RESOLUTION: GRANT SECOND 90 DAY EXTENSION OF APPROVAL TO FINAL PLAT – Hills of Aspen Creek Subdivision (Lots 1 – 472, Outlots A – O).

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104, the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board of Commissioners (County Board); and,

WHEREAS, the County Board has the authority to adopt a Subdivision Regulation, which shall have the force and effect of law pursuant to Neb. Rev. Stat.§ 23-374; and,

WHEREAS, said Subdivision Regulation requires final plats to be filed with the Sarpy County Register of Deeds Office within 90 days of approval by the County Board of Commissioners. Further the Subdivision Regulation allows the County Board of Commissioners to approve requests for extensions of the filing deadline with the Register of Deeds; and

WHEREAS, the final plat for Hills of Aspen Creek Subdivision, (Lots 1-472, Outlots A-0), was approved by Resolution 2017-464 on December 12, 2017 with the 90 day filing deadline of March 12, 2018 on the following described property, to wit:

Tax Lots 1A1 and Tax Lot 1A2 located in the Southeast Quarter of Section 20, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska, together with Tax Lot 6 located in the South Half of the Northeast Quarter of Section 20, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska.

WHEREAS, by Resolution 2018-063, the County Board approved the extension of the Hills of Aspen Creek Subdivision, (Lots 1-472, Outlots A-0) final plat filing deadline with the Register of Deeds for ninety (90) days beginning on March 13, 2018 and ending on June 11, 2018.

WHEREAS, the applicant, Richland Homes, has requested to extend the final plat approval of Hills of Aspen Creek Subdivision, (Lots 1-472, Outlots A-0), for an additional ninety (90) days.

NOW THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT the approval of the final plat of a subdivision to be known Hills of Aspen Creek Subdivision, (Lots 1-472, Outlots A-0), is hereby extended for a period of ninety (90) days beginning on June 12, 2018 and ending on September 10, 2018.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 5th day of June, 2018.

Attest

SEAL

Sarpy County Board Chairman

County Clerk
Summary and Purpose of Requests:
- Richland Homes, developer, is requesting a second 90-day extension of the approval of the Final Plat to be known as Hills of Aspen Creek Lots 1 – 472, Outlots A – O inclusive.

Background and Analysis:
- The Final Plat for the proposed subdivision to be known as Hills of Aspen Creek Lots 1 – 472, Outlots A – O inclusive is an urban residential development located on the northwest corner of 180th and Cornhusker Road.
- Pursuant to Sarpy County Subdivision Regulations, the Final Plat shall be filed with the Register of Deeds within ninety (90) days of the date approved by the Board. Failure to do so shall require re-submittal of the Final Plat with repayment of application fees. The Board may grant up to two (2) ninety (90) day extensions upon the request of the applicant. Each extension must be requested separately.
- The approval granted by the County Board Resolution 2017-464 on December 12, 2017 expired on March 12, 2018.
- The applicant submitted an application on February 15, 2018 requesting a 90-day extension as they await approval of a revised Wastewater Sewer Agreement with the City of Gretna.
- The extension granted by the County Board Resolution 2018-063 on March 6, 2018 will expire on June 11, 2018.
- The applicant submitted an application on May 29, 2018 requesting a second 90-day extension as they await approval of a revised Wastewater Sewer Agreement with the City of Gretna.
- Should the applicant not get the Final Plat filed with the Register of Deeds on or before September 10, 2018, they will be required to resubmit the Final Plat with repayment of application fees.
- The original staff report to the County Board on the Final Plat application is attached for your information and review.

Staff Recommendation:
- There have been no significant changes in the County’s Subdivision or Zoning Regulations since this Final Plat was first approved which would have any impact on it.
- The applicant has submitted the application for an extension and paid the required application fees.
- Staff recommends APPROVAL of the second extension of the proposed Final Plat of a subdivision to be known as Hills of Aspen Creek Lots 1 – 472, Outlots A – O inclusive for a ninety (90) day period from June 12, 2018 to September 10, 2018. Staff makes this recommendation as the Final Plat still meets requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations.
WHEREAS, pursuant to Neb. Rev. Stat. § 23-104, the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board of Commissioners (County Board); and,

WHEREAS, the County Board has the authority to adopt Subdivision Regulations, which shall have the force and effect of law pursuant to Neb. Rev. Stat. § 23-374; and,

WHEREAS, said Subdivision Regulations require the County Board to approve applications for Final plats; and

WHEREAS, the applicant, Richland Homes applied for approval of a Final plat on property generally located at the northwest corner of 180th Street and Cornhusker Road and legally described as follows, hereinafter “the Property”:

Tax Lots 1A1 and Tax Lot 1A2 located in the Southeast Quarter of Section 20, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska, together with Tax Lot 6 located in the South Half of the Northeast Quarter of Section 20, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska

WHEREAS, the Sarpy County Planning Department staff reviewed the application of the Final plat of a subdivision to be known as Hills of Aspen Creek (Lots 1 – 427, Outlots A – O) for compliance with the Subdivision Regulations and made a recommendation of approval as noted in Exhibit A, attached hereto and incorporated by reference, which Exhibit A includes the Planning Department reports, the aerial map of the Property and a copy of the Final plat of the subdivision to be known as Hills of Aspen Creek (Lots 1 – 427, Outlots A – O).

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT this County Board makes the following findings of fact:

I. A public hearing regarding the approval of the Final plat was held on November 21, 2017 before the Sarpy County Planning Commission. The Planning Commission provided their recommendation to the County Board.

II. A public hearing regarding the approval of the Final plat was held by this County Board.

III. Notice of each of the public hearings described above was published at least ten (10) days prior to each respective public hearing and the proof of publication has been filed in the Office of the Sarpy County Clerk.
IV. The proposed Final plat of a subdivision to be known as Hills of Aspen Creek (Lots 1 – 427, Outlot A – O) is in conformity with the Zoning Regulations, the Subdivision Regulations, and the Sarpy County Comprehensive Plan.

