

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION CHANGE OF ZONE

APPLICANT: BOYER YOUNG DEVELOPMENT;
CHANGE OF ZONE FROM AG, AGRICULTURAL TO
RD-50, TWO FAMILY RESIDENTIAL AND RG-15, GENERAL RESIDENTIAL

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2007), 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 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the County Board of Commissioners has the authority to adopt a Zoning Regulation, which shall have the force and effect of law pursuant to Neb. Rev. Stat. § 23-114 (Reissue 2007); and,

WHEREAS, said Zoning Regulations require the County Board of Commissioners to approve Change of Zone Applications; and

WHEREAS, Rebecca Horner, Planning Director has reviewed the Boyer Young Development application for a Change of Zone from AG, Agricultural to RD-50, Two Family Residential and RG-15, General Residential for compliance with the Sarpy County Comprehensive Plan and the Sarpy County Zoning Regulations on the property legally described as follows:

Tax lots 8 & 9, located in the SW ¼ of Section 17, Township 14N, Range 11E of the
6th P.M. Sarpy County, Nebraska.

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

- I. A public hearing regarding the Change of Zone Application was held before the Sarpy County Planning Commission on November 19, 2008 and further, the Planning Commission gave their recommendation.
- II. A public hearing regarding the Change of Zone Application was held by this Board.
- III. Notice of each of the Public Hearings described above was published at least once in the ten (10) day period immediately prior to each respective public hearing as required by Neb. Rev. Stat. §23-164 (Reissue 1997), and the proof of publication has been filed in the Office of the Sarpy County Clerk.
- IV. The Planning Director has made a recommendation as noted in the attached Exhibit "A", which Exhibit "A" includes the Planning Director report.
- V. The Change of Zone Application is in compliance with the Comprehensive Development Plan.

FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the Change of Zone from AG, Agricultural to RD-50, Two Family Residential and RG-15, General Residential on the above described property.

Dated this 5th day of May, 2009.

Moved by Rich Jansen seconded by Rusty Hike, that
the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

Debra J. Noughtaling
Rich Jansen
Don Jones
Tom Richard
Patrick J. Chomse

none

none

ABSTAIN:

none



Debra J. Noughtaling
County Clerk

Approved as to form:

Mark O'D
County Attorney

Sarpy County Board of Commissioners Report
May 5, 2009

Exhibit A

Subject	Type	By
Change of Zone for Whitetail Creek is a request to approve a change of zone from AG (Agricultural) to RD-50 (Two-Family Residential) and RG-15 (General Residential) on tax lots 8 & 9, located in the SW ¼ of Section 17, Township 14N, Range 11E of the 6 th P.M. Sarpy County, Nebraska.	Resolution and public hearing	Rebecca Horner, Planning Director

This is a request for approval of a Change of Zone to RD-50 and RG-15 in conjunction with the Whitetail Creek Comprehensive Plan Amendment and Preliminary Plat at approximately 192nd and Giles Road.

• Change of Zoning

- The Comprehensive Plan shows the area as Mixed Use Center, Urban Residential, Urban Residential II and Park/School. (Figure 5.1)
- The Comprehensive Plan Amendment, if approved, indicates the area as Urban Residential, Urban Residential II and Park/School.
- The existing zoning is AG, Agricultural.
- The proposed zoning is RD-50, Two-Family Residential district and RG-15, General Residential.
- The RD-50 district provides for "single and two family residential developments in areas with adequate public facilities and supporting uses near population centers". (Page 31, zoning regulations).
- The RD-50 district permits single and two family dwellings. The RG-15 district permits multiple family dwellings.
- RD-50 and RG-15 are Urban Residential Districts and are in conformance with the Comprehensive Plan Amendment.
- The lots are approximately 5,000 square feet which is the minimum lot area required for the RD-50 district.

• Planning Commission Action

- On November 19, 2008, The Planning Commission voted unanimously (7-0) to recommend approval of the change of zone, contingent upon meeting all stipulations of the Planning Department prior to scheduling to the County Board.
- **Gonzalez** moved, seconded by **Bliss** to recommend approval of the Change of Zone AG, Agricultural to RD-50 Two-Family Residential and RG-15, General Residential, meeting all stipulations of the Planning Department and to settle all outstanding issues prior to moving forward to the County Board based on the recommendation of the Planning Director. Ballot: Ayes – Bliss, Gonzalez, Gross, Krebs, Torczon, Wees, Whitfield. Nays – None. Abstain – none. Absent – Dunbar, Fenster, Marquardt and Wear.
Motion carried.

• Recommendation

- For the above stated reasons, I recommend approval to the Change of Zone due to compatibility with the amended Comprehensive Development Plan and the Sarpy County Zoning and Subdivision Regulations.

Respectfully submitted by:



Rebecca Horner
Planning Director

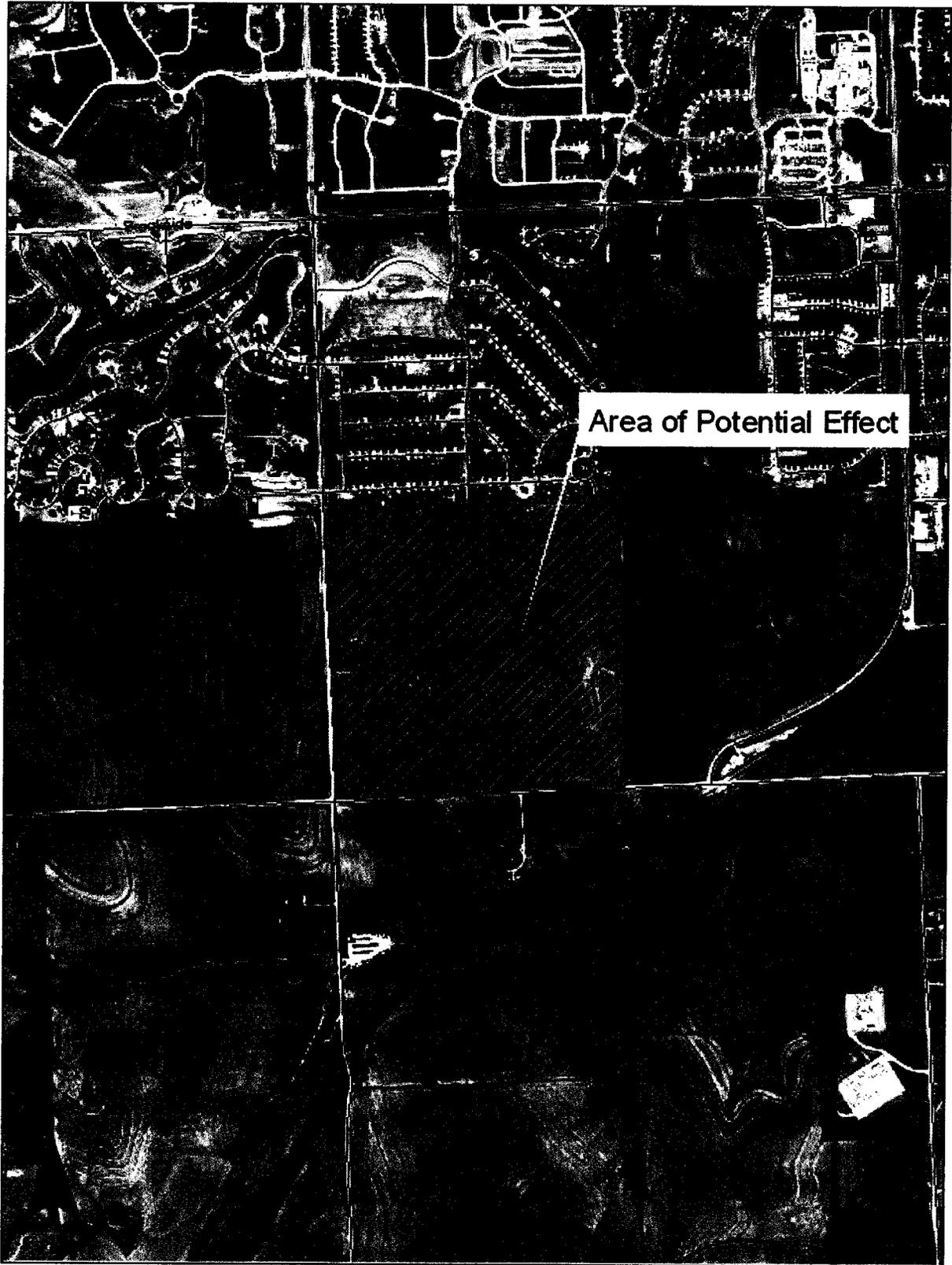
Additional Information

SARPY COUNTY BOARD OF COMMISSIONERS

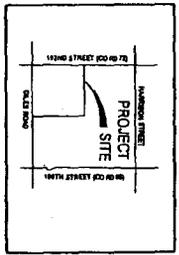
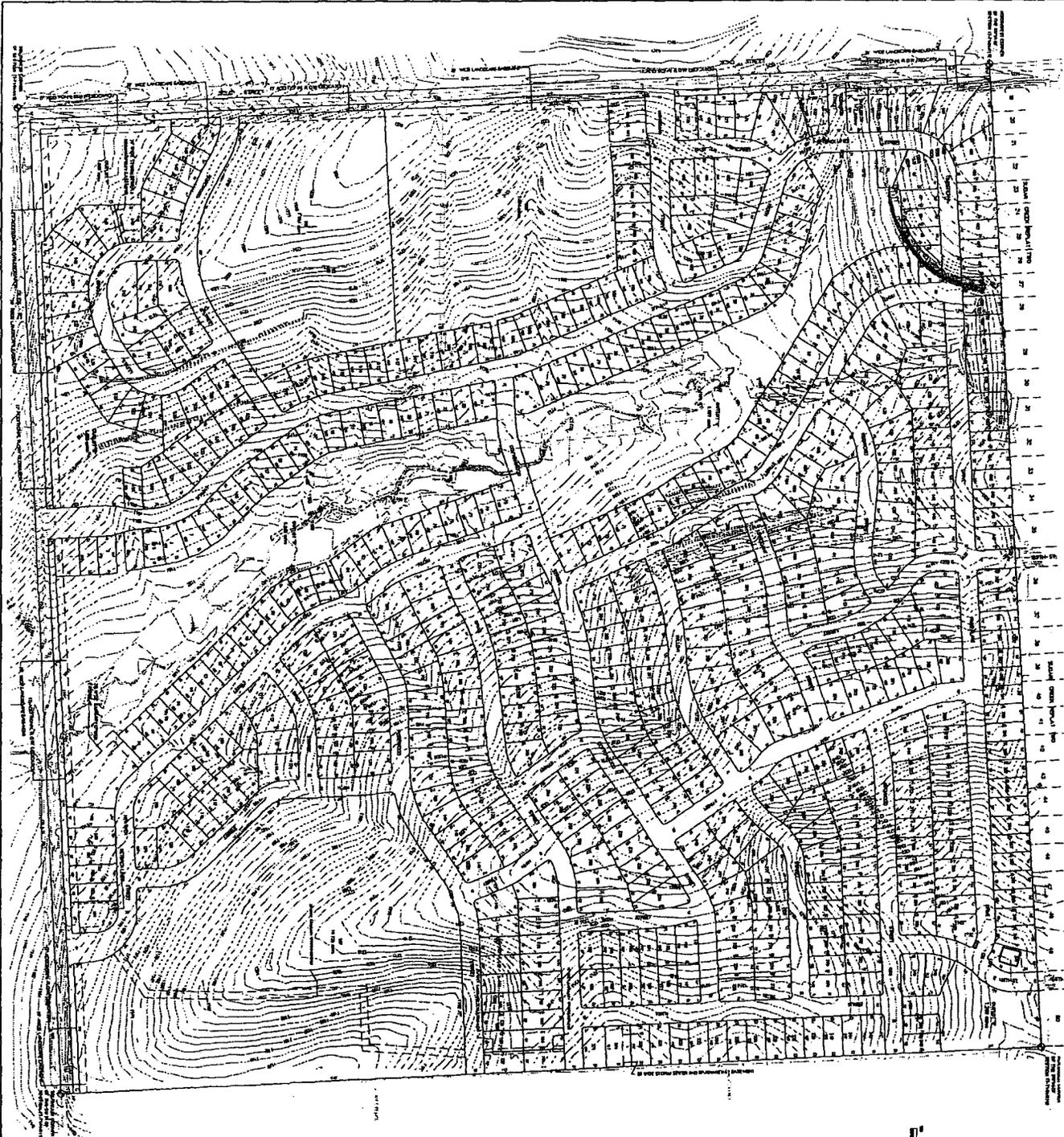
MAY 5, 2009

