourteen and what is that entailing.

Oneby stated that brick streets roughly cost four times. The plan is to contact McCook and Omaha, and their contractors.

Commission Member Miller asked if project six needs to be done before number eleven.

Oneby stated it doesn't have to be. It's been pushed back for several years. It's been pushed back because of other projects. The goal would be to get six done first, and then six would be usable while we reconstruct eleven.

Commission Member Miller asked if asked with the traffic from Ridge Run and the new housing development, has number eleven been moved up a year or will it stay in 2027.

Oneby stated we need to get project five done first and see how that goes.

Commission Member Soucek asked if you rebrick the roads, if you use the same bricks.

Oneby stated typically you use the same bricks. We do have a stockpile of bricks we have saved down at the horseshoe.

Bob Miers stated we do have a lot of brick down there.

Chairperson Wallman closed the public hearing.

Commission Member Koch moved to approve the 2025 One (1) and Six (6) Year Public Roads Plan for the City of Seward, NE; Commission Member Seevers Seconded.

Aye: Soucek, Ellis, Wallman, Bowen, Miller, Niemoth, Seevers, Koch

Nay: None.

Absent: Kotera, Menke. Motion carried.

3. Administrative Item

4. Reports

5. Agenda Items

6. Upcoming Events

Meeting adjourned 8:37 p.m.

Sara Van Cura
Administrative Assistant

PUBLIC HEARINGS

1. Public Hearing 7:30pm: review and Preliminary and Final Plat of Meihomes Addition.

City of Seward Planning Commission
142 N 7th St, Seward, NE 68434

Staff Report
Tim Dworak, Building/Zoning &
Code Enforcement Director
402-643-2928 opt 3 opt 1

APPLICATION TYPE

Major Subdivision Application

FINAL ACTION?

DEVELOPER/OWNER

Derek Leininger

PC HEARING DATE

July 8, 2024

RELATED APPLICATIONS

Rezone

PROPERTY ADDRESS, ZONING DISTRICT/USE

1015 S Columbia, AG, Agriculture

ADJACENT ZONING DISTRICTS/USE:

North, RM, Mobile Home Residential – Brent & Becky Horne, Dean Schultz, City of Seward

East, R-4, Exempt – City of Seward

South, R-4, Residential – Derek Leininger

West, RM, Mobile Home Residential – City of Seward

BRIEF SUMMARY OF REQUEST:

A Major Subdivision preliminary and final plat review of lots 1 through 6 Meihomes Addition. A 6 lot development for the purpose of single family residential living.



APPLICATION CONTACT

Derek Leininger, 402-641-5217

1540 210th Rd, Seward, NE 68434

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed site is undefined by the comp plan.

ANALYSIS

This is an application to divide multiple lots on 6.56 acres into 5 Residential lots including separating an existing home site and 1 lot to be developed at a later date at the southwest corner of Depot Street and South Columbia Ave.

The property is served by City utilities and does not require the extension of utilities or streets. City utility departments have reviewed the plat and have made sure there utilities are available and protected through the use of easements.

The platted lots meet the minimum requirements for lots in an R-4 Urban Residential Multifamily District (High-Density) zoning district.

The notice of this Public Hearing was published in the Seward County Independent, letters were mailed to owners within 300 feet, and the subject land was posted.

APPROXIMATE LAND AREA:

6.56 acres or 285,753.6square feet +/-

LEGAL DESCRIPTION:

A SUBDIVISION OF ALL OF BLOCK 1, MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDITION TO SOUTH SEWARD AND A PORTION OF LOTS 1, 4, 5, 8, 9, 12, 13, 16 AND 17, BLOCK 2 MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD AND A PART OF THE DEPOT GROUNDS AS PLATTED IN MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD, A PART OF VACATED DEPOT STREET AND A PART OF VACATED MIDLAND STREET AND A PART OF VACATED 1ST, A PART OF LOTS 1-, 11, 12, 13, 14 AND A PART OF THE NORTH-SOUTH ALLY IIN BLOCK 11, SOUTH SEWARD ADDTION LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, AND THE SOUTHWEST QUARTER OF SECTION 21, TOWNHSIP 11, RANGE 3, EAST OF THE 6TH P.M. CITY OF SEWARD, SEWARD COUTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE IN A WESTERLY DIRECTION ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND ON AN ASSUMED BEARING OF N 89°15'22" W, FOR A DISTANCE OF 15.00' THENCE S00°15'17"W, FOR A DISTANCE OF 33.00' TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE WESTERLY 15.00' RIGHT-OF-WAY LINE OF COLUMBIA AVENUE AND THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET; THENCE CONTINUING IN A SOUTHERLY DIRECTION S00°15'17"W ON THE WESTERLY 15.00' RIGHT-OF-WAY LINE OF COLUMBIA AVENUE, FOR A DISTANCE OF 656.13'; THENCE N89°44'43"W, FOR A DISTANCE OF 408.34' TO A POINT ON THE EASTERLY 50.00' RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE IN A NORTHWESTERLY DIRECTION ON THE EASTERLY 50.00' RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD AND ON A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 842.34', A RADIUS OF 998.32', A DELTA ANGLE OF 48°20'37", A CHORD BEARING OF

N11°01'29"W, FOR A CHORD LENGTH OF 817.57'; THENCE N 69°15'18" E, FOR A DISTANCE OF 36.13'; THENCE S58°16'17"E, FOR A DISTANCE OF 235.10' TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND ON THE WESTERLY RIGHT-OF-WAY LINE OF 1ST STREET EXTENDED SOUTH; THENCE S00°09'13"W ON THE WESTERLY RIGHT-OF-WAY LINE OF 1ST STREET EXTENDED SOUTH, FOR A DISTANCE OF 32.88' TO A POINT ON THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET; THENCE S89°14'05"E ON THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET, FOR A DISTANCE OF 333.97' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 6.56 ACRES, MORE OR LESS.

Prepared by

Tim Dworak

City of Seward Building - Zoning - Code Enforcement Director



PAID
5-31-17

City of Seward Planning Commission
Major Subdivision Application

Application shall be submitted a minimum of 30 days prior to the City Planning Commission Meeting. City Planning Commission meets the 2nd Monday of each Month.

Date: 5/21 Preliminary Plat Fee: \$400 + \$40 per Lot: \$80 + Notification Fee: \$100 = Amount Due: \$580

Owner/Developer: Derek Leininger Address: 1548 210th Seward, NE 68434
 Email: dlein017@gmail.com Phone: 402-641-5217
 Legal Description: Part of Midland Pacific Railroad Subdivision: _____
 Project Engineer: Allied Surveying Number of Lots: 2
 Present Zoning: RM Requested Zoning: R4

| | | | |
|---------------------------------|---|--|-----------------------------|
| Within City Limits | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | NA <input type="checkbox"/> |
| Adjacent to City Limits | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | NA <input type="checkbox"/> |
| Within 2 Mile Area | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | NA <input type="checkbox"/> |
| Annexation Requested | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | NA <input type="checkbox"/> |
| Subdivision Agreement Submitted | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | NA <input type="checkbox"/> |
| Performance Bond Required | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | NA <input type="checkbox"/> |

160
+ 40
\$200

Signed by Developer: [Signature]

Preliminary Plat Review

| | |
|--|---------------------------------------|
| <u>Staff Review</u> | <u>Agency Review</u> |
| Electric Dept <input type="checkbox"/> | Cable TV <input type="checkbox"/> |
| Street Dept <input type="checkbox"/> | Gas Co <input type="checkbox"/> |
| Police Dept <input type="checkbox"/> | Phone Co <input type="checkbox"/> |
| Park/Rec Dept <input type="checkbox"/> | School Board <input type="checkbox"/> |
| | County P.C. <input type="checkbox"/> |

Final Plat Fee: \$100 + \$10 per Lot: \$20 + Filing Fee: \$52 = Amount Due: \$172

Aid to Construction for Electric Department per Resolution No. 2015-25

Developer Fee \$400 Per Lot : _____ Developer Fees - \$4 per foot of electrical line installation: _____

Neighborhood Park Dedication/Fees In Lieu Of (City of Seward Unified Land Development Ord. 410-41.5) See ULDO Article 41, Public Improvements & Infrastructure, 410-41.5 Section B, Parks and Reservations, to determine land or cash donation: _____

Total Amount Due: \$752.00

Date Action Taken: Planning Commission _____ City Council _____

MEIHOMES ADDITION

Located in the Southwest Quarter of Section 21 and the Northwest Quarter of Section 28, Township 11 North, Range 3 East: City of Seward, Nebraska
PRELIMINARY PLAT



VICINITY MAP
NO SCALE

SURVEYOR'S CERTIFICATE

I hereby certify that I have caused to be surveyed the subdivision to be known as "MEIHOMES ADDITION". A subdivision of All of Block 1, Midland Pacific Railway Townsite Company's Addition to South Seward AND a portion of Lots 1, 4, 5, 8, 9, 12, 13, 16 and 17, Block 2, Midland Pacific Railway Townsite Company's Addition to South Seward AND a part of the Depot Grounds as platted in Midland Pacific Railway Townsite Company's Addition to South Seward, a part of vacated Depot Street and a part of vacated Midland Street and a part of vacated 1st Street, a part of Lots 10, 11, 12, 13, 14 and a part of the North-South alley all in Block 11, South Seward Addition located in the Northwest Quarter of Section 28 and the Southwest Quarter of Section 21, Township 11 North, Range 3 East of the 6th P.M., City of Seward, Seward County, Nebraska and more particularly described as follows:

Referring to the Northeast corner of the Northwest Quarter of said Section 28; thence in a Westerly direction on the North line of the Northwest Quarter of said Section 28 and on an assumed bearing of N 89°15'22" W, for a distance of 15.00' thence S 00°15'17" W, for a distance of 33.00' to the POINT OF BEGINNING, said point being the intersection of the Westerly 15.00' Right-of-Way line of Columbia Avenue and the Southerly 33.00' Right-of-Way line of Depot Street; thence continuing in a Southerly direction S 00°15'17" W on the Westerly 15.00' Right-of-Way line of Columbia Avenue, for a distance of 656.13'; thence N 89°44'43" W, for a distance of 408.34' to a point on the Easterly 50.00' Right-of-Way line of the Burlington Northern Santa Fe Railroad; thence in a Northwesterly direction on the Easterly 50.00' Right-of-Way line of the Burlington Northern Santa Fe Railroad and on a curve turning to the left with an arc length of 842.34', a radius of 998.32', a delta angle of 48°20'37", a chord bearing of N 11°01'29" W, for a chord length of 817.57'; thence N 69°15'18" E, for a distance of 36.13'; thence S 58°16'17" E, for a distance of 235.10' to a point on the North line of the Northwest Quarter of said Section 28 and on the Westerly Right-of-Way line of 1st Street extended South; thence S 00°09'13" W on the Westerly Right-of-Way line of 1st Street extended South, for a distance of 32.88' to a point on the Southerly 33.00' Right-of-Way line of Depot Street; thence S 89°14'05" E on the Southerly 33.00' Right-of-Way line of Depot Street, for a distance of 333.97' to the POINT OF BEGINNING and containing a calculated area of 6.56 acres, more or less.