BE IT FURTHER RESOLVED THAT the Final Plat of a subdivision to be known as Hills of Aspen Creek and as further described in the attached Exhibit A is hereby approved subject to the following condition:

1. The applicant/developer, Richland Homes, LLC and the Sanitary and Improvement District 333 shall both sign a subdivision agreement with Sarpy County.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 12th day of December, 2017.

Attest
SEAL

Sarpy County Board Chairman

County Clerk
I. GENERAL INFORMATION

A. APPLICANT: Richland Homes
   11205 S. 150th Ave., Suite 100
   Omaha, NE 68138

B. PROPERTY OWNERS: Gretna Hills Farm Inc.  Charles H. & Sharon C. Barkley
   2961 S. 169th Plaza, #148
   Omaha, NE 68130

C. SUBJECT PROPERTY LOCATION: Subject property is generally located at the northwest corner of 180th Street and Cornhusker Road.

D. LEGAL DESCRIPTION: Tax Lots 1A1 and Tax Lot 1A2 located in the Southeast Quarter of Section 20, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska, together with Tax Lot 6 located in the South Half of the Northeast Quarter of Section 20, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska

E. SUBJECT PROPERTY SIZE: approximately 156.33 acres

F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:
   ▪ Future Land Use Designation: Low to Medium Density Residential / Parks, Recreation, & Open Space
   ▪ Zoning: AG (Agricultural)

G. REQUESTED ACTION(S): Approval of a Final Plat of a subdivision to be known as Hills of Aspen Creek (formerly Aspen Falls).

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: Farm ground with row crops
### B. GENERAL VICINITY – FUTURE LAND USE (FLU) AND CURRENT ZONING (CZ)

<table>
<thead>
<tr>
<th>DIRECTION FROM SUBJECT PROPERTY</th>
<th>FUTURE LAND USE DESIGNATION (reference attached map)</th>
<th>CURRENT ZONING DESIGNATION (reference attached map)</th>
<th>SURROUNDING DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>NORTH</td>
<td>Business Park</td>
<td>AG</td>
<td>Farm ground with row crops</td>
</tr>
<tr>
<td>SOUTH</td>
<td>Low to Medium Density Residential</td>
<td>AG, RS-72 PD (pending recording of plat)</td>
<td>Recently approved Bridgeport Residential Subdivision</td>
</tr>
<tr>
<td>EAST</td>
<td>Low to Medium Density Residential</td>
<td>AG, RS-100, RS-72 (pending recording of plat)</td>
<td>Recently approved Palisades West Residential Subdivision and developed Tiburon Residential Subdivision</td>
</tr>
<tr>
<td>WEST</td>
<td>Low to Medium Density Residential &amp; Parks, Recreation, Open Space</td>
<td>AG</td>
<td>Farm ground with row crops and farmstead home/buildings</td>
</tr>
</tbody>
</table>

AG = Agricultural (20 plus acres)
RS-72 = Single-Family Residential (7,200 sq. ft. minimum lot size)
RS-72 PD = Single-Family Residential with Planned Development Overlay (allows for variation in lot size and setbacks on small percentage of lots)
RS-100 = Single-Family Residential (10,000 sq. ft. minimum lot size)

### C. RELEVANT CASE INFORMATION:
- Change of Zone and Preliminary Plat of a subdivision to be known as Aspen Falls was approved by County Board on November 14, 2017. The applicant now has revised the name of the final plat to be Hills of Aspen Creek.
- The subdivision will be served with utilities as follows:
  - Water by MUD
  - Sanitary sewer by City of Gretna
  - Gas by Black Hills Energy
  - Electrical power by OPPD

### III. APPLICABLE REGULATIONS

#### A. SARPY COUNTY COMPREHENSIVE PLAN
- **CHAPTER 3: Land Use & Growth Management**
  - **Future Land Use** – *Map 12 Future Land Use Map* classifies this site as Low to Medium Density Residential and Parks, Recreation and Open Space within the power line easement running through the area. The Low to Medium Density Residential land use area is intended for typical suburban scale residential development densities. This category represents one of the most common residential land use types, and is located in areas that are experiencing growth and have an established transportation network and infrastructure. Generally, uses within this area include single-family residential in accordance with appropriate zoning districts, neighborhood commercial, public and quasi-public uses, parks/recreation/open space, and associated accessory uses. *Appendix A: Zoning Relationship to the Future Land Use Plan* lists the proposed zonings for this site, RS-72 and RD-50, as compatible zoning districts under the Low to Medium Density Residential and Parks, Recreation and Open Space land use designations.
- Future Land Use – Growth Management – *Map 13 Growth Management Zones* designates this site as being within the Urban Development Zone. This zone is intended to provide opportunity for immediate investment and development. These are the areas of the County that are best able to support urban and suburban-scale densities with corresponding infrastructure extensions.

- Development Density – *Figure 19 Residential Development Decision Matrix* allows densities of less than 10,000 square feet per unit up to 1 acre per unit with municipal water and sanitary sewer utilities being provided. The proposed Hills of Aspen Creek subdivision meets this criterion.

- Conservation Provisions – *Map 14 Environmentally Sensitive Areas* identifies portions of this site as Environmentally Sensitive. Environmentally sensitive areas include:
  - Water bodies and watercourses
  - Wetlands
  - 100 year floodplains
  - Tree canopy, individual specimen trees, or small stands of significant trees
  - Aquifer recharge areas and areas with highly permeable ("excessively drained") soils
  - Significant wildlife habitat areas
  - Historic, archaeological or cultural features listed (or eligible to be listed) on the National Register of Historic Places, or on inventories developed by the Nebraska State Historical Society
  - Slopes of a gradient higher than 15%
  - Land with soils that do not support residential development
  - Native or original growth prairie

The area of concern with this site is the watercourse running diagonally in a north-south direction through the site.