CHANGE OF ZONE

WHITETAIL CREEK



Whitetail Creek



LEGAL DESCRIPTION:
 A TRACT OF LAND LOCATED IN THE TOWNSHIP 11, RANGE 4 NORTH, RANGE 11 EAST, OF THE 5TH P.M. PLAT, SHERIDAN COUNTY, MONTANA, CONTAINING AN AREA OF 80.00 ACRES, MORE OR LESS.

DEEDS:
 1. DEED TO THE SHERIDAN COUNTY WATER TREATMENT PLANT, SHERIDAN COUNTY, MONTANA, DATED 10/15/1998.

GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.

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Project No.	250001
Client	XXXXXX
Project Name	XXXXXX
City	XXXXXX
State	MT
Date	4/27/09
Scale	AS SHOWN
Sheet No.	1 of 1

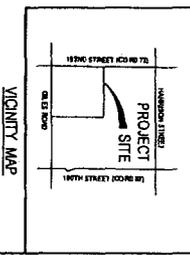
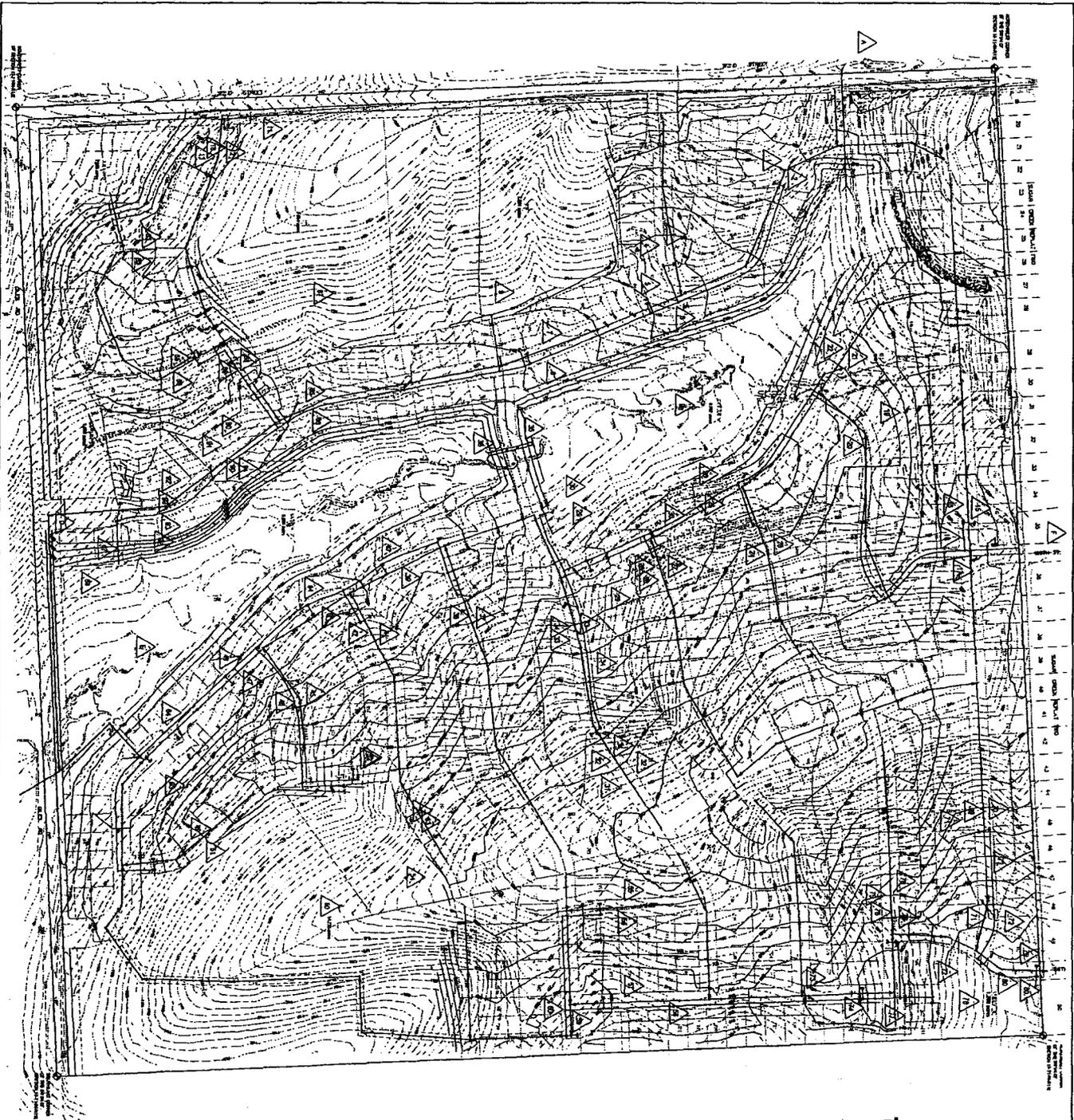
PRELIMINARY PLAT

