BOARD OF COUNTY COMMISSIONERS  
SARPY COUNTY, NEBRASKA  

APPROVE PRELIMINARY PLAT – Southern Pines Replat 3

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 preliminary plats; and

WHEREAS, the applicant, Southern Pines Development LLC applied for approval of a preliminary plat on property generally located southwest of 169th and Giles Road and legally described as follows, hereinafter “the Property”:

Lots 124 through 127, inclusive and Outlot E of Southern Pines Replat 1, a subdivision as surveyed, platted and recorded in Sarpy County, NE, together with part of the right-of-way of S 169th Street.

WHEREAS, the Sarpy County Planning Department staff reviewed the application of the preliminary plat of a subdivision to be known as Southern Pines Replat 3 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 preliminary plat of the subdivision to be known as Southern Pines Replat 3.

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 preliminary plat was held on August 16, 2016 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 preliminary 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 Planning Department staff recommends approval as described in the Planning Department report.

V. The proposed preliminary plat of a subdivision to be known as Southern Pines Replat 3 is in conformity with the Zoning Regulations, the Subdivision Regulations, and the Sarpy County Comprehensive Plan.

BE IT FURTHER RESOLVED THAT the Preliminary Plat of a subdivision to be known as Southern Pines Replat 3 and as further described in the attached Exhibit A is hereby approved subject to the following condition:

1. Without additional action by the County Board, approval of this Resolution 2016-330 shall become void after 12 months from the date of such approval unless either (A) the County Board has approved all of, or a portion of the Preliminary Plat as a Final Plat, or (B) the County Board approves a twelve month extension of the Preliminary Plat approval. Final Plats and Extension requests for the Preliminary Plat approval must be acted upon by the County Board no later than 12 months from the date of this Resolution.

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 13th day of September, 2016.

Sarpy County Board Chairman

Attest

County Clerk
**GENERAL INFORMATION**

A. **APPLICANT:**
   Southern Pines Development LLC – John Allen
   15950 West Dodge Road, Suite 300
   Omaha NE 68118

B. **PROPERTY OWNER:**
   Southern Pines Development LLC
   15950 West Dodge Road, Suite 300
   Omaha NE 68118

C. **SUBJECT PROPERTY LOCATION:** Southwest of 169th and Giles Road.

D. **LEGAL DESCRIPTION:** Being a replatting of Lots 124 through 127, inclusive and Outlot E of Southern Pines Replat 1, a subdivision as surveyed, platted and recorded in Sarpy County, NE, together with part of the right-of-way of S 169th Street.

E. **SUBJECT PROPERTY SIZE:** approximately 5.247 acres

F. **EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:**
   - Future Land Use Designations: Urban Residential
   - Zoning: RS-72 (Single-Family Residential). The property was rezoned from AG (Agricultural) to RS-72 in November of 2006 with Resolution 2006-012.

G. **REQUESTED ACTION(S):** To approve a Preliminary and Final Plat to be known as Southern Pines Replat 3, adjusting the lot lines of 4 parcels and dedicated right-of-way lines, creating no additional lots.

II. **BACKGROUND INFORMATION**

A. **EXISTING CONDITION OF SITE:** Unimproved vacant ground.

B. **GENERAL VICINITY AND LAND USE**
   - North and West: Tillable farm ground
   - East: Meridian Market Place - Undeveloped Commercial Center
   - South: Single-Family Residential

C. **RELEVANT CASE INFORMATION:**
   - The proposed replat is adjusting the lots lines of four platted single-family lots and vacating a portion of the dedicated right-of-way for 169th Street.

D. **APPLICABLE REGULATIONS:**
   - Sarpy County Comprehensive Development Plan
   - Sarpy County Zoning Regulations
   - Section 15, RS-72 Single-family Residential District
   - Sarpy County Subdivision Regulations
III. ANALYSIS / STAFF COMMENTS

A. COMPREHENSIVE PLAN: The Comprehensive Plan shows the area as Urban Residential and the proposed development is consistent with this future land use designation.

B. OTHER AGENCY REVIEW/COMMENTS: The applications were sent to various jurisdictional agencies and departments within Sarpy County that may have an interest. All responses received indicated they had no comments or objections to the applications.

C. GENERAL COMMENTS:
   ▪ 169th Street entrance was originally platted as a boulevard and now is being proposed as a local roadway entrance, therefore requiring the lot lines to be adjusted accordingly.
   ▪ With the lines of the dedicated right-of-way being changed, the plat could not be approved as an Administrative Replat.

IV. PLANNING COMMISSION RECOMMENDATION:
The Planning Commission held public hearings on these applications at their August 16, 2016 meeting and recommended APPROVAL to the County Board.