- Developments within the Urban Development Zone that are proposed on sites identified on *Map 14 Environmentally Sensitive Areas*, must provide a minimum amount of open space conservation area as follows:
  - 100% of the designated environmentally sensitive areas shall be protected as a platted outlot when the sensitive area comprises 15% or more of the site. Or, subdivisions may designate at least 40% of the total site area as a protected outlot; whichever is less.
  - In order to be exempt from this requirement, the applicant must provide evidence that less than 15% of the site contains environmentally sensitive areas of the nature identified above.
  - This subdivision plan provides 100% of the watercourse area designated as environmentally sensitive to be placed in outlots for drainage and environmental protection.

### CHAPTER 4 – Infrastructure

- The site of this proposed project is located within MUD’s water service area and the City of Gretna’s sanitary sewer district.

- An approved Wastewater Service Agreement with the City of Gretna must be submitted to the County prior to the signing of the Final Plat by the Planning Director.

- Wellhead Protection Area – *Map 16 Sarpy County Wellhead Protection Areas* identifies a portion of this site as being within the Sarpy County SID 158 Tiburon Golf Course Wellhead Protection Area. Care needs to be taken to ensure the protection of the wells in this area from possible contamination due to development.
CHAPTER 5 – Transportation
- Federal Roadway Functional Classification – Map 17 Sarpy County Federal Roadway Functional Classification identifies Cornhusker Road as a Local Street and 180th Street as a Major Collector.
- Anticipated Full Buildout Street Network – Map 21 Sarpy County Anticipated Full Buildout Street Network shows 180th Street as a 4-lane divided highway with 100’ right-of-way. It shows Cornhusker Road to continue to be a local street.
  • Plans are currently under way for the widening of Cornhusker Road to three lanes in conjunction with developments on the south side of the road.
- Implement a Through-Route Policy to set standards to allow direct and continuous neighborhood access to adjacent arterial streets. Each mile section should have three through local or collector routes in the north/south and east/west direction generally at the ½ and ¼ mile points.
  Local roadways should also be designed to provide connection and access to adjacent developments through subdivision regulations.
  • This final plat addresses these policies as best as is possible given natural constraints of the property as well as needing to align streets with adjacent developments.
  • Proposed access points to the subdivision are as follows:
    ✓ One access point to the east from 180th Street. This street is located just south of the ¼ mile point due to the location of the OPPD substation to the north and to align with Palisades Drive to the east through the Palisades West Subdivision.
    ✓ Two access points to the south from Cornhusker Road (S. 181st St. and S. 184th St.). These streets are aligned with Bridgeport Subdivision to the south and may be restricted to less than full movement in the future due to traffic, safety or other unforeseen issues not currently contemplated. Access restrictions at that time will need to be coordinated with the Bridgeport SID as well.
    ✓ One access point to the north (S. 184th St.) to connect to future development.
    ✓ One access point to the west (Palisades Drive) to connect with future S. 186th St.
- Sarpy County should not approve a development or subdivision that is inconsistent with the County’s right-of-way standards, or standards established in long-range transportation corridor plans or studies; or lacking a necessary local paved roads plan to serve the subdivision or development within the Urban Development Zone.
  • Future arterial street (180th St. and Cornhusker Rd.) improvements: this development will be responsible for participating in future roadway improvements on both 180th Street and Cornhusker Road. This will include that frontage along Tax Lot 4 and Tax Lot 1B located on the southeast corner of the property and Lot 1 Barkley’s Hilltop located in the southwest corner of the development. Contributions to these improvements may also include future traffic signals as warrants show the need. Details of contributions and plans for these improvements are addressed in the Subdivision Agreement.
B. SARPY COUNTY ZONING REGULATIONS

- SECTION 15, RS-72 (Single-family Residential – 7,200 sq. ft. minimum lot size)
  - 15.1.5 – Single family dwellings, as proposed by this application, are a Principal Permitted Use
  - 15.4.1 – Single family dwelling development must meet the following minimum requirements, except as provided in Section 35 Supplementary Regulations:
    • Lot Area – 7,200 sq. ft.
    • Lot Width – 60 feet (measured at the front yard setback line)
    • Front Yard Setback – 25 feet
    • Side Yard Setback – 5 feet
    • Rear Yard Setback – 25 feet
    • Maximum Height – 35 feet

- SECTION 16, RD-50 (Two-family Residential – 5,000 sq. ft. minimum lot size)
  - 16.1.4 – Single family dwellings, as proposed by this application, are a Principal Permitted Use
  - 16.4.1 – Single family dwelling development must meet the following minimum requirements, except as provided in Section 35 Supplementary Regulations:
    • Lot Area – 5,000 sq. ft.
    • Lot Width – 50 feet (measured at the front yard setback line)
    • Front Yard Setback – 25 feet
    • Side Yard Setback – 5 feet
    • Side Yard Street Setback – 15 feet
    • Rear Yard Setback – 25 feet
    • Maximum Height – 35 feet

- SECTION 28, PD (Planned Development District)
  - The applicant has requested a PD overlay for 25 lots of the subdivision as identified above and shown on the attached Proposed Zoning Exhibit. The specific request is to allow these lots to have a minimum lot width of 40 feet.
  - The applicant is requesting this reduction in width in order to introduce a more affordable housing product to the market. Renderings and floor plans of this proposed housing product are attached for your information.