Subject to any and all easements, reservations, restrictions and conveyances of record.

SIGNED THIS _____ DAY OF _____, 2024

RICHARD KINGMAN LS 595



OWNERS OF PROPERTY

DEREK LEININGER & NICHOLAS LUHRS
1548 210TH STREET
SEWARD, NE 68434

DEVELOPER

MEIHOMES, LLC
7162 NW 18TH STREET
LINCOLN, NE 68521

ZONING

CURRENT: RM - MOBILE HOME RESIDENTIAL DISTRICT (PROPOSED R-4) AND
R-4 - URBAN RESIDENTIAL MULTIFAMILY DISTRICT

NOTES:

- SETBACKS SHALL BE PER THE RM & R-4 DISTRICTS:
1 FAMILY DETACHED UNITS
FRONT YARD - 25'
REAR YARD - 20% OF DEPTH
SIDE YARD - 5'
STREET SIDE YARD - 25'

APPROVAL OF THE CITY OF SEWARD PLANNING COMMISSION

THIS PRELIMINARY PLAT OF "MEIHOMES ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2024

CHAIRPERSON _____

ATTEST: _____
SECRETARY OF THE SEWARD PLANNING COMMISSION

APPROVAL OF THE CITY OF SEWARD CITY COUNCIL

THIS PRELIMINARY PLAT OF "MEIHOMES ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD CITY COUNCIL.

SIGNED THIS _____ DAY OF _____, 2024

MAYOR _____

ATTEST: _____

CITY CLERK _____

APPROVAL OF THE CITY OF SEWARD ZONING ADMINISTRATOR

THIS PRELIMINARY PLAT OF "MEIHOMES ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE CITY OF ZONING ADMINISTRATOR.

SIGNED THIS _____ DAY OF _____, 2024

ZONING ADMINISTRATOR _____

CURVE DATA

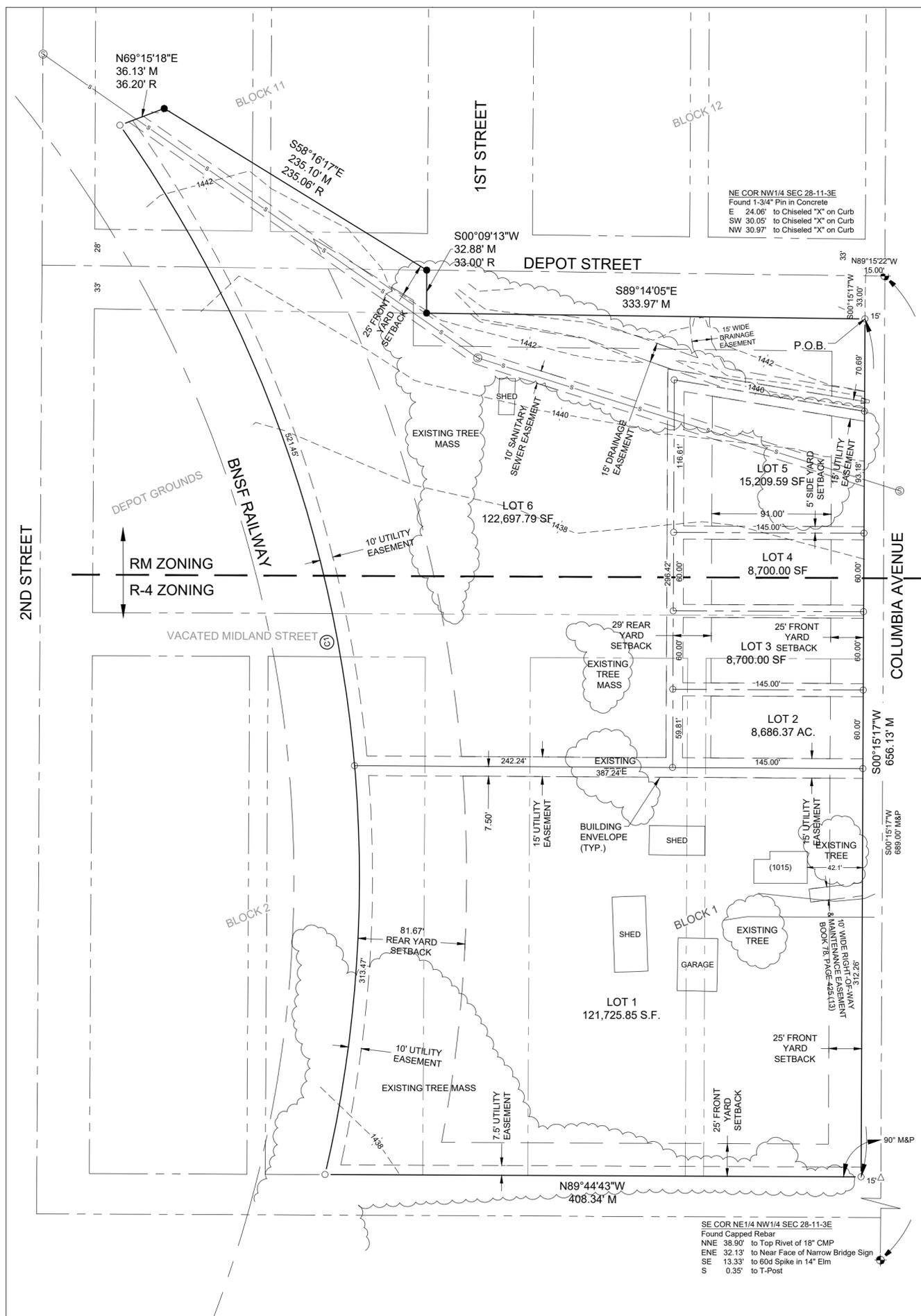
| CURVE # | RADIUS | ANGLE | TANGENT | LENGTH | CH DIST | CH BRG |
|---------|---------|-----------|---------|---------|---------|-------------|
| C1 | 998.32' | 48°20'37" | 448.07' | 842.34' | 817.57' | N11°01'29"W |

LEGEND

- = FOUND CAPPED REBAR
- ⊕ = SECTION CORNER AS NOTED IN TIES
- = SET 5/8"x24" REBAR W/ 595 PLASTIC CAP
- M = MEASURED DISTANCE
- P = PLAT DISTANCE
- R = RECORDED BY LS 333, SIGNED AUGUST 2015