MOTION: Malmquist moved, seconded by George, to recommend APPROVAL of the proposed preliminary plat of a subdivision to be known as Southern Pines Replat 3. This recommendation is being made as the Preliminary Plat meets the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations. Ballot: Ayes – Korth, Lichter, Huddleston, Whitfield, Ackley, Sotak, Malmquist, Giff, and George. Nays: None. Abstain: None. Absent: Davis and Torczon. Motion carried.

MOTION: Malmquist moved, seconded by George, to recommend APPROVAL of the proposed final plat of a subdivision to be known as Southern Pines Replat 3. This recommendation is being made as the Final Plat meets the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations. Ballot: Ayes – Korth, Lichter, Huddleston, Whitfield, Ackley, Sotak, Malmquist, Giff, and George. Nays: None. Abstain: None. Absent: Davis and Torczon. Motion carried.

V. STAFF RECOMMENDATIONS:
   ▪ Staff recommends APPROVAL of the proposed Preliminary Plat of a subdivision to be known as Southern Pines Replat 3. Staff makes this recommendation as the Preliminary Plat is consistent with the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations.
   ▪ Staff recommends APPROVAL of the proposed Final Plat of a subdivision to be known as Southern Pines Replat 3. Staff makes this recommendation as the Final Plat Plat is consistent with the requirements of the Sarpy County Comprehensive Development Plan, Zoning Regulations, and Subdivision Regulations.

VI. ATTACHMENTS TO REPORT:
1. Application for Preliminary Plat and proposed plat drawing
2. Application for Final Plat and proposed plat drawing
3. Current Zoning Map
4. Current Development Structure Plan – Figure 5.1 of Comprehensive Plan (showing subject property area)
In order for your application to be considered COMPLETE, please answer all applicable questions and provide the following:

1. Completed Preliminary Plat Application
2. Non-Refundable Fee of $________ made payable to Sarpy County
3. Two (2) full sized, folded plat drawings
4. One (1) reduced size site plan drawing (8.5 x 11)
5. One (1) electronic copy of the plat drawing in PDF form
6. One (1) electronic copy in AutoCAD format as required by the County GIS Section (for subdivisions of 20+ lots)
7. Please review Sections 5 and 6 of the Sarpy County Subdivision Regulations for a complete list of Preliminary Plat process and submittal requirements.

APPLICATION FILING FEES – see Sarpy County Master Fee Schedule for the Planning and Building Department

PLANNING STAFF USE ONLY:

APPLICATION #:  PP 14-007
DATE RECEIVED:  7-14-2014
CP DESIGNATION:  Urban Residential
CURRENT ZONING DESIGNATION:  RS-72
PROPOSED ZONING DESIGNATION:  RS-72
APPLICATION FEE:  $300.00  RECEIPT NO.:  2322

RECEIVED BY:  
NOTES:  

APPLICANT INFORMATION:

NAME:  Southern Pines Development, LLC c/o John Allen
E-MAIL:  john.allen@cbshome.com
ADDRESS:  15950 West Dodge Road, Ste 300
OMAHA, NE 68138
CITY/STATE/ZIP:  
MAILING ADDRESS: 
(If different)
PHONE:  402-964-4675
FAX:  402-964-4676

PROPERTY OWNER INFORMATION:  (If multiple owners, please attach separate sheet)

NAME:  Southern Pines Development, LLC
E-MAIL:  john.allen@cbshome.com
ADDRESS:  15950 West Dodge Road, Ste 300
OMAHA, NE 68138
CITY/STATE/ZIP:  
MAILING ADDRESS: 
(If different)
PHONE:  402-964-4675
FAX:  402-964-4676

ENGINEERING/SURVEYING PROFESSIONAL’S INFORMATION:

NAME:  Pat Hillyer
E-MAIL:  pat.hillyer@LRA-Inc.com
ADDRESS:  14710 West Dodge Road
OMAHA, NE 68154
CITY/STATE/ZIP:  
MAILING ADDRESS: 
(If different)
PHONE:  402-496-2498
FAX:  402-496-2730
PROJECT DESCRIPTION: Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets if necessary.

PLEASE NOTE: A detailed project description is essential to the reviewing process of this request.

Southern Pines Replat 3 involves the adjustment of 4 residential lots and vacating ROW along 169th Street.

PLAT INFORMATION: Complete each section in its entirety. If a question is not applicable to your project, please indicate this to show that each question has been carefully considered.