C. SARPY COUNTY SUBDIVISION REGULATIONS

- SECTION 10, MINIMUM DESIGN STANDARDS
  - 10.2.13 – The right-of-way widths, pavement widths (back to back of curb), street grades, and the sight-distances for streets and alleys in any subdivision shall not be less than the minimum dimensions nor more than the maximum grades as set forth in the current version, including any revisions or amendments thereto, of the “Nebraska Administrative Code, Title 428, Rules and Regulations of the Board of Public Roads Classifications and Standards.”
    • Comments provided by the Public Works Department in a memo dated October 5, 2017 must be fully addressed (see attached Public Works Memo from Pat Dowse attached).
IV. ANALYSIS

A. COMPREHENSIVE PLAN POLICY STATEMENTS: This final plat application, and the requirements placed on it, support the following policies of the Sarpy County Comprehensive Plan (see Comprehensive Plan Chapter 9 Goals & Implementation):

- Land Use and Growth Management
  - 1.a An Urban Development Zone will be established to facilitate urban scale growth in areas that can be served immediately by public utility extensions prior to, or in conjunction with, new development.

  The Urban Development Zone is to be created to facilitate the urban growth demands of Sarpy County. These zones are established in accordance with the South Sarpy County Sanitary Sewer Study and represent areas currently served by urban services. By guiding urban scale growth to these areas, the County is promoting compact, contiguous growth and the most efficient provision of infrastructure and utilities.

  - 2.c Sarpy County should not approve a development or subdivision that is:
    - inconsistent with the County’s adopted Comprehensive Plan, detailed area plans, infrastructure and utility plans, or long-range transportation corridor plans or studies;
    - inconsistent with the County’s right-of-way standards, or standards established in long-range transportation corridor plans or studies;
    - lacking necessary local paved road plans, approved by the County, to serve the subdivision or development within a timeframe consistent with development, or does not conform to roadway policies;
    - lacking adequate sanitary sewer and potable water capabilities;
    - lacking adequate storm water drainage, storm water treatment facilities, or storm water management either within the development site or downstream;
    - inconsistent with any other standards addressed in adopted zoning regulations, subdivision regulations, or design standards;
    - inconsistent with other adopted decision criteria;
    - inconsistent with the Comprehensive Plan unless the proposed development or subdivision furthers another more important Comprehensive Plan objective. In which case, the County should, for good planning purposes, allow development that is different than the Comprehensive Plan might call for in certain areas.
    - inconsistent with the Comprehensive Plan unless there have been substantial legal, physical, or infrastructure changes that formed the basis for the Comprehensive Plan, in which case the Comprehensive Plan should be amended so as to allow for support of the change.

  The County shall maintain clear standards for approval of development and subdivision plans in order to implement the vision of its Comprehensive Plan.

  - 3.b Promote land use development within the zoning jurisdictions of municipalities and the Urban Development Zone.

  - 3.d The cost of extending infrastructure and increasing capacities should be shared by the development generating the need for such improvements. Funding mechanisms should be established relating to a fee structure of sharing costs proportionately by development(s) that benefit from facility improvements relating to: Parks; Stormwater Management; and Transportation.

  The expense of servicing new development should not fall solely on required due to the increase in demand and use of public facilities. Over-builds are often an
important policy for staged infrastructure investments, which can be recouped with
development fees. Over-building is a phasing process by which a single subdivision
will build excess infrastructure capacity to facilitate the development of future
subdivisions along the served route. The cost of the excess infrastructure is then
reimbursed via a fee or other financial mechanisms, paid by adjacent developments
and the County.

- 4.d Sarpy County should enforce conservation provisions established in this
Comprehensive Plan to identify and conserve environmentally sensitive areas.

Conservation provisions in this chapter establish criteria for identifying and conserving
environmentally sensitive areas in Sarpy County.

- 5. Developments should be built and designed in a manner that contributes to and
enhances the quality of life in Sarpy County.

- 5.a Ensure that Sarpy County, along with local jurisdictions within, provide diverse
options in relation to lot size, density, and type for all land uses.

Sarpy County and the municipalities located within the county represent a primary area of
residential growth for the Omaha-Council Bluffs MSA. However, a public priority lies in
preserving the unique environmental resources found in the area, including agriculture
production. Offering a range of development options in a managed fashion will result in a more
diverse, well-balanced, and prosperous region.

- 5.c Development should be designed in a manner that identifies the infrastructure of
adjacent development and provides continuation and connectivity of those
facilities throughout the immediate area.

Coordinating the development of public infrastructure and facilities will enhance the overall
connectivity and continuity of public amenities, thereby creating comprehensive systems
available throughout the county. The infrastructure and amenity systems that should be
connected include:
- Trails
- Parks
- Roadways and transportation access
- Utilities
- Stormwater management

- 5.f County Subdivision Regulations should reflect standards for development and
grading along waterways to allow the waterway to meander and erode; or for man-
made stabilization techniques to be installed. These standards should allow for a
maintenance access easement.

Transportation

- 2.c Implement an arterial access policy to set standards for access points along major
and minor arterials. The access locations may be allowed to deviate from the ¼
and ½ mile access locations based on physical constraints.

- 2.d. Implement a Through-Route Policy to set standards to allow direct and continuous
neighborhood access to adjacent arterial streets. Each mile section should have
three through local or collector routes in the north/south and east/west direction,
generally at the ½ and ¼ mile points.

- 2.e Local roadways should also be designed to provide connection and access to
adjacent developments through subdivision regulations.

- 2.f Sarpy County should not approve a development or subdivision that is:
  • inconsistent with the County’s right-of-way standards, or standards established in long-
range transportation corridor plans or studies;
- lacking a necessary local paved roads plan to serve the subdivision or development within the Urban Development Zone.