BENCHMARK

- Z80
- PID-LG0507
- BRASS CAP IN NE COR.
- RR BRIDGE ABUTMENT
- EL: 1442.77 NAVD 88

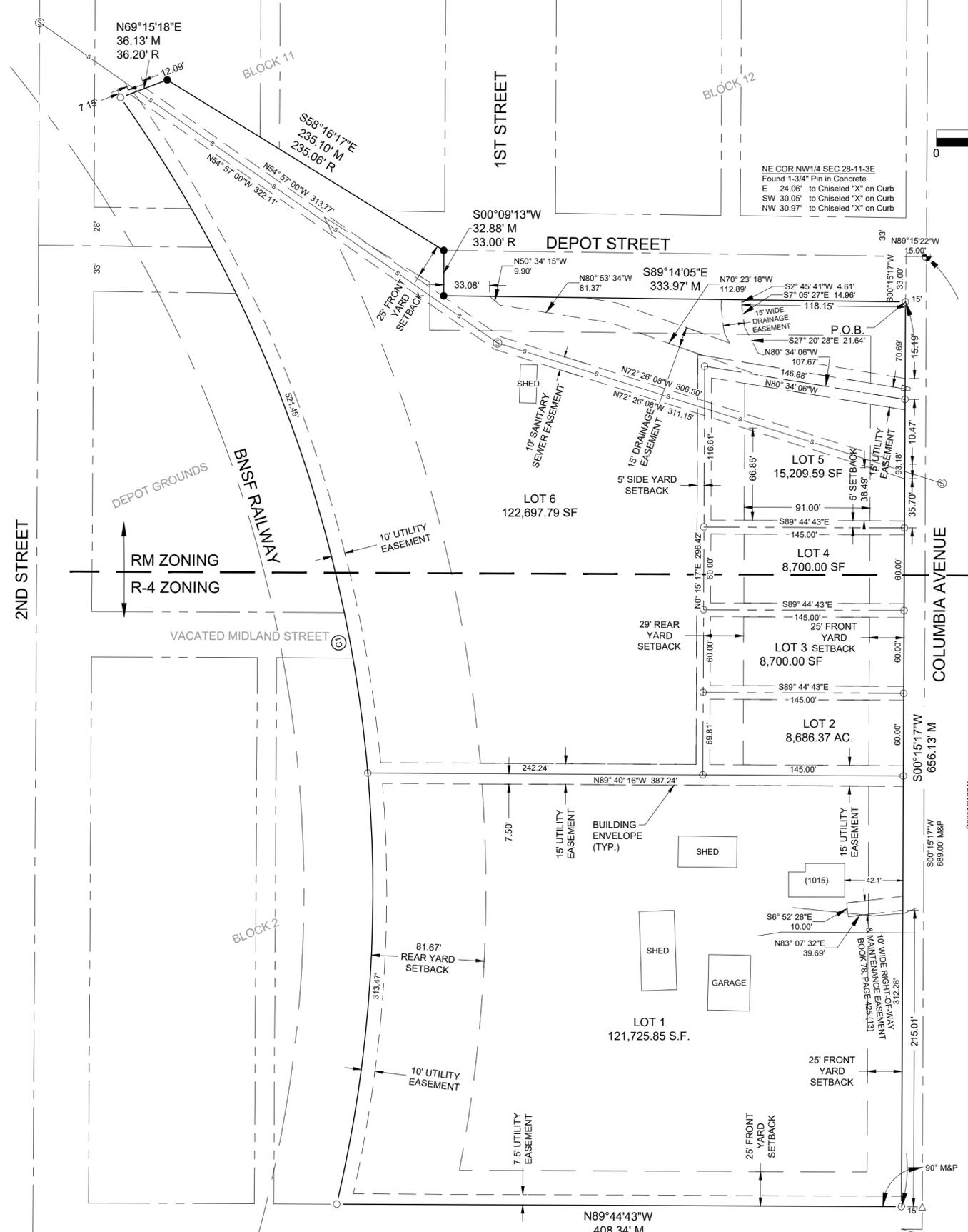


NE COR NW1/4 SEC 28-11-3E
Found 1-3/4" Pin in Concrete
E 24.00' to Chiseled "X" on Curb
SW 30.05' to Chiseled "X" on Curb
NW 30.97' to Chiseled "X" on Curb

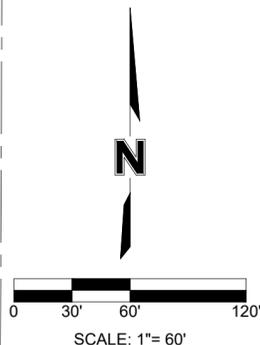
SE COR NE1/4 NW1/4 SEC 28-11-3E
Found Capped Rebar
NNE 38.90' to Top Rivet of 18" CMP
ENE 32.13' to Near Face of Narrow Bridge Sign
SE 13.33' to 60# Spike in 14" Elm
S 0.35' to T-Post

MEIHOMES ADDITION

Located in the Southwest Quarter of Section 21 and the Northwest Quarter of Section 28, Township 11 North, Range 3 East: City of Seward, Nebraska
MAJOR FINAL PLAT



NE COR NW1/4 SEC 28-11-3E
 Found 1-3/4" Pin in Concrete
 E 24.06' to Chiseled "X" on Curb
 SW 30.05' to Chiseled "X" on Curb
 NW 30.97' to Chiseled "X" on Curb



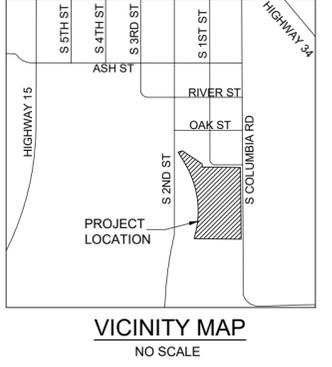
SURVEYOR'S CERTIFICATE

I hereby certify that I have caused to be surveyed the subdivision to be known as "MEIHOMES ADDITION". A subdivision of All of Block 1, Midland Pacific Railway Townsite Company's Addition to South Seward AND a portion of Lots 1, 4, 5, 8, 9, 12, 13, 16 and 17, Block 2, Midland Pacific Railway Townsite Company's Addition to South Seward AND a part of the Depot Grounds as platted in Midland Pacific Railway Townsite Company's Addition to South Seward, a part of vacated Depot Street and a part of vacated Midland Street and a part of vacated 1st Street, a part of Lots 10, 11, 12, 13, 14 and a part of the North-South alley in Block 11, South Seward Addition located in the Northwest Quarter of Section 28 and the Southwest Quarter of Section 21, Township 11 North, Range 3 East of the 6th P.M., City of Seward, Seward County, Nebraska and more particularly described as follows:

Referring to the Northeast corner of the Northwest Quarter of said Section 28; thence in a Westerly direction on the North line of the Northwest Quarter of said Section 28 and on an assumed bearing of N 89°15'22" W, for a distance of 15.00' thence S00°15'17"W, for a distance of 33.00' to the POINT OF BEGINNING, said point being the intersection of the Westerly 15.00' Right-of-Way line of Columbia Avenue and the Southerly 33.00' Right-of-Way line of Depot Street; thence continuing in a Southerly direction S00°15'17"W on the Westerly 15.00' Right-of-Way line of Columbia Avenue, for a distance of 656.13'; thence N89°44'43"W, for a distance of 408.34' to a point on the Easterly 50.00' Right-of-Way line of the Burlington Northern Santa Fe Railroad; thence in a Northwesterly direction on the Easterly 50.00' Right-of-Way line of the Burlington Northern Santa Fe Railroad and on a curve turning to the left with an arc length of 842.34', a radius of 998.32', a delta angle of 48°20'37", a chord bearing of N11°01'29"W, for a chord length of 817.57'; thence N 69°15'18" E, for a distance of 36.13'; thence S58°16'17"E, for a distance of 235.10' to a point on the North line of the Northwest Quarter of said Section 28 and on the Westerly Right-of-Way line of 1st Street extended South; thence S00°09'13"W on the Westerly Right-of-Way line of 1st Street extended South, for a distance of 32.88' to a point on the Southerly 33.00' Right-of-Way line of Depot Street; thence S89°14'05"E on the Southerly 33.00' Right-of-Way line of Depot Street, for a distance of 333.97' to the POINT OF BEGINNING and containing a calculated area of 6.56 acres, more or less.

Subject to any and all easements, reservations, restrictions and conveyances of record.
 SIGNED THIS _____ DAY OF _____, 2024

RICHARD KINGMAN LS 595



OWNERSHIP CERTIFICATE

I, DEREK LEININGER AND KATIE J. LEININGER, NICHOLAS J. LUHRS AND RACHEL A. SKRADSKI-LUHRS, HUSBANDS AND WIVES THE UNDERSIGNED OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, DOES HEREBY CERTIFY THAT I LAID OUT, PLATTED AND SUBDIVIDED AND DO HEREBY LAY OUT, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "MEIHOMES ADDITION", AS PLATTED IN THE NORTHWEST QUARTER OF SECTION 28 AND THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE 6TH P.M., SEWARD, NEBRASKA

CLEAR TITLE TO THE LAND IN THIS PLAT GUARANTEED.
 WITNESS MY HAND THIS _____ DAY OF _____, 2024

DEREK LEININGER, HUSBAND

KATIE J. LEININGER, WIFE

NICHOLAS J. LUHRS, HUSBAND

RACHEL A. SKRADSKI-LUHRS, WIFE

ACKNOWLEDGEMENT OF NOTARY

STATE OF _____)
 COUNTY OF _____) SS
 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED DEREK LEININGER AND KATIE J. LEININGER, HUSBAND AND WIFE, AND THEY ACKNOWLEDGED THIS EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2024

NOTARY PUBLIC (PLACE NOTARY SEAL ABOVE)

MY COMMISSION EXPIRES _____

ACKNOWLEDGEMENT OF NOTARY

STATE OF _____)
 COUNTY OF _____) SS
 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED NICHOLAS J. LUHRS AND RACHEL A. SKRADSKI-LUHRS, HUSBAND AND WIFE, AND THEY ACKNOWLEDGED THIS EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2024

NOTARY PUBLIC (PLACE NOTARY SEAL ABOVE)

MY COMMISSION EXPIRES _____

DEVELOPER

MEIHOMES, LLC
 7162 NW 18TH STREET
 LINCOLN, NE 68521

OWNERS OF PROPERTY

DEREK LEININGER & NICHOLAS LUHRS
 1548 210TH STREET
 SEWARD, NE 68434

ZONING

CURRENT: RM - MOBILE HOME RESIDENTIAL DISTRICT (PROPOSED R-4) AND R-4 - URBAN RESIDENTIAL MULTIFAMILY DISTRICT

NOTES:

- SETBACKS SHALL BE PER THE RM & R-4 DISTRICTS:
 1 FAMILY DETACHED UNITS
 FRONT YARD - 25'
 REAR YARD - 20% OF DEPTH
 SIDE YARD - 5'
 STREET SIDE YARD - 25'

APPROVAL OF THE CITY OF SEWARD PLANNING COMMISSION

THIS PLAT OF "MEIHOMES ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2024

CHAIRPERSON

ATTEST: _____
 SECRETARY OF THE SEWARD PLANNING COMMISSION

APPROVAL OF THE CITY OF SEWARD CITY COUNCIL

THIS PLAT OF "MEIHOMES ADDITION" HAS BEEN SUBMITTED TO AND APPROVED BY THE CITY OF SEWARD CITY COUNCIL.

SIGNED THIS _____ DAY OF _____, 2024

MAYOR

ATTEST:

CITY CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA)
 COUNTY OF SEWARD)

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE.