WHITETAIL CREEK
 SHERIDAN COUNTY, MONTANA



E&A CONSULTING GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS

1000 N. 10th Street, Suite 100
 Helena, MT 59601
 Phone: (406) 443-2222
 Fax: (406) 443-2222



Project No.	250-001
Date	1/10/2009
Drawn By	MS/MS
Scale	1" = 100'
Sheet	1 of 1

DRAINAGE STUDY

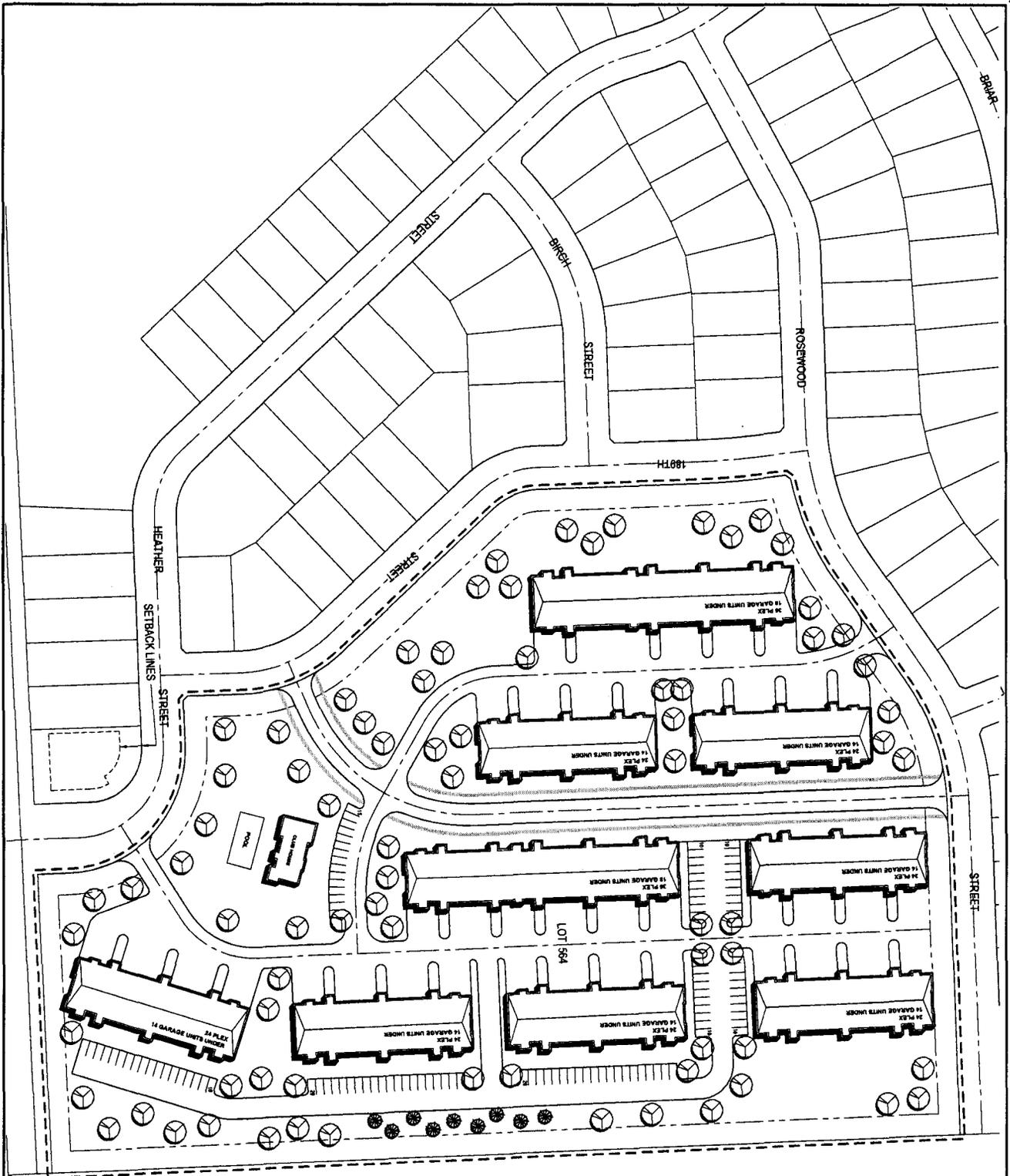
WHITETAIL CREEK
SARPY COUNTY, NEVADA



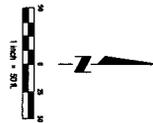
E&A CONSULTING GROUP, INC.
ENGINEERS • PLANNERS • SURVEYORS

1000 S. STEWART
SUITE 100
LAS VEGAS, NV 89102
PHONE: 702.735.1000
FAX: 702.735.1001

1100 SOUTH 20TH STREET, SUITE 100
LAS VEGAS, NV 89102
PHONE: 702.735.1000
FAX: 702.735.1001



DEVELOPMENT ANALYSIS:	
TOTAL AREA	14.7 AC
TOTAL UNITS	264
DENSITY	17.9 UNITS/AC
USES	
RESIDENTIAL	7
CLUB HOUSE	1
TOTAL BUILDINGS	10
PARKING	
STREET	262
CHANGING	194
TOTAL PARKING	396
LOTTO	13 SPACES/LIMIT



Project No.	PT066-204-01
Date	02/20/2008
Drawn By	JMT
Scale	1" = 50'
Sheet	1 of 1

CONCEPT PLAN

WHITETAIL CREEK
SARPY COUNTY, NE



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES

33 NORTH 117TH STREET OMAHA, NE 68154
PHONE: (402) 896-4700 FAX: (402) 896-5899
www.eacg.com

**SARPY COUNTY
PLANNING COMMISSION
STAFF REPORT
NOVEMBER 19, 2008
COMPREHENSIVE PLAN AMENDMENT - CPA 08-0050
CHANGE OF ZONE - CZ 08-0051
PRELIMINARY PLAT WHITETAIL CREEK PP - 08-0052**

I. GENERAL INFORMATION

A. APPLICANT:

Boyer Young Development
9719 Giles Road
La Vista, NE 68128

B. PROPERTY OWNER:

Boyer Young Farm, LLC

C. LOCATION:

192nd and Giles Road.