Environmental Resources and Recreation

- 1.d Managing storm-water runoff on site will be a requirement of development, implemented through subdivision regulations.
- 1.e Protect all water supplies and aquifers from development activities that may affect the quality and/or quantity of water. Development with the potential for adverse effects on water sources should not be approved.
- 1.f Promote best land management practices through the development of erosion control design standards for subdivision development.
- 3.a Following the Master Trails Plan, regional and county trails should provide a destination experience or connect significant regional facilities.
- 3.b In accordance to land use policies, ensure new developments connect to existing or future public trail systems through the dedication or right-of-way or easements.

B. OTHER AGENCY REVIEW/COMMENTS: The applications were sent to various jurisdictional agencies and departments within Sarpy County that may have an interest. Comments received are attached for your review. Should any additional comments be received, they will be provided to you at the public hearing.

V. STAFF COMMENTS/RECOMMENDATIONS

Staff recommends APPROVAL of the application for a Final Plat of a subdivision to be known as Hills of Aspen Creek as the proposal is in compliance with the Sarpy County Comprehensive Plan and the requirements of the Sarpy County Zoning and Subdivision Regulations.

VI. PLANNING COMMISSION RECOMMENDATION

The Planning Commission held public hearings on these applications at their November 21, 2017 meeting and recommended APPROVAL to the County Board.

MOTION: George moved, seconded by Lichter to recommend APPROVAL of the application for a Final Plat of a subdivision to be known as Hills of Aspen Creek. This recommendation is being made as the Final Plat is in compliance with Sarpy County Comprehensive Plan and the requirements of the Sarpy County Zoning and Subdivision Regulations. Ballot: Ayes – Sotak, Davis, George, Ackley, Huddleston, Giff, Malmquist and Lichter. Nays: None. Abstain: None. Absent: Torczon, Whitfield, and Korth. Motion carries.

VII. ATTACHMENTS TO REPORT

1. Final Plat Exhibit
2. Future Lot Exhibits
3. RD-50 PD Buildable Lot Exhibit
4. Renderings and Floorplans of Narrow Lot Homes
5. Conceptual Linear Trail Park Plan
6. Comments Received
7. Current Zoning Map (showing subject property area)
8. Approved Development Zoning Exhibit
9. Current Future Land Use Map (showing subject property area)
VII. COPIES OF REPORT SENT TO

1. Richland Homes (applicant)
2. Pat Hiller, Lamp Rynearson (Applicant’s Engineer)
3. Public Upon Request
FUTURE LOT EXHIBIT
S 180TH STREET AND
CORNHUSKER ROAD

LEGEND

SECTION LINE
SECTION CORNER
BOUNDARY LINE
LOT LINE
EXISTING LOT LINE
FUTURE LOT LINE

CHUTNEY DRIVE

S 180TH AVENUE

S 180TH STREET

50.00 RIGHT OF WAY DEDICATION

RIGHT OF WAY VARIES

EXISTING 35.00 COUNTY
ROADWAY EASEMENT

CORNHUSKER ROAD

LOT

OUTLOT 0

20000 STORM SEWER AND
DRAINAGE EASEMENT

40710 West Dodge Road, Suite 100  402.496.2498 | P
Omaha, Nebraska 68154-2027  402.496.2730 | F
www.LRA-Inc.com
Revised Document Pending -
Document will be replaced with revised exhibit showing reconfiguration of S 180th Avenue Circle as shown on Exhibit A, Final Plat
MEMO

TO: Bruce Fountain, AICP, EDFP, Director
FROM: Patrick M. Dowse, PE, Engineering Manager
DATE: October 5, 2017
RE: Bamboo (Aspen Falls) - Preliminary Plat and Change of Zone

Sarpy County Public Works has reviewed the above mentioned submittal documents, and has the following comments:

**Preliminary Plat**

Please see the attached redlines.

**Arterial Road Network**

Please confirm the SUF considers contributions to the arterial roadway improvements take into account paving through Lot 1 Barkley's Hilltop, SE ¼, SEC 20-14-11 TL3, TL1B and TL4. Contributions to potential future traffic signals at 180th Street and/or 186th should also be considered as future traffic demands may warrant signalization.

Full movement access to arterial roadway should be limited to ¼ mile points, unless environmental considerations or other unforeseen circumstances arise which make ¼ mile points infeasible. In this instance, access to Cornhusker Road at 184th Street and/or at 181st Street may be restricted to less than full movement in the future due to traffic, safety or other unforeseen issues not currently contemplated. Access restrictions at that time will need to be coordinated with the Bridgeport SID as well, at the time restrictions are being contemplated.

**Interior Roadway Network**

Preliminary Plan & Profile Sheet 5 of 19, Palisades Drive ~STA 71+80.64 at 185th Street, profile gradient is in excess of 4% through the intersection.

Preliminary Plan & Profile Sheet 16 of 19, 181st St ~STA 232+31 at Sage Street, profile
gradient is in excess of 4% through the intersection.

Preliminary Plan & Profile Sheet 18 of 19, Curve #47 is less than a 100' Radius.

Please confirm the SUF does not consider any contributions for 186th Street by Sarpy County.

Please feel free to let me know if you have any questions.
Kelly

The City is currently designing a municipal sub-interceptor sewer thru the subject property. This interceptor sewer will serve this area as well as properties to the north and south. The final alignment is set for the east side of the main drainage way from Cornhusker Road to s 180th Street. The alignment will impact the outlots and several of the proposed lots along the drainage way. This plat will need to be coordinated with our office. The developer/SID will be required to dedicate the required easements for the interceptor sewer. The sewer design is being finalized and will go out for bids in late October.

The proposed subdivision will be required to execute a Wastewater Service Agreement with the City of Gretna.