DATE: _____ TIME: _____

DRAWER NO. _____ FEE: _____

INSTRUMENT NO. _____

REGISTER OF DEEDS

LEGEND

- = FOUND CAPPED REBAR
- ⊕ = SECTION CORNER AS NOTED IN TIES
- = SET 5/8"x24" REBAR W/ 595 PLASTIC CAP
- M = MEASURED DISTANCE
- P = PLAT DISTANCE
- R = RECORDED BY LS 333, SIGNED AUGUST 2015

CURVE DATA

| CURVE # | RADIUS | ANGLE | TANGENT | LENGTH | CH DIST | CH BRG |
|---------|---------|-----------|---------|---------|---------|-------------|
| C1 | 998.32' | 48°20'37" | 448.07' | 842.34' | 817.57' | N11°01'29"W |

SE COR NE1/4 NW1/4 SEC 28-11-3E
 Found Capped Rebar
 NNE 38.90' to Top Rivet of 18" CMP
 ENE 32.13' to Near Face of Narrow Bridge Sign
 SE 13.33' to 60d Spike in 14" Elm
 S 0.35' to T-Post



ALLIED SURVEYING AND MAPPING
 8535 Executive Woods Drive - Suite 200 - Lincoln, Nebraska 68512
 Phone (402) 434-2886 Project No. 2024-0096

800094433

800092546

800092538

800092562

800092554

800092570

800092597

800092600

800216008

R-M

800094832
Depot St

800229055

800094840

800089324

800089332

800089340

800089359

800089316

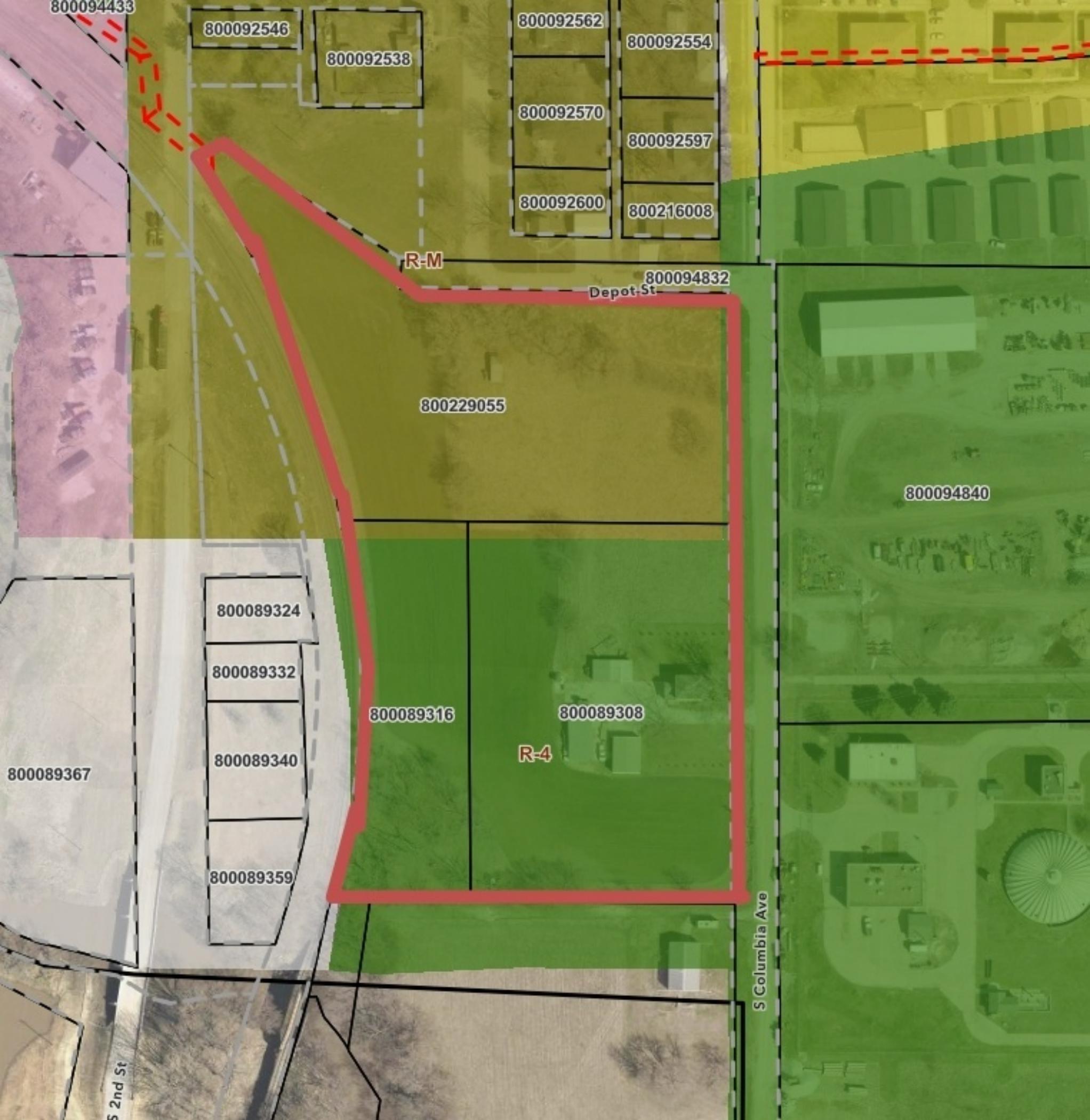
800089308

R-4

800089367

S Columbia Ave

S 2nd St



Return To:
City of Seward
PO BOX 38
Seward, NE 68434

ORDINANCE NO. 2024-

AN ORDINANCE TO APPROVE THE PLAT ENTITLED "MEIHOMES ADDITION", A REPLAT OF ALL OF BLOCK 1, MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDITION TO SOUTH SEWARD AND A PORTION OF LOTS 1, 4, 5, 8, 9, 12, 13, 16 AND 17, BLOCK 2 MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD AND A PART OF THE DEPOT GROUNDS AS PLATTED IN MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD, A PART OF VACATED DEPOT STREET AND A PART OF VACATED MIDLAND STREET AND A PART OF VACATED 1ST, A PART OF LOTS 1-, 11, 12, 13, 14 AND A PART OF THE NORTH-SOUTH ALLY IN BLOCK 11, SOUTH SEWARD ADDTION, CITY OF SEWARD, SEWARD COUNTY, NEBRASKA," AS HEREINAFTER SET FORTH; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA:

Section 1. Plat and Dedication Approved. The Plat and dedication of the following described real estate is hereby approved:

A SUBDIVISION OF ALL OF BLOCK 1, MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDITION TO SOUTH SEWARD AND A PORTION OF LOTS 1, 4, 5, 8, 9, 12, 13, 16 AND 17, BLOCK 2 MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD AND A PART OF THE DEPOT GROUNDS AS PLATTED IN MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD, A PART OF VACATED DEPOT STREET AND A PART OF VACATED MIDLAND STREET AND A PART OF VACATED 1ST, A PART OF LOTS 1-, 11, 12, 13, 14 AND A PART OF THE NORTH-SOUTH ALLY IN BLOCK 11, SOUTH SEWARD ADDTION LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, AND THE SOUTHWEST QUARTER OF SECTION 21, TOWNHSIP 11, RANGE 3, EAST OF THE 6TH P.M. CITY OF SEWARD, SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE IN A WESTERLY DIRECTION ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND ON AN

ASSUMED BEARING OF N 89°15'22" W, FOR A DISTANCE OF 15.00'
THENCE S00°15'17"W, FOR A DISTANCE OF 33.00' TO THE POINT OF
BEGINNING, SAID POINT BEING THE INTERSECTION OF THE WESTERLY
15.00' RIGHT-OF-WAY LINE OF COLUMBIA AVENUE AND THE SOUTHERLY
33.00' RIGHT-OF-WAY LINE OF DEPOT STREET; THENCE CONTINUING IN
A SOUTHERLY DIRECTION S00°15'17"W ON THE WESTERLY 15.00' RIGHT-
OF-WAY LINE OF COLUMBIA AVENUE, FOR A DISTANCE OF 656.13';
THENCE N89°44'43"W, FOR A DISTANCE OF 408.34' TO A POINT ON THE
EASTERLY 50.00' RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN
SANTA FE RAILROAD; THENCE IN A NORTHWESTERLY DIRECTION ON THE
EASTERLY 50.00' RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN
SANTA FE RAILROAD AND ON A CURVE TURNING TO THE LEFT WITH AN
ARC LENGTH OF 842.34', A RADIUS OF 998.32', A DELTA ANGLE OF
48°20'37", A CHORD BEARING OF N11°01'29"W, FOR A CHORD LENGTH
OF 817.57'; THENCE N 69°15'18" E, FOR A DISTANCE OF 36.13';
THENCE S58°16'17"E, FOR A DISTANCE OF 235.10' TO A POINT ON THE
NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND ON
THE WESTERLY RIGHT-OF-WAY LINE OF 1ST STREET EXTENDED SOUTH;
THENCE S00°09'13"W ON THE WESTERLY RIGHT-OF-WAY LINE OF 1ST
STREET EXTENDED SOUTH, FOR A DISTANCE OF 32.88' TO A POINT ON
THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET; THENCE
S89°14'05"E ON THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT
STREET, FOR A DISTANCE OF 333.97' TO THE POINT OF BEGINNING AND
CONTAINING A CALCULATED AREA OF 6.56 ACRES, MORE OR LESS.

Section 2. Plat Designated. The plat of said real estate is hereby designated as "MEIHOMES ADDITION", City of Seward, Seward County, Nebraska."

Section 3. Filing and Recording of Plat. An accurate plat of said real estate as platted and dedicated as heretofore set forth, certified to by an Engineer or Surveyor, together with a certified copy of this Ordinance shall be filed in the office of the Seward County Clerk, Seward, Nebraska.

Section 4. Pamphlet form; publication; when operative. This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval and publication as provided by law and City Ordinance.

Passed and approved this _____ day of _____, 2024.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Attest:

Derek Bargmann
City Clerk

2. Public Hearing 7:30pm: review a rezone application of Meihomes Addition from RM Mobile Home Residential District to R-4 Urban Residential Multifamily District (High Density).

City of Seward Planning Commission
142 N 7th St, Seward, NE 68434

Staff Report
Tim Dworak, Building/Zoning &
Code Enforcement Director
402-643-2928 opt 3 opt 1

APPLICATION TYPE

Rezone Application

FINAL ACTION?

DEVELOPER/OWNER

Derek Leininger

PC HEARING DATE

July 8, 2024

RELATED APPLICATIONS

Major Subdivision

PROPERTY ADDRESS, ZONING DISTRICT/USE

1015 S Columbia, AG, Agriculture

ADJACENT ZONING DISTRICTS/USE:

North, RM, Mobile Home Residential – Brent & Becky Horne, Dean Schultz, City of Seward

East, R-4, Exempt – City of Seward

South, R-4, Residential – Derek Leininger

West, RM, Mobile Home Residential – City of Seward

BRIEF SUMMARY OF REQUEST:

A Rezone application to designate R-4 Urban Residential Multifamily District (High Density) for the Meihomes Addition.