PLAT NAME: Southern Pines Replat 3

ASSessor’S PARCEL NUMBER: 011594797

ADDITIONAL PARCEL NUMBERS 011594798, 011594799, 011594800, and 011594864.

GENERAL LOCATION: Southwest of S. 169th Street and Giles Road (example 189º & Giles Rd)

LEGAL DESCRIPTION: (Describe property to wit:) Northeast quarter of Section 21, Township 14 North, Range 11 East of the 6th P.M. See plat for further description.

SIZE OF PROPERTY: 5.247 acres

CURRENT ZONING: RS-72

REQUESTED ZONING: RS-72

SOURCE OF UTILITY SERVICES:
- Water: MUD
- Gas: Black Hills Energy
- Sewer: City of Gretna
- Electric: OPPD

ADDITIONAL INFORMATION: Please use this space to provide any other information you feel is appropriate for Sarpy County to consider during review of your application. Attach extra sheets if necessary.

A preliminary and final plat are being submitted concurrently for this small subdivision replat with ROW vacation.

PLEASE NOTE THE FOLLOWING PROCEDURES:

1. The Planning Department will review the application material along with other appropriate departments and/or agencies and provide a recommendation report to the Planning Commission and County Board.

2. The Planning Commission will hold a public hearing and make a recommendation to the County Board.

3. The County Board will hold a public hearing and make a final decision on the Preliminary Plat application.

4. All necessary agreements/drawings are to be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the applicant or the property owner.

5. If a Change of Zoning application is applied for concurrently with the Preliminary Plat, the conditional approval of the plat also allows for conditional approval of the rezoning request; however, the rezoning does NOT become official until the Final Plat is approved and filed with the Register of Deeds office.

The applicant (or authorized agent) has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Property Owner/Applicant Signature

Date

I, the undersigned, understand a sign will be posted on my property and will remain until the public hearing process at the Planning Commission and County Board is complete. I further understand the Preliminary Plat process as stated above and I authorize Sarpy County staff to enter the property for inspection related to the specific request during this process.

Property Owner Signature

Date

Property Owner Signature

Date
In order for your application to be considered COMPLETE, please answer all applicable questions and provide the following:

1. Submit complete Final Plat Application
2. Submit Non-Refundable Fee of $600 made payable to Sarpy County
3. Two (2) full sized, folded plat drawings
4. One (1) reduced size site plan drawing (8.5 x 11)
5. One (1) electronic copy of the plat drawing in PDF form
6. One (1) electronic copy in AutoCAD format as required by the County GIS Section (for subdivisions of 20+ lots)
7. Please review Sections 7 and 8 of the Sarpy County Subdivision Regulations for a complete list of Final Plat process and submittal requirements.

APPLICATION FILING FEES – see Sarpy County Master Fee Schedule for the Planning and Building Department

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PLANNING STAFF USE ONLY:

APPLICATION #: EP 16-008
DATE RECEIVED: 7-19-2014
CP DESIGNATION: Urban Residential
CURRENT ZONING DESIGNATION: RE-72
PROPOSED ZONING DESIGNATION: RE-72
APPLICATION FEE: $300 RECEIPT NO. 2322
RECEIVED BY: ____________________________
NOTES: ____________________________

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APPLICANT INFORMATION:

NAME: Southern Pines Development, LLC c/o John Allen  E-MAIL: john.allen@cbshome.com
ADDRESS: 15950 West Dodge Road, Ste 300  CITY/STATE/ZIP: Omaha, NE 68118
MAILING ADDRESS:  (IF DIFFERENT)
PHONE: 402-964-4675  FAX: 402-964-4676

PROPERTYOWNER INFORMATION: (If multiple owners, please attach separate sheet)

NAME: Southern Pines Development, LLC  E-MAIL: john.allen@cbshome.com
ADDRESS: 15950 West Dodge Road, Ste 300  CITY/STATE/ZIP: Omaha, NE 68118
MAILING ADDRESS:  (IF DIFFERENT)
PHONE: 402-964-4675  FAX: 402-964-4676

ENGINEERING/SURVEYING PROFESSIONAL'S INFORMATION:

NAME: Pat Hillyer  E-MAIL: pat.hillyer@ira-inc.com
ADDRESS: 14710 West Dodge Road  CITY/STATE/ZIP: Omaha, NE 68154
MAILING ADDRESS:  (IF DIFFERENT)
PHONE: 402-496-2498  FAX: 402-496-2730
PROJECT DESCRIPTION: Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets if necessary.
PLEASE NOTE: A detailed project description is essential to the reviewing process of this request.
Southern Pines Replat 3 involves the adjustment of 4 residential lots and vacating ROW along 169th Street.