Steve

Steven W. Perry, PE
OLMSTED & PERRY CONSULTING ENGINEERS INC.
10730 Pacific Street, Suite 232
Omaha, Nebraska 68114
Ph: 402.399.8552
Cell: 402.677.8725
Fax: 402.399.9852
stevep@olmstedperry.com

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From: Kelly Jeck [mailto:kjeck@sarpy.com]
Sent: Monday, September 18, 2017 11:14 AM
To: Dan Hoins; Scott Bovick; Nikki Lampe; Denny Wilson; Pat Dowse; Nicole Spitzenberger; Jeff Davis; Greg London; Lynn Marshall; Steven Perry; Michael Helgerson; Jeff Schovanec - MUD ; 'sfanslau@oppd.com' (sfanslau@oppd.com); llaster@papionrd.org; Grint, Amanda; 'Williams, Eric'; Dan Glingtoner; Dr. Kevin Riley; Rod Buethe
Cc: Bruce Fountain; Donna Lynam
Subject: Planning Review - CZ, PP - Bamboo

Richland Homes LLC has submitted applications for consideration of a Change of Zone from AG to RS-72, RD-50, RD-50 PTD and a Preliminary Plat of a subdivision to be known as Bamboo, Lots 1 – 472, inclusive and Outlots A through O, inclusive, being a platting of part of the Southeast Quarter together with Taxlot 6 in the Northeast Quarter all in Section 20, Township 14 North, Range 11 East, of the 6th P.M., Sarpy County, NE. Generally located northwest of 180th Street and Cornhusker Road.
This application is slated for an October 17, 2017 Public Hearing before the Sarpy County Planning Commission, therefore we would like to have any comments back prior to September 26, 2017. Note: If additional information is needed to complete your review, please contact our office to request.

Thank you,

Kelly Jeck
Planning & Zoning Assistant
Sarpy County Planning Department
1210 Golden Gate Drive
Papillion, NE 68046
kjeck@sarpy.com
The drainage report provided for review was based on the assumption that the soils on the site are Hydrologic Soil Group B soils. The NRCS Web Soil Survey shows that the majority of this soils on this site are Hydrologic Soil Group C. This can affect the stormwater calculations in the preliminary drainage report and should be revised to reflect actual site conditions.

Lori Ann Laster, P.E., CFM
Stormwater Management Engineer
Papio-Missouri River Natural Resources District

Richland Homes LLC has submitted applications for consideration of a Change of Zone from AG to RS-72, RD-50, RD-50 PTD and a Preliminary Plat of a subdivision to be known as Bamboo, Lots 1 - 472, inclusive and Outlots A through O, inclusive, being a platting of part of the Southeast Quarter together with Taxlot 6 in the Northeast Quarter all in Section 20, Township 14 North, Range 11 East, of the 6th P.M., Sarpy County, NE. Generally located northwest of 180th Street and Cornhusker Road.

This application is slated for an October 17, 2017 Public Hearing before the Sarpy County Planning Commission, therefore we would like to have any comments back prior to September 26, 2017. Note: If additional information is needed to complete your review, please contact our office to request.

Thank you,

Kelly Jeck
Planning & Zoning Assistant
Sarpy County Planning Department
1210 Golden Gate Drive
Papillion, NE 68046
kjeck@sarpy.com
September 20, 2017

Pat Hillyer  
Lamp Rynearson and Associates  
14710 West Dodge Road, Suite 100  
Omaha, NE 68154

RE: BAMBOO CHANGE OF ZONE AND PRELIMINARY PLAT SUBMITTAL

Our office is in receipt of a submittal requesting approval of a Change of Zone and a Preliminary Plat for a development to be known as Bamboo, Lots 1 – 472 and Outlots A – O. The Sarpy County Planning Department has reviewed the proposal and has the following comments:

Change of Zone:
- Staff has determined that it would be better to amend the PD Planned Development District rather than the Planned Townhouse Development District to incorporate the 40 foot lots widths. Please make note the zoning change will now be RD-50/PD
- Please provide an exhibit identifying those areas to be zoned RD50-PD, RD50, and RS72

Preliminary Plat:
- Is the proposed name of Bamboo going to be the name of the plat?
- Correction in Legal Description Tax Lot C to Tax Lot 6 (this was previously brought to your attention). We will need full size copies of revised documents for file as well as any revised exhibits.
- Draft Subdivision Agreement must be included with submittal (Sarpy County Zoning Regulations 6.2.13)
- The Bamboo development will be responsible for participating in roadway improvements on both 180th Street and Cornhusker Road. This will include that frontage along Tax Lot 4 and Tax Lot 1B located on the southeast corner of the property and Lot 1 Barkley’s Hilltop located in the southwest corner of the development.
- Landscape Plan. Sarpy County Zoning Regulations 37.3 requires a 20 foot landscaped buffer adjacent to all arterial streets (Cornhusker Road and S 180th Street).
  - Plant materials shall be a combination of deciduous and conifer trees with a minimum placement of one tree for every thirty feet.
  - Landscaped earth berm, not exceeding 6 feet in height, may be used in combination with plant materials,
  - No fence shall be placed within the 20 foot landscape buffer. Does the developer have a plan for a common fence type long the Cornhusker Road and 180th Street frontages and how will the “no fence within the 20’ buffer be enforced without an outlot?
- We would recommend additional landscaping along the common boundary line of the OPPD Substation. (Sarpy County Zoning Regulations 37.4)
- It appears that Outlot B provides an area for the proposed trail along the future 186th Street roadway. Outlot B is only adjacent to Lots 1-7. There is no outlot adjacent to Lots 140-151 and 165-172 for the location of the proposed trail. Where will the proposed trail be constructed?
- Please be sure to upload your Post Construction Stormwater Management Plan to the Omaha Permix Website for review and approval.
- Please provide a draft copy of any private restrictions or covenants that are planned for this development.
- Please provide an approved copy of the Wastewater Service Agreement with the City of Gretna. An approved WWSA will need to be submitted with the Final Plat Application for it to be considered a complete submittal.
- Please provide a complete electronic copy of the revised documents as well as a revised paper set.
- The PMNRD has commented that the Drainage Report provided with the submittal was based on the assumption that the soils on the site are Hydrologic Soils Group B. THE NRCS Soil Survey shows that the majority of the soils on the site are Hydrologic Soils Group C which can affect the storm water calculations in the preliminary drainage report. This should be revised to reflect actual site conditions.