APPLICATION CONTACT

Derek Leininger, 402-641-5217

1540 210th Rd, Seward, NE 68434

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed site is undefined by the comp plan.

ANALYSIS

Applicant is requesting an R-4 Urban Residential Multifamily District (High Density) zoning for the plat in its entirety. A major subdivision plat is dividing existing lots that currently consist of a combination of R- 4 and RM Mobile Home Residential District for the purpose of single family homes. All lots within the addition would then consist of the same zoning for the porpoise of platting.

The platted lots meet the minimum requirements for lots in an R-4 Urban Residential Multifamily District (High-Density) zoning district.

The notice of this Public Hearing was published in the Seward County Independent, letters were mailed to owners within 300 feet, and the subject land was posted.

APPROXIMATE LAND AREA:

6.56 acres or 285,753.6square feet +/-

LEGAL DESCRIPTION:

A SUBDIVISION OF ALL OF BLOCK 1, MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDITION TO SOUTH SEWARD AND A PORTION OF LOTS 1, 4, 5, 8, 9, 12, 13, 16 AND 17, BLOCK 2 MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD AND A PART OF THE DEPOT GROUNDS AS PLATTED IN MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD, A PART OF VACATED DEPOT STREET AND A PART OF VACATED MIDLAND STREET AND A PART OF VACATED 1ST, A PART OF LOTS 1-, 11, 12, 13, 14 AND A PART OF THE NORTH-SOUTH ALLY IIN BLOCK 11, SOUTH SEWARD ADDTION LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, AND THE SOUTHWEST QUARTER OF SECTION 21, TOWNHSIP 11, RANGE 3, EAST OF THE 6TH P.M. CITY OF SEWARD, SEWARD COUTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE IN A WESTERLY DIRECTION ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND ON AN ASSUMED BEARING OF N 89°15'22" W, FOR A DISTANCE OF 15.00' THENCE S00°15'17"W, FOR A DISTANCE OF 33.00' TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE WESTERLY 15.00' RIGHT-OF-WAY LINE OF COLUMBIA AVENUE AND THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET; THENCE CONTINUING IN A SOUTHERLY DIRECTION S00°15'17"W ON THE WESTERLY 15.00' RIGHT-OF-WAY LINE OF COLUMBIA AVENUE, FOR A DISTANCE OF 656.13'; THENCE N89°44'43"W, FOR A DISTANCE OF 408.34' TO A POINT ON THE EASTERLY 50.00' RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE IN A NORTHWESTERLY DIRECTION ON THE EASTERLY 50.00' RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD AND ON A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 842.34', A RADIUS OF 998.32', A DELTA ANGLE OF 48°20'37", A CHORD BEARING OF N11°01'29"W, FOR A CHORD LENGTH OF 817.57'; THENCE N 69°15'18" E, FOR A DISTANCE OF 36.13'; THENCE S58°16'17"E, FOR A DISTANCE OF 235.10' TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND ON THE WESTERLY RIGHT-OF-WAY LINE OF 1ST

STREET EXTENDED SOUTH; THENCE S00°09'13"W ON THE WESTERLY RIGHT-OF-WAY LINE OF 1ST STREET EXTENDED SOUTH, FOR A DISTANCE OF 32.88' TO A POINT ON THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET; THENCE S89°14'05"E ON THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET, FOR A DISTANCE OF 333.97' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 6.56 ACRES, MORE OR LESS.

Prepared by

Tim Dworak

City of Seward Building - Zoning - Code Enforcement Director



PAID
531.012

Request for Amendment to the Unified Land Development Ordinance

Date: 5/21 Application Fee: \$200 + Notification Fee: \$100 + Filing Fee: _____ = Amount Due: \$300

Applicant: Derek Leininger Address: 1548 210th Seward, NE 68434

Phone: 402-641-5217 Email: dlein17@gmail.com

I wish to _____ Build _____ Alter Buildings/
Structures Change the Use of _____ Premise
Land or Structures Address: 1015 South Columbia

Legal Description: _____

The following change in the Unified Land Development ordinance is hereby requested:

Change in zoning of the subject property from its present classification: RM

To the following proposed zoning classification: = R4

Amend the text or district regulations as follows: _____

To permit the following improvement or use: _____

The applicant shall furnish a plat of the area containing the property for which a zoning change is sought and including all the lots within 300 feet of the property lines of the subject property. The plat shall show existing and proposed zoning.

I certify that the above information and that required by section _____ of the _____ Unified Land Development Ordinance, as submitted herewith, is, to the best of my knowledge, true and accurate.

Applicate Signature: [Signature]

ORDINANCE NO. 2024-

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SEWARD, NEBRASKA; TO REZONE CERTAIN PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SEWARD, NEBRASKA NOW ZONED RM MOBILE HOME RESIDENTIAL DISTRICT, TO R-4 URBAN RESIDENTIAL MULTIFAMILY DISTRICT (HIGH DENSITY); SPECIFICALLY, TRACTS OF LAND WEST OF COLUMBIA AVENUE AND SOUTH OF DEPOT STREET; TO DESCRIBE THE PROPERTY REZONED; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA:

Section 1. PROPERTY REZONED. The following described property located within the corporate limits of the City of Seward, Nebraska is hereby rezoned from "RM Mobile Home Residential District to R-4 Urban Residential Multifamily District (High-Density)" to wit:

A SUBDIVISION OF ALL OF BLOCK 1, MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDITION TO SOUTH SEWARD AND A PORTION OF LOTS 1, 4, 5, 8, 9, 12, 13, 16 AND 17, BLOCK 2 MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD AND A PART OF THE DEPOT GROUNDS AS PLATTED IN MIDLAND PACIFIC RAILWAY TOWNSITE COMPANYS ADDTION TO SOUTH SEWARD, A PART OF VACATED DEPOT STREET AND A PART OF VACATED MIDLAND STREET AND A PART OF VACATED 1ST, A PART OF LOTS 1-, 11, 12, 13, 14 AND A PART OF THE NORTH-SOUTH ALLY IN BLOCK 11, SOUTH SEWARD ADDTION LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, AND THE SOUTHWEST QUARTER OF SECTION 21, TOWNHSIP 11, RANGE 3, EAST OF THE 6TH P.M. CITY OF SEWARD, SEWARD COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE IN A WESTERLY DIRECTION ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND ON AN ASSUMED BEARING OF N 89°15'22" W, FOR A DISTANCE OF 15.00' THENCE S00°15'17"W, FOR A DISTANCE OF 33.00' TO THE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF THE WESTERLY 15.00' RIGHT-OF-WAY LINE OF COLUMBIA AVENUE AND THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET; THENCE CONTINUING IN A SOUTHERLY DIRECTION S00°15'17"W ON THE WESTERLY 15.00' RIGHT-OF-WAY LINE OF COLUMBIA AVENUE, FOR A DISTANCE OF 656.13'; THENCE N89°44'43"W, FOR A DISTANCE OF 408.34' TO A POINT ON THE EASTERLY 50.00' RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE IN A NORTHWESTERLY DIRECTION ON THE EASTERLY 50.00' RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD AND ON A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 842.34', A RADIUS OF 998.32', A DELTA ANGLE OF 48°20'37", A CHORD BEARING OF N11°01'29"W, FOR A CHORD LENGTH OF 817.57'; THENCE N 69°15'18" E, FOR A DISTANCE OF 36.13'; THENCE S58°16'17"E, FOR A DISTANCE OF 235.10' TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28 AND ON THE WESTERLY RIGHT-OF-WAY LINE OF 1ST STREET EXTENDED SOUTH; THENCE S00°09'13"W ON THE WESTERLY RIGHT-OF-WAY LINE OF 1ST STREET EXTENDED SOUTH, FOR A DISTANCE OF 32.88' TO A POINT ON THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET; THENCE S89°14'05"E ON THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF DEPOT STREET, FOR A DISTANCE OF 333.97' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 6.56 ACRES, MORE OR LESS. ALSO KNOWN AS MEIHOMES ADDITION.

Section 2. USES PERMITTED . Uses permitted by the ordinances of the City of Seward, Nebraska for "R-4 Urban Residential Multifamily District (High Density)" are hereby and herein authorized for said area and land described in Section 1 of this ordinance.

Section 3. ZONING MAP AMENDED. The official map of the City of Seward, Nebraska is amended and it is ordered that the above described land shall now be shown as "R-4 Urban Residential Multifamily District (High Density)."

Section 4. PAMPHLET FORM; PUBLICATION; WHEN OPERATIVE. This ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval, and publication or posting as provided by law and city ordinance.

Passed and approved this _____ day of _____, 2024.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

ATTEST:

Derek Bargmann
City Clerk

3. Public Hearing 7:30pm: review a Preliminary and Final Plat of Heritage Farms.

City of Seward Planning Commission
142 N 7th St, Seward, NE 68434

Staff Report
Tim Dworak, Building/Zoning &
Code Enforcement Director
402-643-2928 opt 3 opt 1

APPLICATION TYPE

Major Subdivision Application

FINAL ACTION?

DEVELOPER/OWNER

Tom & Kristi Rathje

PC HEARING DATE

July 8, 2024

RELATED APPLICATIONS

Rezone

PROPERTY ADDRESS, ZONING DISTRICT/USE

1713 252nd Rd, AG, Agriculture

ADJACENT ZONING DISTRICTS/USE:

- North, AG, Agriculture – Larry & Carol Aldrich Trustees
- North, RR, Rural Residential – Kurt & Carmen Johnson
- East, AG, Agriculture – AJ Herrold
- South, AG, Agriculture – HBH Farms LLC (Tim Hughes)
- West, RR, Single Family – Ron & Annette Wallman

BRIEF SUMMARY OF REQUEST:

A Major Subdivision preliminary and final plat review of lots 1 through 7 Heritage Farms. A 7 lot development for the purpose of single family rural residential living.