D. LEGAL DESCRIPTION:

Tax Lots 8 & 9, located in the SW ¼ of Section 17, Township 14N, Range 11E of the 6th prime meridian, Sarpy County.

E. REQUESTED ACTION:

To approve a comprehensive plan amendment from Mixed Use Center, Urban Residential, Urban Residential II and Park/School to Urban Residential, Urban Residential II and Park/School as shown in the attached map.

To approve a change of zone from AG, Agricultural to RD-50, Two Family Residential and RG-15, General Residential.

To approve a preliminary plat for 560 single family lots, a multi-family residential lot with 264 units, one school lot, and two park lots.

F. EXISTING ZONING AND LAND USE:

Undeveloped, AG, Agricultural.

G. SIZE OF SITE:

160 acres, more or less.

II. BACKGROUND INFORMATION

A. COMPREHENSIVE PLAN SPECIFICATIONS:

The Comprehensive Plan shows the area as Mixed Use Center, Urban Residential, Urban Residential II and Park/School. (Figure 5.1)

The neighborhood unit organizes urban density that relates to residential areas, neighborhood parks and schools, and commercial or multi-use centers. (Page 79)

"A civic heart of the neighborhood, including a neighborhood park of at least ten acres and a potential school site. Diagrammatically, the civic heart is located as close to the center of the neighborhood as possible, although topography, development design and land availability may cause its location to vary". (Page 79)

192nd Street is classified as a local road in the 2003 Functional Road Classification (Figure 6.1). 192nd Street is presently a two lane road.

Giles Road is classified as a local street in the 2003 Functional Road Classification (Figure 6.1). Giles Road is presently a two lane road.

B. EXISTING CONDITION OF SITE: Undeveloped. A drainage area cuts through the middle of the site.

C. GENERAL VICINITY AND LAND USE:

Single Family Residential, zoned RS-72 to the north.

Undeveloped, zoned AG to the south.

Undeveloped, zoned AG to the east.

Undeveloped, zoned AG to the west.

D. RELEVANT CASE HISTORY:

The applicant had a pre-application meeting with Planning Department staff to discuss the requested comprehensive plan amendment.

E. APPLICABLE REGULATIONS:

Zoning Regulations, Subdivision Regulations and Comprehensive Plan.

III. ANALYSIS AND DEVELOPMENT ALTERNATIVES

STAFF COMMENTS:

A. REQUEST: This is a request to amend the land use designation in the Comprehensive Plan, change the zoning and approve a preliminary plat for Whitetail Creek.

B. LAND USE/COMPREHENSIVE PLAN: The Comprehensive Plan in this location indicates all four corners of 192nd and Giles as Mixed Use. Often the Comprehensive Development Plan will denote commercial generally at the intersection of major roads such as 192nd and Giles yet the Comprehensive Plan will not anticipate the final growth to include commercial at all four corners of these intersections. In anticipation of commercial at these locations, without dictating which corners will include mixed use the plan remains vague and relies on staff analysis of a comprehensive plan amendment at the time of a land use application.

The applicant has already negotiated the school site with the school district. The location of the school varies slightly than the Land Use Plan in the Comprehensive Plan and Planning Staff recognizes that the school district can best identify the location for each type of school facility.

C. GENERAL:

1. Comprehensive Plan Amendment:

- a. This proposed amendment to remove mixed use from the land use designation appears to be in conformance with the Comprehensive Plan Goals. The development alternative includes a mix of residential land uses including school, park, single and multi family residential. Future commercial on one of the other three remaining corners of the intersection will provide necessary neighborhood commercial for the area.

2. Change of Zone:

- a. The proposed zoning is RD-50, Residential district. The RD-50 district provides for "single and two family residential developments in areas with adequate public facilities and supporting uses near population centers".
(Page 31, zoning regulations).
- b. The RD-50 district permits single and two family dwellings. The RG-15 district permits multiple family dwellings.
- c. RD-50 and RG-15 are Urban Residential Districts and in conformance with the Comprehensive Plan Amendment.
- d. The lots are approximately 5,000 square feet which is the minimum lot area required for the RD-50 district.

3. Preliminary Plat:

- a. The applicant provided a conceptual layout for a multiple family lot. The concept appears to be in conformance with the Zoning Regulations; however a more detailed plan must be submitted with the building permit to ensure complete compliance. The density of the lot is proposed to be approximately 18 dwelling units per acre, which is less than the maximum allowed density of the district. The Zoning Regulations require two parking stalls per dwelling unit. The parking as shown on the concept plan does not meet the minimum required parking.
- b. The plat indicates additional right of way dedication along Giles Road and 192nd Street. The subdivision agreement needs to include participation in the improvement of Giles Road and future pedestrian signal for the school.
- c. Direct vehicular access is restricted except as shown on the plat at existing intersections. Park and school access will be from the interior of the neighborhood and is preferred to prevent traffic flow on the major roads abutting the subdivision.
- d. The Sarpy County Surveyor requested the applicant work with the church on the west side of 192nd Street relative to the location of Redwood Street. The plat was revised to show this connection.
- e. The Omaha Fire Department responds to this area for emergencies. They require an approved water supply.