These are comments following the review of the Planning Department and NRD only. We will route the submittal for review and forward any additional comments that may be brought to our attention as soon as we receive them. Please submit your response to the items noted above to our office at your earliest convenience.

Please contact Bruce Fountain, Planning Director, or myself at 402-593-1555 if you have any questions.

Respectfully,

Donna Lynam
Assistant Director
Sarpy County Planning and Building

cc Bruce Fountain, Planning Director
File
October 4, 2017

Ms. Donna Lynam
Planning and Building
1210 Golden Gate Drive
Papillion, NE 68046

REFERENCE: Aspen Falls {Formerly Bamboo)
Change of Zone and Preliminary Plat Submittal
LRA Job No. 0117063.01-002

Dear Ms. Lynam:

The following are Lamp Rynearson’s responses to your letter, dated September 20, 2017. Submitted herewith are documents addressing the comments. Documents enclosed are as follows:

1. Full-size Drawing of the Preliminary Plat – 3 copies.
2. Reduced-size Drawing of the Preliminary Plat (8½” x 11”) – 1 copy.
3. Full-size Drawing of the Preliminary Plat with Zoning – 3 copies.
4. Preliminary Drainage Study – 1 copy.
5. Draft Subdivision Agreement – 1 copy.
6. CD containing PDF of copies of submittal drawings.

CHANGE OF ZONE

1. Staff has determined that it would be better to amend the PD Planned Development District rather than the Planned Townhouse Development District to incorporate the 40 foot lots widths. Please make note the zoning change will now be RD-50/PD.

   RESPONSE: Agreed. The plat has been updated to identify lots as Zoning RD-50/PD.

2. Please provide an exhibit identifying those areas to be zoned RD50-PD, ROSO, and RS72.

   RESPONSE: Agreed. Exhibit is attached.

PRELIMINARY PLAT

1. Is the proposed name of Bamboo going to be the name of the plat?

   RESPONSE: Bamboo was used as a temporary name. The proposed name of the Subdivision is now Aspen Falls. The plat has been updated.

2. Correction in Legal Description Tax Lot C to Tax Lot 6 (this was previously brought to your attention). We will need full size copies of revised documents for file as well as any revised exhibits.

   RESPONSE: The plat has been updated.

3. Draft Subdivision Agreement must be included with submittal (Sarpy County Zoning Regulations 6.2.13)
RESPONSE: A draft agreement is included using the Sarpy County template.

4. The Bamboo development will be responsible for participating in roadway improvements on both 180th Street and Cornhusker Road. This will include that frontage along Tax Lot 4 and Tax Lot 1B located on the southeast corner of the property and Lot 1 Barkley’s Hilltop located in the southwest corner of the development.

RESPONSE: We will work with Sarpy County public works on appropriate estimates for the two contributions, but the current Source and Use of Funds does illustrate contributions to the 180th and Cornhusker Road arterials.

5. Landscape Plan. Sarpy County Zoning Regulations 37.3 requires a 20-foot landscaped buffer adjacent to all arterial streets (Cornhusker Road and S 180th Street).

RESPONSE: Agreed. The original plat shows a 20’ landscape screen along 180th Street and Cornhusker Road.

6. Plant materials shall be a combination of deciduous and conifer trees with a minimum placement of one tree for every thirty feet.

RESPONSE: Agreed. We will coordinate with the developer on the types of trees to be proposed for the landscape screen.

7. Landscaped earth berm, not exceeding 6 feet in height, may be used in combination with plant materials.

RESPONSE: Agreed. We will coordinate with the developer on the type of landscaping to be proposed for the landscape screen.

8. No fence shall be placed within the 20-foot landscape buffer. Does the developer have a plan for a common fence type long the Cornhusker Road and 180th Street frontages and how will the “no fence within the 20’ buffer be enforced without an outlot?

RESPONSE: The Developer will have one fence type along the arterial roads per the Developer’s specification and the “no fence” within the buffer will be enforced by covenant.

9. We would recommend additional landscaping along the common boundary line of the OPPD Substation. (Sarpy County Zoning Regulations 37.4).

RESPONSE: The plat proposes a minimum 50’ outlot adjacent to the existing the OPPD substation. This outlot is proposed to be landscaped and graded to be a screen between the neighborhood and the substation.

10. It appears that Outlot B provides an area for the proposed trail along the future 186th Street roadway. Outlot B is only adjacent to Lots 1-7. There is no outlot adjacent to Lots 140-151 and 165-172 for the location of the proposed trail. Where will the proposed trail be constructed?

RESPONSE: Proposed Trail within Aspen Falls (Bamboo) is planned to continue the 186th Street trail from Aspen Creek North. The trail within 186th Street adjacent to Lots 140-151 and 165-172 will be within the Right-of-Way of 186th Street.
11. Please be sure to upload your Post Construction Stormwater Management Plan to the Omaha Permix Website for review and approval.

RESPONSE: The PCSM Plan for Aspen Falls will be submitted after the final design plans for grading are completed.

12. Please provide a draft copy of any private restrictions or covenants that are planned for this development.

RESPONSE: Draft covenants for the development shall be provided at time of the final plat.

13. Please provide an approved copy of the Wastewater Service Agreement with the City of Gretna. An approved WWSA will need to be submitted with the Final Plat Application for it to be considered a complete submittal.

RESPONSE: Coordination with the City of Gretna shall be done prior to the Final Plat application.