APPLICATION CONTACT

Tom or Kristi Rathje, 402-641-3601
1719 N 1st St, Seward, NE 68434

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed site is undefined by the comp plan.

ANALYSIS

This is an application to subdivide 38 acres into 7 Rural Residential lots at the northwest corner of 252nd Road and Waverly Road in the ETJ (Extra Territorial Jurisdiction).

The property is not served by City utilities and does not require the extension of utilities or streets. Jon Regnier, Seward County Highway Superintendent has been notified and has no concern with each lot needing an access from either Waverly Road or 252nd Road. Each property would be required to file an application with the County for review and approval of that access. Individual sewage and water systems would require permits from State of Nebraska for such work.

The platted lots meet the minimum requirements for lots in a RR (Rural Residential) zoning district.

The notice of this Public Hearing was published in the Seward County Independent, letters were mailed to owners within 300 feet, and the subject land was posted.

APPROXIMATE LAND AREA:

38.13 acres or 1,660,942.8 square feet +/-

LEGAL DESCRIPTION:

REFERRING TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE IN A NORTHERLY DIRECTION ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10 AND ON AN ASSUMED BEARING OF N02°07'40"W, FOR A DISTANCE OF 53.00 TO THE POINT OF BEGINNING; THENCE S88°01'23"W ON THE NORTHERLY 53.00' RIGHT-OF-WAY LINE OF WAVERLY ROAD, FOR A DISTANCE OF 1325.12' TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N02°05'42"W ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1270.51' TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N87°57'42"E ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1324.39' TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE S02°07'40"E ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1271.93' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 38.66 ACRES, MORE OR LESS.

Prepared by

Tim Dworak

City of Seward Building - Zoning - Code Enforcement Director



PAID
6-5 CLK

City of Seward Planning Commission
Major Subdivision Application

Application shall be submitted a minimum of 30 days prior to the City Planning Commission Meeting. City Planning Commission meets the 2nd Monday of each Month.

Date: 6-5-24 Preliminary Plat Fee: \$400 + \$40 per Lot: 280 + Notification Fee: \$100 = Amount Due: \$500

Owner/Developer: Tom & Kristi Rathje Address: 1719 N. 1st St. Seward NE 68434
 Email: tomrathje@hotmail.com Phone: 402-641-3601
 Legal Description: Section 10-11-3 SE 1/4 SE 1/4 38.13 ACRES Subdivision: Heritage Farms
 Project Engineer: Allied Survey Seward, NE Number of Lots: 7
 Present Zoning: Ag Requested Zoning: RR

| | | | |
|---------------------------------|---|--|--|
| Within City Limits | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | NA <input type="checkbox"/> |
| Adjacent to City Limits | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | NA <input type="checkbox"/> |
| Within 2 Mile Area | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | NA <input type="checkbox"/> |
| Annexation Requested | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | NA <input type="checkbox"/> |
| Subdivision Agreement Submitted | Yes <input type="checkbox"/> | No <input type="checkbox"/> | NA <input checked="" type="checkbox"/> |
| Performance Bond Required | Yes <input type="checkbox"/> | No <input type="checkbox"/> | NA <input type="checkbox"/> |

Signed by Developer: [Signature]

Preliminary Plat Review

Staff Review

Electric Dept
 Street Dept
 Police Dept
 Park/Rec Dept

Agency Review

Cable TV
 Gas Co
 Phone Co
 School Board
 County P.C.

Final Plat Fee: \$100 + \$10 per Lot: 70 + Filing Fee: 52 = Amount Due: \$100

Aid to Construction for Electric Department per Resolution No. 2015-25

Developer Fee \$400 Per Lot: N/A Developer Fees - \$4 per foot of electrical line installation: N/A

Neighborhood Park Dedication/Fees In Lieu Of (City of Seward Unified Land Development Ord. 410-41.5) See ULDO Article 41, Public Improvements & Infrastructure, 410-41.5 Section B, Parks and Reservations, to determine land or cash donation: N/A

Total Amount Due: \$600.00

Date Action Taken: Planning Commission _____ City Council _____

HERITAGE FARMS

Located in the Southeast Quarter of the Southeast Quarter of Section 10, Township 11 North,
Range 3 East of the 6th P.M., Seward County, Nebraska
PRELIMINARY PLAT

NE COR SE1/4 SEC 10-11-3E
Found 2" Aluminum Cap
NE 45.11' to Nail in Top of Gate Post
ESE 40.89' to Mag Nail and Washer in Brace Post
SW 39.57' to Mag Nail and Washer in Power Pole
W 33.46' to "X" Nails in Top of End Post

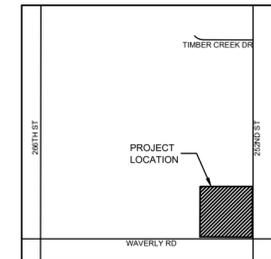
NE COR SE1/4 SE1/4 SEC 10-11-3E
Set 5/8"x24" Rebar w/ Plastic Cap LS 595
SSW 82.70' to Nail in PP
WSW 43.14' to Nail in BP
W 33.00' to Capped Rebar
W 33.01' to Capped Rebar

LEGEND

- = FOUND CAPPED REBAR
- ◆ = SECTION CORNER AS NOTED IN TIES
- = SET 5/8"x24" REBAR W/ 595 PLASTIC CAP
- M = MEASURED DISTANCE
- D = DEEDED DISTANCE

BENCHMARK

Z80
PID-LG0507
BRASS CAP IN NE COR.
RR BRIDGE ABUTMENT
EL: 1442.77 NAVD 88



VICINITY MAP

SURVEYOR'S CERTIFICATE

I hereby certify that I have caused to be surveyed the subdivision to be known as "HERITAGE FARMS". A subdivision in the Southeast Quarter of the Southeast Quarter of Section 10, Township 11 North, Range 3 East, of the 6th P.M., Seward County, Nebraska, except that portion deeded in Book 77, Page 261, and more particularly described as follows:

Referring to the Southeast corner of the Southeast Quarter of the Southeast Quarter of said Section 10; thence in a Northerly direction on the East line of the Southeast Quarter of the Southeast Quarter of said Section 10 and on an assumed bearing of N02°07'40"W, for a distance of 53.00' to the POINT OF BEGINNING; thence S88°01'23"W on the Northerly 53.00' Right-of-Way line of Waverly Road, for a distance of 1325.12' to a point on the West line of the Southeast Quarter of the Southeast Quarter of said Section 10; thence N02°05'42"W on the West line of the Southeast Quarter of the Southeast Quarter of said Section 10, for a distance of 1270.51' to the Northwest corner of the Southeast Quarter of the Southeast Quarter of said Section 10; thence N87°57'42"E on the North line of the Southeast Quarter of the Southeast Quarter of said Section 10, for a distance of 1324.39' to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 10; thence S02°07'40"E on the East line of the Southeast Quarter of the Southeast Quarter of said Section 10, for a distance of 1271.93' to the POINT OF BEGINNING and containing a calculated area of 38.66 acres, more or less.

Subject to any and all easements, reservations, restrictions and conveyances of record.

SIGNED THIS _____ DAY OF _____, 2024

RICHARD KINGMAN LS 595

OWNERS OF PROPERTY

THE RATHJE FAMILY TRUST
1719 N 1ST ST
SEWARD, NE 68434

ZONING

CURRENT: AG (AGRICULTURAL DISTRICT)
PROPOSED: RR (RURAL RESIDENTIAL DISTRICT)

NOTES:

- SETBACKS SHALL BE PER THE RR - RURAL RESIDENTIAL DISTRICT:
1 FAMILY UNITS
FRONT YARD - 50'
REAR YARD - 50'
SIDE YARD - 25'
STREET SIDE YARD- 50'
- A TITLE COMMITMENT WITH EXCEPTIONS HAVE NOT BEEN PROVIDED, EASEMENTS HAVE NOT BEEN SHOWN.
- CONTOURS SHOWN HAVE BEEN TAKEN FROM THE US GEOLOGICAL SERVICE.

APPROVAL OF THE CITY OF SEWARD PLANNING COMMISSION

THIS PRELIMINARY PLAT OF "HERITAGE FARMS" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2024

CHAIRPERSON

ATTEST: _____
SECRETARY OF THE SEWARD PLANNING COMMISSION

APPROVAL OF THE CITY OF SEWARD ZONING ADMINISTRATOR

THIS PRELIMINARY PLAT OF "HERITAGE FARMS" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2024

ZONING ADMINISTRATOR

APPROVAL OF THE SEWARD CITY COUNCIL

THIS PRELIMINARY PLAT OF "HERITAGE FARMS" HAS BEEN SUBMITTED TO AND APPROVED BY THE SEWARD CITY COUNCIL THIS _____ DAY OF _____, 2024.