- f. A couple of the blocks exceed the maximum 800' length. In the case of the blocks that abut the drainage way, abutting existing blocks and along major roads where access is restricted block lengths are necessary.
- g. Blocks that are longer than 500' may be required to include pedestrian walks to facilitate circulation. The plat shows a pedestrian easement through the drainage way as an alternative to providing a road access in order to provide access for students walking to the school.
- h. A landscape plan was provided and shows the buffer with trees.

4. General

- a. The City of Papillion had several comments which are attached.
- b. The Sarpy County Sheriff had no comments.
- c. Comments were not received by the Natural Resources District. Revisions may be necessary based on NRD comments.
- d. A subdivision agreement is required prior to scheduling to County Board.

IV. RECOMMENDATION: Recommend approval to the Comprehensive Plan Amendment as it is in conformance with the goals and objectives of the Comprehensive Plan.

Recommend approval to the change of zone from AG, Agricultural to RD-50, Two Family Residential and RG-15, General Residential.

Recommend approval to the preliminary plat for Whitetail Creek provided that staff comments are resolved prior to scheduling to the County Board.

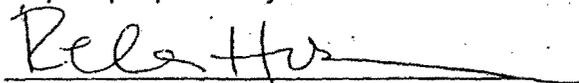
V. COPIES OF REPORT TO:

Applicant
Public upon request

VI. ATTACHMENTS:

Application
Associated materials
Site Plan
Aerial

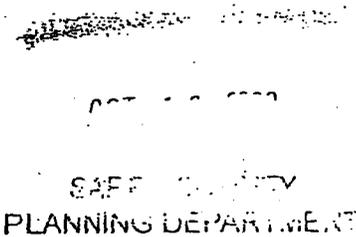
Report prepared by:


Rebecca Horner, Planning Director

SARPY COUNTY Planning and Building Department

Application for Zoning and/or Platting

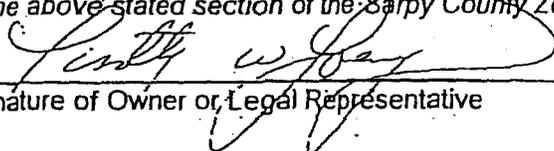
INSTRUCTIONS: Please see detailed instructions on completing this form.

<p>APPLICATION FOR: (Pursuant to Section 43 of the Sarpy County Zoning Ordinances and/or Section _____ of the Subdivision Regulations)</p> <p><input checked="" type="checkbox"/> Change of Zone from <u>AG to RD-50 & RG-15</u></p> <p><input type="checkbox"/> Preliminary Plat: _____</p> <p><input type="checkbox"/> Final Plat: _____</p> <p><input type="checkbox"/> Other: _____</p> <p>Legal Description (describe property to wit):</p> <p>A tract of land located in the SW1/4 of Sec 17, Twp 14 N, Rng 11 E of the 6th P.M., Sarpy County, Nebraska</p> <div style="text-align: center; margin-top: 20px;">  <p>SARPY COUNTY PLANNING DEPARTMENT</p> </div>	<p>Property Owner or Business Name:</p> <p><u>Boyer Young Development Co.</u></p> <p>Address: <u>9719 Giles Road</u></p> <p>City, St, Zip: <u>LaVista, Ne. 68128</u></p> <p>Phone: <u>334-3690</u></p> <hr/> <p>Developer's Name:</p> <p><u>Same</u></p> <p>Address: _____</p> <p>City, St, Zip: _____</p> <p>Phone: _____</p> <hr/> <p>Engineer's Name:</p> <p><u>E&A Consulting Group, Inc</u></p> <p>Address: <u>330 No. 117th Street</u></p> <p>City, St, Zip: <u>Omaha, Ne. 68154</u></p> <p>Phone: <u>895-4700</u></p>
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<p>General Property Location: <u>192nd & Giles Road</u></p>	<p>FEES: A non-refundable filing fee of \$ _____ is required upon submission of application to the Department of Planning and Building.</p>
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An application for a Change of Zone shall be accompanied by a certified copy of the Deed or other instrument on file in the office of the Register of Deeds.

I/We, the undersigned, do hereby acknowledge that I/We do fully understand and agree to comply with the provisions of the above stated section of the Sarpy County Zoning Ordinance and/or Subdivision Regulations:

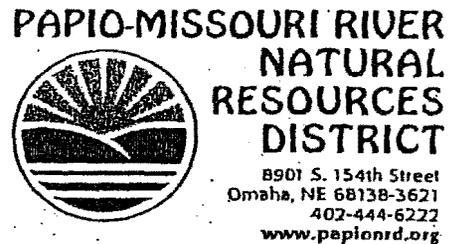
	<u>10-15-08</u>
Signature of Owner or Legal Representative	DATE
Signature of Owner or Legal Representative	DATE
REVIEWED BY: Sarpy County Attorney	DATE

SEE ATTACHED RESOLUTION FOR PLANNING COMMISSION RECOMMENDATION and COUNTY BOARD ACTION

OCT 14 2008

August 8, 2008

SARPY COUNTY
PLANNING DEPARTMENT



Rebecca Horner
Sarpy County Planning and Building
1261 Golden Gate Drive, Suite 2E
Papillion, NE 68046

RE: Whitetail Creek – Rezoning and Preliminary Plat

Dear Ms. Horner:

The District has reviewed the Preliminary Plat, Preliminary Grading and Utilities, and Profiles for Whitetail Creek, a proposed residential subdivision of 159 acres located at 192nd & Giles Road. The following comments are provided:

- The District recommends that low impact development techniques be utilized to control the first half inch of stormwater runoff for water quality improvements.
- A drainage study showing no net increase in peak discharges for the 50%, 10% and 1% annual chance storm events should be submitted for review. Each potential discharge point from the project should be analyzed.
- Please submit erosion control plans, storm sewer plans and storm sewer calculations for review. Details and calculations for any storm sewer outlets should also be provided.
- Creek setbacks within Outlot 1 should be verified for the South Papillion Creek tributary running through the development. Based on the area draining to the tributary the setback could be 3:1 plus 20 feet or 3:1 plus 50 feet. Calculation and cross sections should be submitted for review.
- Any fill or excavation that will be performed in any waterway or wetland will require a Section 404 permit from the U.S. Army Corps of Engineers. Please contact their office at (402) 896-0723 for more information.