14. Please provide a complete electronic copy of the revised documents as well as a revised paper set.

RESPONSE: Agreed.

15. The PMNRD has commented that the Drainage Report provided with the submittal was based on the assumption that the soils on the site are Hydrologic Soils Group B. THE NRCS Soil Survey shows that the majority of the soils on the site are Hydrologic Soils Group C which can affect the storm water calculations in the preliminary drainage report. This should be revised to reflect actual site conditions.

RESPONSE: Soil type has been updated and updated Drainage study is attached.

Thank you for your attention to this project.

Sincerely,

Patrick C. Hillyer, P.E., LEED® AP
Project Manager

c Bruce Fountain
   Jerry Torczon
   Pat Sullivan

Enclosures

cm/L\Engineering\0117063 Project Bamboo\ADMIN\RSP Lynam 170921.docx
Vicinity Map - Current Zoning

Part of the SE ¼ together with Taxlot 6 in the NE ¼, all in 20-14-11
Bamboo

Legend

Zoning Classification

- HC - Highway Corridor Overlay District
- PD - Planned Development District
STATE OF NEBRASKA \\
County of Sarpy \\

AFFIDAVIT OF PUBLICATION

Being duly sworn, upon oath, Michael Harrington deposes and says that he is the Accounting Manager or Laura Estep-Bronk deposes and says that she is a Sales Representative or Ron Petak deposes and says that he is the Executive Editor of the Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was published

Wednesday, November 8, 2017

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska.

The above facts are within my personal knowledge.

Michael Harrington
Accounting Manager

Ron Petak
Executive Editor

Laura Estep-Bronk
Sales Representative

Today’s Date 11/8/2017
Signed in my presence and sworn to before me:

Notary Public

GENERAL NOTARY - State of Nebraska
ELIZABETH M WHITE
My Comm. Exp. December 22, 2019

Printer’s Fee $23.38
Customer Number: 40638
Order Number: 0002062136

NOTICE OF PUBLIC HEARING
SARPY COUNTY PLANNING COMMISSION

Notice is hereby given that a regular meeting of the Sarpy County Planning Commission will be held on Tuesday, November 21, 2017, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration.

Frank Sladek has submitted an application for consideration of a Special Use Permit in the AG Agricultural Farming District to allow a commercial recreation and camping area, at 11303, 11411, and 11431 Buffalo Road, legally described as Tax Lots E1, E2, E3; all in Section 33, Township 13N, Range 12E of the 6th P.M. Sarpy County, NE. Generally located southeasterly of 72nd Street and Buffalo Road.

Richland Homes LLC has submitted an application for consideration of a Final Plat of a subdivision to be known as Hills of Aspen Creek (formerly Aspen Falls), Lots 1 - 472 inclusive, being a platting of Tax Lot 1A1 and Tax Lot 1A2 located in the Northeast Quarter, all in Section 20, Township 14 North, Range 11 East, of the 6th P.M., Sarpy County, NE. Generally located northwest of 120th Street and Cornhusker Road.

Sarpy County Planning Department and Sarpy County Public Works Department request approval of text amendments to the following sections of the Sarpy County Subdivision Regulations: Section 10 - Minimum Design Standards.

An agenda for the meeting, kept continually current, is available for inspection at the Sarpy County Planning Department office, Sarpy County Administration Bldg., 1210 Golden Gate Drive, Papillion, NE. 6802136; 11/08
STATE OF NEBRASKA  
County of Sarpy  

Being duly sworn, upon oath, Michael Harrington deposes and says that he is the Accounting Manager or Laura Estep-Bronk deposes and says that she is a Sales Representative or Ron Petak deposes and says that he is the Executive Editor of the Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was

Wednesday, November 29, 2017
Gretna Breeze
Bellevue Leader
Papillion Times
Springfield Monitor

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Signed in my presence and sworn to before me:

Notary Public

Michael Harrington  OR  Ron Petak  OR  Laura Estep-Bronk
Accounting Manager  Executive Editor  Sales Representative

NOTICE OF PUBLIC HEARING
SARPY COUNTY BOARD OF COMMISSIONERS

Notice is hereby given that a regular meeting of the Sarpy County Board of Commissioners will be held on Tuesday, December 12, 2017, at 3:00 P.M. in the Sarpy County Board Room, Sarpy County Administration Building, 1210 Golden Gate Drive, Papillion, NE. A Public Hearing will be held on the following:

Sarpy County Planning Department and Sarpy County Public Works Department request approval of a text amendment to the following section of the Sarpy County Subdivision Regulations: Section 10 - Minimum Design Standards.

Richard Homes LLC has submitted an application for consideration of a Final Plat of a subdivision to be known as Hills of Aspen Creek (formerly Aspen Falls), Lots 1 - 472, inclusive and Outlots A through O, inclusive, being a platting of Tax Lot 1A1 and Tax Lot 1A2 located in the Southeast Quarter, together with Tax Lot 6 located in the South Half of the Northeast Quarter, all in Section 20, Township 14 North, Range 11 East, of the 6th P.M., Sarpy County, NE. Generally located northwest of 180th Street and Cornhusker Road.

Alan Hans has submitted applications for consideration of a Change of Zone from AG to RE2 and a Preliminary Plat of a subdivision to be known as River Ranch, Lots 1 - 9 and Outlot A, being a platting of Tax Lot 7, a tax lot located in the NW 1/4 of Section 11, together with Tax Lot 13A, a tax lot located in the SW 1/4 of Section 11, all located in Township 14 North, Range 11 East, of the 6th P.M., Sarpy County, NE. Generally located northwest of Highway 50 and Rihu Road.

An agenda for the meeting is continually current, is available for inspection at the Sarpy County Planning Department, Sarpy County Administration Bldg., 1210 Golden Gate Drive, Papillion, NE.