PLAT INFORMATION: Complete each section in its entirety. If a question is not applicable to your project, please indicate this to show that each question has been carefully considered.

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011594800, and 011594864
ADDITIONAL PARCEL NUMBERS 011594798, 011594799,

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(example 189th & Giles Rd)

LEGAL DESCRIPTION: (Describe property to wit:) Northeast quarter of Section 21, Township 14 North, Range 11 East of the 6th P.M. See plat for further description.

SIZE OF PROPERTY:  5.247  acres
CURRENT ZONING:  RS-72
REQUESTED ZONING:  RS-72

SOURCE OF UTILITY SERVICES:
Water - MUD
Gas - Black Hills Energy
Sewer - City of Gretna
Electric - OPPD

ADDITIONAL INFORMATION: Please use this space to provide any other information you feel is appropriate for Sarpy County to consider during review of your application. Attach extra sheets if necessary.
Southern Pines Replat 3 involves the adjustment of 4 residential lots and vacating ROW along 169th Street.

PLEASE NOTE THE FOLLOWING PROCEDURES:
1. The Planning Department will review the application material along with other appropriate departments and/or agencies and provide a recommendation report to the Planning Commission and County Board.
2. The Planning Commission will hold a public hearing and make a recommendation to the County Board.
3. The County Board will hold a public hearing and make a final decision on the Final Plat application.
4. All necessary agreements/drawings are to be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the applicant or the property owner.
5. Upon approval of the Final Plat, a certification of approval by the Board shall be endorsed thereon by the County Clerk, and eight (8) copies of the Final Plat shall be filed with the Register of Deeds office within 90 days. (3 mylar and 5 paper copies with signatures).
6. If a Change of Zoning application is applied for concurrently with the Preliminary Plat or Final Plat, the conditional approval of the plat also allows for conditional approval of the rezoning request, however, the rezoning does NOT become official until the Final Plat is approved and filed with the Register of Deeds office.

The applicant (or authorized agent) has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Property Owner/Applicant Signature

Date

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Property Owner Signature

Date

Property Owner Signature

Date
Vicinity Map - Current Zoning
Southern Pines Replat 3
AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA  
|  
County of Sarpy  
|  

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher 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 printed in the said newspaper once each week, the first insertion having been on:

Wednesday, August 3, 2016  
Bellevue Leader  
Gretna Breeze  
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.

Shon Barenklau  OR  Ron Petak  
Publisher  or  Executive Editor

Today's Date  
Signed in my presence and sworn to before me:

Notary Public

GENERAL NOTARY - State of Nebraska  
LAURA A. ESTEP-BRONK  
My Comm. Exp. October 21, 2017

Printer's Fee  $ 19.85  
Customer Number:  40638  
Order Number:  0001967630
STATE OF NEBRASKA  }  
} SS.  
County of Sarpy  

Being duly sworn, upon oath, Shon Barenkla depoies and says that he is the 
Publisher 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 
printed in the said newspaper once each week, the first insertion having being on: 

Wednesday, August 31, 2016 
Bellevue Leader 
Grettna Breeze 
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. 

Shon Barenkla  OR  Ron Petak 
Publisher  Executive Editor 

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, 
September 13, 2016, 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: 

John and Sherry Simons have submit 
ted an application for consideration of a 
Special Use Permit to allow open stor 
age of recreational vehicles and trailers, 
pursuant to 9.2.10 in AG Agricultural 
Farming District at 1900S 31 1/2E, 
legally described as That Part of Tax Lot 
1A/11B Lying S of W HWY 31 in Section 
18, Township 12N, Range 1E of the 6th 
P.M., Sarpy County, NE. Generally locat 
ed southwest of S 190th Street and W 
HWY 31. 

Southern Pines Development, LLC 

/6 John Allen has submitted applications 
for consideration of a Preliminary Plat and 
Final Plat of a subdivision to be known as 
Southern Pines Replat 3, Lots 1 - 4, inclus 
ive and Outlot A, being a replatting of 
Lots 124 through 127, inclusive and 
Outlot E of Southern Pines Replat 1, a 
subdivision as surveyed, platted and re 
corded in Sarpy County, NE, together 
with part of the right-of-way of S 169th 
Street. Generally located southwest of S 
169th Street and Giles Road. 

An agenda for the meeting, kept con 
tinually current, is available for inspection 
at the Sarpy County Planning Depart 
ment, Sarpy County Administration Bldg., 
1210 Golden Gate Drive, Papillion, NE. 
1873963: 831 

Printer's Fee  $ 18.97 
Customer Number:  40638 
Order Number:  0001973963