SIGNED THIS _____ DAY OF _____, 2024

MAYOR

ATTEST: _____

CITY CLERK

NW 1/4 SE 1/4
S10-T11-R3E
(NOT PART OF PLAT)

LOT 2
ALDRICH SUBDIVISION
(NOT PART OF PLAT)

LOT 1
ALDRICH SUBDIVISION
(NOT PART OF PLAT)

NW COR SE1/4 SE1/4 SEC 10-11-3E
Found Capped Rebar LS 483
E 9.28' to Nail in Brace Post
SSE 1.21' to Nail in CFP
S 9.72' to Nail in Brace Post

N87°57'42"E
1324.39' M
1324.31'R2

NE COR SE1/4 SE1/4 SEC 10-11-3E
Set 5/8"x24" Rebar w/ Plastic Cap LS 595
SSW 82.70' to Nail in PP
WSW 43.14' to Nail in BP
W 33.00' to Capped Rebar
W 33.01' to Capped Rebar

S02°07'40"E
1324.93' M

COUNTY ROAD 252

S02°07'40"E
2649.86' M
2649.80'R1
2649.86'R2

S02°07'40"E
1271.93' M
S02°07'40"E
1324.93' M

N02°05'42"W
1323.51' M
1324.19'R2

N02°05'42"W
1270.51' M
1271.19'R2

LOT 4
HEIM ADDITION
(NOT PART OF PLAT)

LOT 7
5.10 AC

LOT 6
5.10 AC

LOT 5
5.51 AC

SW COR SE1/4 SEC 10-11-3E
Found 1" Brass Plug
N 53.28' to 1" Iron Pipe
N 43.75' to Spike in 12" Cottonwood
ESE 120.42' to Mag Nail in Power Pole
WNW 101.74' to Nail in Stub PP/Gate Post

SW COR SE1/4 SE1/4 SEC 10-11-3E
Set Chiseled "X" in Concrete
N 53.00' to Capped Rebar
N 52.04' to Capped Rebar
SSE 42.84' to Nail in Power Pole
SW 27.01' to Chiseled "X" in Curb

S88°01'23"W
2650.30' M
2650.32'R1

SE COR SE1/4 SE1/4 SEC 10-11-3E
Found 1" Brass Plug
NW 67.31' to Nail in Top of Corner Fence Post
NNW 62.51' to Capped Rebar
N 53.00' to Chiseled "X" in Concrete
SW 55.51' to Nail and Disk in Power Pole

POINT OF BEGINNING



HERITAGE FARMS

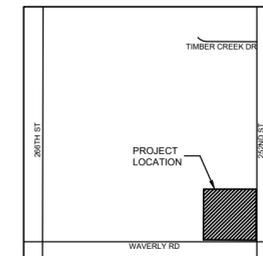
Located in the Southeast Quarter of the Southeast Quarter of Section 10, Township 11 North, Range 3 East of the 6th P.M., Seward County, Nebraska
MAJOR FINAL PLAT

NE COR SE1/4 SEC 10-11-3E
 Found 2" Aluminum Cap
 NE 45.11' to Nail in Top of Gate Post
 ESE 40.89' to Mag Nail and Washer in Brace Post
 SW 39.57' to Mag Nail and Washer in Power Pole
 W 33.46' to "X" Nails in Top of End Post

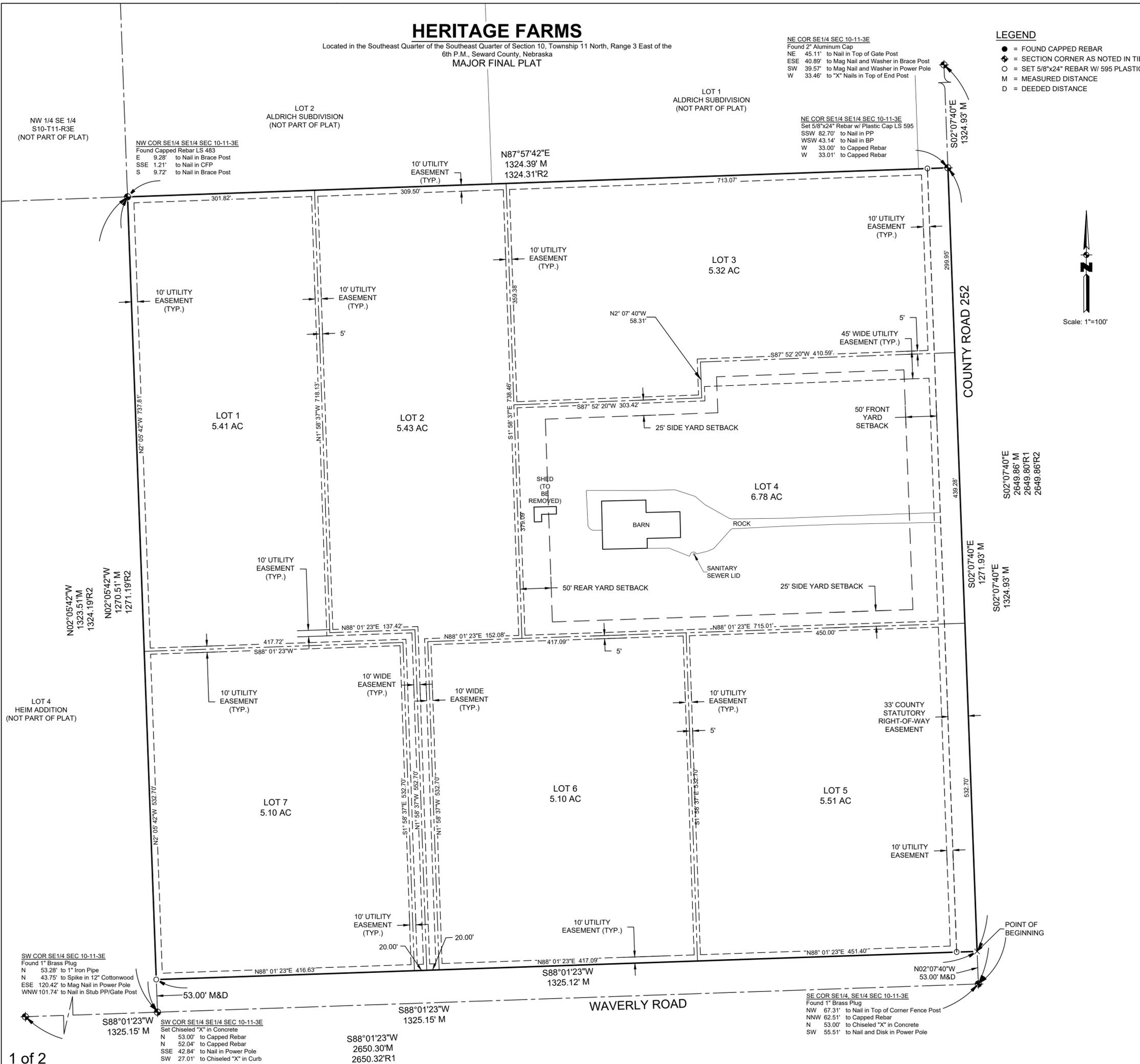
NE COR SE1/4 SE1/4 SEC 10-11-3E
 Set 5/8"x24" Rebar w/ Plastic Cap LS 595
 SSW 82.70' to Nail in PP
 WSW 43.14' to Nail in BP
 W 33.00' to Capped Rebar
 W 33.01' to Capped Rebar

LEGEND

- = FOUND CAPPED REBAR
- ⊕ = SECTION CORNER AS NOTED IN TIES
- = SET 5/8"x24" REBAR W/ 595 PLASTIC CAP
- M = MEASURED DISTANCE
- D = DEEDED DISTANCE



VICINITY MAP



S02°07'40"E
 2649.86' M
 2649.80'R1
 2649.86'R2

COUNTY ROAD 252

WAVERLY ROAD

ZONING

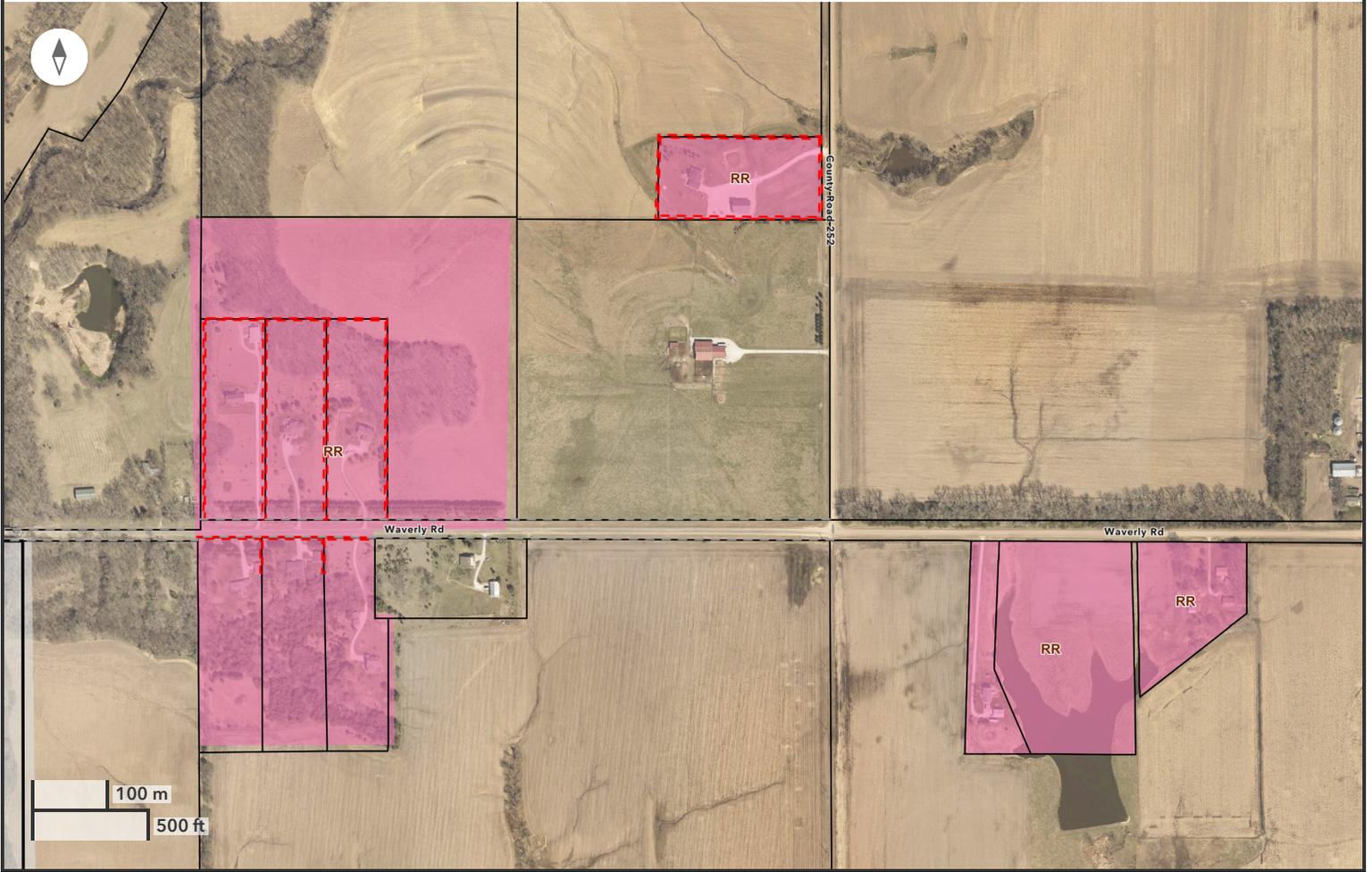
CURRENT: AG (AGRICULTURAL DISTRICT)
 PROPOSED: RR (RURAL RESIDENTIAL DISTRICT)