The information requested above should be submitted for review by the District prior to preliminary plat approval. If you have any questions you may contact me at 444-6222 or at aqrnt@papionrd.org.

Sincerely,

Amanda Grini, PE, CFM
Stormwater Management Engineer

Cc: Mark Westergard, E&A Consulting Group, Inc.
Paul Woodward and Gerry Bowen, PMRNRD

THOMAS A. LYNAM

SARPY COUNTY SURVEYOR

• 15100 SOUTH 84th STREET • PAPHILLION, NEBRASKA 68046 • 402.339.4606 • FAX: 402.339.6555 •

Memo

SEP 17 2008

SARPY COUNTY
PLANNING DEPARTMENT

To: Rebecca Horning

From: Tom Lynam, Sarpy County Surveyor *TAL*

Date: 09/15/2008

Re: *Comment(s) Whitetail Creek*

After reviewing the Final Plat of the above mentioned, my comments are as follows:

Improvement(s) to Giles Road at some point in time will need to be made with the S.I.D., participating in costs. A pedestrian signal may be needed in the future due to the School Lot.

A note on the plat restricts direct access to the County Roads, if that's the case it would restrict the school to (1) access, being from the interior street and greatly restricts park access.

Also it would be requested that the S.I.D. work with the newly developed church that is on the west side of the road with access in particularly Redwood Street.

If and when sidewalks are needed adjacent to the road, it would be the S.I.D. (s) responsibility.

If you have any questions, please feel free to contact me.

Michelle Alfaro

From: Kay Liang [kliang@papillion.org]
Sent: Monday, September 15, 2008 4:38 PM
To: building and planning
Cc: Mark Stursma
Subject: Whitetail Creek Comp Plan Amendment comments

Becky,

Please find the following City of Papillion Planning Department's comments on the proposed Comp Plan Amendment for Whitetail Creek. Mark is out of the office and not able to comment on the proposal at this time, but he will do so after his return on Wednesday. Please let me know if you have any questions concerning the comments.

Comp Plan Amendment

1. The applicant points out the saturation of and current market preference on the locations of mixed use development. Though at a higher density, how does the applicant justify the timing for developing this site and the demand for 560 single family residential lots given the number of residential subdivisions in the vicinity?
2. This location may not support commercial developments of regional or community wide scale. The applicant should consider incorporating neighborhood scale commercial/office development, which seems to be lacking in the vicinity.
3. Other than Lot 564, which is designated for multi-family use, the proposed development lacks diversity in density. The applicant may consider a greater mix in housing density.
4. Although the developer has agreed to the school site designation, it is still questionable whether school and parks would be the best use for the northeast corner of Giles and 192nd.

The public hearing does not address the plan at this point, but I'd like to provide some preliminary comments on the current layout for future considerations:

1. Consider incorporating pedestrian features around Outlot C with pedestrian connections to it.
2. Will single access for the school be adequate? 190th Avenue will generate high traffic volume during peak hours.
3. Increasing pedestrian connection near the school site is recommended.
4. The two T intersections near Redwood and 191st Street are quite close to each other.
5. The T intersection at 189th Street and Heather Street are very close to the Giles Road exit. If Lot 564 is intended for multi-family development. Safety is a concern for left turn traffic out of 189th.

Chingyun (Kay) Liang, AICP
City Planner
City of Papillion Planning Department
122 E. 3rd Street
Papillion, NE 68046
(402) 827-2324

SEP 15 2008

SARPY COUNTY
PLANNING DEPARTMENT

11

Michelle Alfaro

From: Giles, AFM Daryl (OmaF) [dgiles@ci.omaha.ne.us]
Sent: Monday, September 15, 2008 3:17 PM
To: building and planning
Subject: 192 & Giles White Tail Creek (comments)

09/15/08

Rebecca,

This message is in response to the 192nd & Giles White Tail Creek development plan.

This area would be part of the Omaha Fire Department Fire Zones/emergency response area but is not in our fire inspection jurisdiction.

Omaha Fire would require an approved water supply capable of providing the required fire flow, and fire truck access shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the fire zone.

Thanks

Daryl Giles

Assistant Fire Marshall

444-5711

SEP 15 2008

SARPY COUNTY
PLANNING DEPARTMENT

A12

April 8, 2009

Rebecca Horner, Director
Sarpy County Planning Department
Papillion, NE 68046



RE: Whitetail Creek Preliminary Plat Application Review

Dear Ms. Horner:

The District has reviewed the Preliminary Plat and Preliminary Drainage Report for the Whitetail Creek project located northeast of 192nd Street and Giles Road in Sarpy County, Nebraska, prepared by E & A Consulting Group, Inc. dated February 5, 2009. The District previously reviewed plans for this project and submitted comments on August 8, 2008, October 22, 2008, and March 6, 2009. On March 20, 2009 the District received an updated drainage study from E & A Consulting Group, Inc. which included maps showing the locations of the proposed detention basins. Also received on April 2, 2009 was a map showing the 3:1+50-ft setback dimensions along Whitetail Creek. The District offers the following comments:

- Based on the response received from E & A Consulting Group, Inc. on March 20, 2009, it is understood that a final stormwater management plan and detailed plans for the detention basins will be submitted prior to final plat. Also, a U.S. Army Corps of Engineers 404 permit will be obtained before any work in the waterway will take place.