NOTES:

1. SETBACKS SHALL BE PER THE RR - RURAL RESIDENTIAL DISTRICT:
 1 FAMILY UNITS
 FRONT YARD - 50'
 REAR YARD - 50'
 SIDE YARD - 25'
 STREET SIDE YARD- 50'



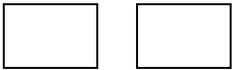
Zoning Map



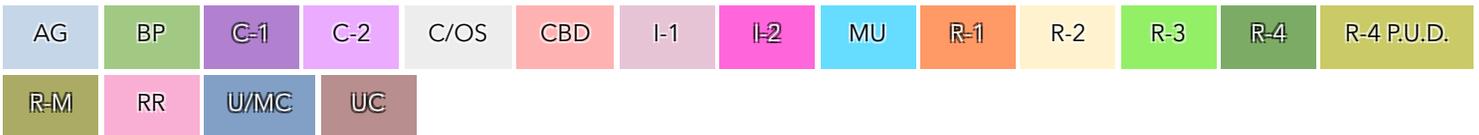
Easements



Parcels City Limits



Zoning



Two Mile Limits



Return To:
City of Seward
PO BOX 38
Seward, NE 68434

ORDINANCE NO. 2024-

AN ORDINANCE TO APPROVE THE PLAT ENTITLED "HERITAGE FARMS", A PLAT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE 6TH P.M., SEWARD COUNTY, NEBRASKA," AS HEREINAFTER SET FORTH; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA:

Section 1. Plat and Dedication Approved. The Plat and dedication of the following described real estate is hereby approved:

A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 11, RANGE 3 EAST OF THE 6TH P.M., SEWARD COUNTY, NEBRASKA, EXCEPT THAT PORTION DEEDED IN BOOK 77, PAGE 261, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE IN A NORTHERLY DIRECTION ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10 AND ON AN ASSUMED BEARING OF N02°07'40"W, FOR A DISTANCE OF 53.00 TO THE POINT OF BEGINNING; THENCE S88°01'23"W ON THE NORTHERLY 53.00' RIGHT-OF-WAY LINE OF WAVERLY ROAD, FOR A DISTANCE OF 1325.12' TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N02°05'42"W ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1270.51' TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N87°57'42"E ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1324.39' TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE S02°07'40"E ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF

1271.93' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 38.66 ACRES, MORE OR LESS.

Section 2. Plat Designated. The plat of said real estate is hereby designated as "Heritage Farms", Seward County, Nebraska."

Section 3. Filing and Recording of Plat. An accurate plat of said real estate as platted and dedicated as heretofore set forth, certified to by an Engineer or Surveyor, together with a certified copy of this Ordinance shall be filed in the office of the Seward County Clerk, Seward, Nebraska.

Section 4. Pamphlet form; publication; when operative. This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval and publication as provided by law and City Ordinance.

Passed and approved this _____ day of _____, 2024.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

Attest:

Derek Bargmann
City Clerk

4. Public Hearing 7:30pm: review a rezone application for Heritage Farms from AG Agricultural District to RR Rural Residential District.

City of Seward Planning Commission

142 N 7th St. Seward, NE 68434

Staff Report

Tim Dworak, Building/Zoning &
Code Enforcement Director

402-643-4000

APPLICATION TYPE

Rezone Application

FINAL ACTION?

DEVELOPER/OWNER

Tom & Kristie Rathje

PC HEARING DATE

July 8, 2024

RELATED APPLICATIONS

Major Subdivision

PROPERTY ADDRESS, ZONING DISTRICT/USE

1713 252nd Rd, AG, Agriculture

ADJACENT ZONING DISTRICTS/USE:

North, AG, Agriculture – Larry & Carol Aldrich Trustees

North, RR, Residential – Kurt & Carmen Johnson

East, AG, Agriculture – AJ Herrold

South, AG, Agriculture – HBH Farms (Tim Hughes)

West, RR, Residential – Ron & Annette Wallman

BRIEF SUMMARY OF REQUEST:

A Rezone application to change the current zoning from AG (Agriculture) to RR (Rural Residential District) for purposes single family homes.



APPLICATION CONTACT

Tom or Kristi Rathje, 402-641-3601

1719 N 1st St, Seward, NE 68434

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed site is undefined by the comp plan.

ANALYSIS

Applicant is requesting a rezone from AG-Agricultural District to RR – Rural Residential District. A major subdivision plat is subdividing a parcel of land for the purpose of single family homes from agricultural land. The parcel meets zoning requirements of rural residential.

The current property is located outside the city limits of the City of Seward but is within the Extra Territorial Jurisdiction (ETJ) of the City of Seward.

The notice of this Public Hearing was published in the Seward County Independent, letters were mailed to owners within 300 feet, and the subject land was posted.

APPROXIMATE LAND AREA:

38.13 acres or 1,660,942.8 square feet +/-

LEGAL DESCRIPTION:

REFERRING TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE IN A NORTHERLY DIRECTION ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10 AND ON AN ASSUMED BEARING OF N02°07'40"W, FOR A DISTANCE OF 53.00 TO THE POINT OF BEGINNING; THENCE S88°01'23"W ON THE NORTHERLY 53.00' RIGHT-OF-WAY LINE OF WAVERLY ROAD, FOR A DISTANCE OF 1325.12' TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N02°05'42"W ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1270.51' TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N87°57'42"E ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1324.39' TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE S02°07'40"E ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1271.93' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 38.66 ACRES, MORE OR LESS.

Prepared by

Tim Dworak

City of Seward Building - Zoning – Code Enforcement Director



PAID
6-5 CH

Request for Amendment to the Unified Land Development Ordinance

Date: 6/5/2024 Application Fee: \$200 + Notification Fee: \$100 + Filing Fee: = Amount Due: \$300

Applicant: Tom+Kristi Rathje Address: 1779 N. 15th, Seward, NE 68434

Phone: 402-641-3601 Email: tomrathje@hotmail.com

I wish to Build Alter Buildings/ Structures Change the Use of Land or Structures Premise Address: 1713 N. 252nd Road Seward, NE 68434

Legal Description:

Section 10-11-3 SE 1/4 SE 1/4 38.13 acres Seward County, NE

The following change in the Unified Land Development ordinance is hereby requested:

Change in zoning of the subject property from its present classification: Agriculture

To the following proposed zoning classification: Rural Residential

Amend the text or district regulations as follows:

To permit the following improvement or use:

The applicant shall furnish a plat of the area containing the property for which a zoning change is sought and including all the lots within 300 feet of the property lines of the subject property. The plat shall show existing and proposed zoning.

I certify that the above information and that required by section of the Unified Land Development Ordinance, as submitted herewith, is, to the best of my knowledge, true and accurate.

Applicate Signature:

ORDINANCE NO. 2024-

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SEWARD, NEBRASKA; TO REZONE CERTAIN PROPERTY WITHIN THE TWO-MILE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF SEWARD, NEBRASKA NOW ZONED AG AGRICULTURAL DISTRICT, TO RR RURAL RESIDENTIAL DISTRICT; SPECIFICALLY, TRACTS OF LAND NORTH OF WAVERLY RD AND WEST OF 252ND RD; TO DESCRIBE THE PROPERTY REZONED; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA:

Section 1. PROPERTY REZONED. The following described property located within the Two-Mile Extra Territorial Jurisdiction of the City of Seward, Nebraska is hereby rezoned from "AG Agricultural District", to "RR Rural Residential District" to wit:

A SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 11, RANGE 3 EAST OF THE 6TH P.M., SEWARD COUNTY, NEBRASKA, EXCEPT THAT PORTION DEEDED IN BOOK 77, PAGE 261, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE IN A NORTHERLY DIRECTION ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10 AND ON AN ASSUMED BEARING OF N02°07'40"W, FOR A DISTANCE OF 53.00 TO THE POINT OF BEGINNING; THENCE S88°01'23"W ON THE NORTHERLY 53.00' RIGHT-OF-WAY LINE OF WAVERLY ROAD, FOR A DISTANCE OF 1325.12' TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N02°05'42"W ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1270.51' TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE N87°57'42"E ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1324.39' TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE S02°07'40"E ON THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 1271.93' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 38.66 ACRES, MORE OR LESS. ALSO KNOWN AS HERITAGE FARMS.

Section 2. USES PERMITTED. Uses permitted by the ordinance of the City of Seward, Nebraska for "Rural Residential District" are hereby and herein authorized for said area and land described in Section 1 of this ordinance.

Section 3. ZONING MAP AMENDED. The official map of the City of Seward, Nebraska is amended, and it is ordered that the above described land shall now be shown as "RR Rural Residential District."

Section 4. PAMPHLET FORM; PUBLICATION; WHEN OPERATIVE. This ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval, and publication or posting as provided by law and city ordinance.

Passed and approved this _____ day of _____,
2024.

THE CITY OF SEWARD, NEBRASKA

Joshua Eickmeier, Mayor

ATTEST:

Derek Bargmann
City Clerk

**ADMINISTRATIVE ITEMS
REPORTS**

1. Report on Meetings Attended

**FUTURE REQUESTS FOR COMMISSION AGENDA ITEMS OR
ADMINISTRATIVE ACTION
ANNOUNCEMENT OF UPCOMING EVENTS
MOTION TO ADJOURN**

I, Derek Bargmann, the duly appointed qualified and acting City Clerk of the City of Seward, Nebraska, hereby certify that the foregoing Notice of Meeting and Agenda for such meeting has been posted in the following places: Seward City Hall, Seward Municipal Building, Seward County Courthouse, Seward Memorial Library and CityofSewardNE.gov

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City.

Derek Bargmann, City Clerk

Date