If you have any questions or concerns, please contact me at 444-6222 or at llaster@papionrd.org.

Sincerely,

Lori Ann Laster
Stormwater Management Engineer

Cc: Amanda Grint, PMRNRD

AFFIDAVIT OF PUBLICATION

State of Nebraska}

ss.

County of Sarpy}

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Kirk Hoffman deposes and says that he is the Business Manager of the **Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor**, a legal newspaper with a bonafided circulation of 300 copies published in Bellevue, Papillion, Gretna and Springfield, Nebraska; and said newspaper has been published for at least 52 consecutive weeks prior to publication of attached notice: that said publications are of general circulations: that the attached notice was published 1 times on:

Wednesday, April 22, 2009

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

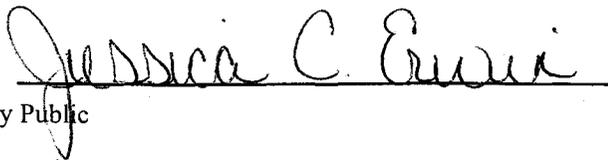


Shon Barenklau
Publisher

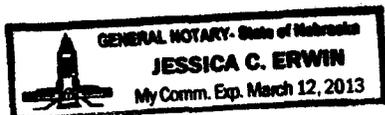
OR Kirk Hoffman
Business Manager

Today's Date 04-21-2009

Signed in my presence and sworn to before me:



Notary Public



**SARPY COUNTY
DEPARTMENT OF PLANNING**
Sarpy County Courthouse
1210 Golden Gate Drive
Papillion, Nebraska 68046
Phone (402) 593-1555 Fax (402)
593-1558
Rebecca Homer, Director

**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, May 5, 2009, at 3:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, Papillion, Nebraska.

Boyer Young Development Company 9719 Giles Road, requests approval of a Comprehensive Plan Amendment, Preliminary Plat and a Change of Zone from AG, Agricultural to RD-50, Two-Family Residential and RG-15, General Residential, to be known as Whitetail Creek, on tax lots 8 & 9, located in the SW 1/4 of Section 17, Township 14N, Range 11E of the 6th P.M., Sarpy County, Nebraska. (192nd & Giles)

11993017; 4/22

Printer's Fee \$ 14.12

Customer Number: 000947

Order Number: 11993017

**SARPY COUNTY
DEPARTMENT OF
PLANNING**

Sarpy County
Courthouse
1210 Golden Gate Drive
Papillion,
Nebraska 68046
Phone (402) 593-1555 -
Fax (402) 593-1558
Rebecca Horner,
Director

**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 2, 2008, at 3:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, Papillion, Nebraska.

Western Land Company, LLC (Gale Wickersham) 10580 S 147th Street, Omaha, requests approval of a Final Plat to be known as Wicks Southpointe. Lots 10 through 12, and Outlots 3 through 5, inclusive, being a platting of Tax Lots 10 and 11 of the SW1/4 Quarter Together With that part of the NW1/4 of the SE1/4 Quarter all being in Section 34, Township 14 North, Range 11 East of the 6 P.M., Sarpy County Nebraska. (I-80 and 168th Street)

Proof of publication

AFFIDAVIT

State of Nebraska, County of Douglas, ss:

Joyce Sawatzki being duly sworn, deposes and says that he/she is an employee of The Omaha World-Herald, a legal daily newspaper printed and published in the county of Douglas and State of Nebraska, and of general circulation in the Counties of Douglas, and Sarpy and State of Nebraska, and that the attached printed notice was published in the said newspaper on the 20 day of November 2008, and that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge. The Omaha World-Herald has an average circulation of 177,328 Daily and 222,231 Sunday, in 2008.

(Signed) _____

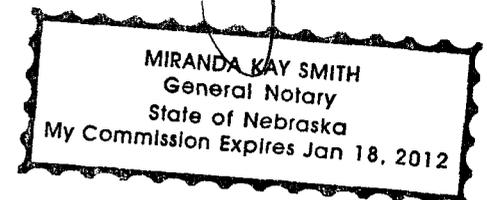
Joyce Sawatzki

Title: Account Executive

Subscribed in my presence and sworn to before me this 21 day of NOV, 2008.

Miranda Kay Smith
Notary Public

Printer's Fee \$ _____
Affidavit _____
Paid By _____



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 Wed-
nesday, October 29,
2008, at 7:00 P.M. in the
Sarpy County Board
Room, Sarpy County
Administration, Pap-
illion, Nebraska.
Boyer Young Develop-
ment Company 9719
Giles Road, requests
approval of a Compre-

hensive Plan Amend-
ment, Preliminary Plat
and a Change of Zone
from AG, Agricultural
to RD-50, Two-Family
Residential and RG-15,
General Residential, to
be known as Whitetail
Creek, on tax lots 8 & 9,
located in the SW ¼ of
Section 17, Township
14N, Range 11E of the
6th P.M., Sarpy County,
Nebraska. (192nd &
Giles)

Proof of publication

AFFIDAVIT

State of Nebraska, County of Douglas, ss:

Joyce Sawatzki being duly sworn, deposes and says that he/she is an employee of The Omaha World-Herald, a legal daily newspaper printed and published in the county of Douglas and State of Nebraska, and of general circulation in the Counties of Douglas, and Sarpy and State of Nebraska, and that the attached printed notice was published in the said newspaper on the 16 day of October 2008, and that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge. The Omaha World-Herald has an average circulation of 177,328 Daily and 222,231 Sunday, in 2008.

(Signed)

Joyce Sawatzki

Title: Account Executive

Subscribed in my presence and sworn to before me this 16 day of Oct., 2008.

Miranda Kay Smith
Notary Public

MIRANDA KAY SMITH
General Notary
State of Nebraska
My Commission Expires Jan 18, 2012

Printer's Fee \$ _____
Affidavit _____
Paid By _____