

ATTACHMENT B

December 11, 2019

Christopher Gibbons
Community Development Department
City of Council Bluffs
209 Pearl Street
Council Bluffs IA 51503

RE: Whispering Oaks
Letter of Intent
Council Bluffs IA
Project No. 6519.202

Dear Mr. Gibbons,

Submitted herewith are the following documents in support of this Letter of Intent:

- 10 full size copies of the Preliminary Plan
- 1 reduced size copy of the Preliminary Plan
- Application (w/\$760.00 fee)
- 2 copies of the Drainage Report
- 2 copies of the Geotechnical Investigation
- 2 copies of proposed housing examples
- 2 copies of proposed sediment & detention basin and linear silt trap examples
- 2 copies of 2017 Greenview Trail Study

Developer name and contacts are:
Gerald Torczon, Managing Partner
Neil Smith, Project Manager
TS Development LLC
11205 South 150th Street, Suite 100
Omaha NE 68138
402.592.6942 office

TS Development LLC currently owns all of the land included in this request.

TS DEVELOPMENT HISTORY

BHI Development Inc. was started in 1978 by Gerald (Jerry) Torczon. Since 1978 Jerry has successfully expanded into Birchwood Homes, Woodland Homes, Pine Crest Homes, Richland Homes and his popular Villa Homes product lines as well as commercial and mixed use projects.

Known for being a man who believes in old fashioned values Jerry has assembled a trusted team of local real estate professionals, suppliers, sub-contractors and consultants and is credited with significant successful growth in Douglas and Sarpy Counties and now Council Bluffs.

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Thinking toward the future and recognizing that Douglas and Sarpy were running out of developable sites Jerry turned his attention to Pottawattamie County and Council Bluffs. After spending considerable time looking at potential sites he settled in on this special parcel of land, a little under 180 acres.

The first Preliminary Plan was submitted in September of 2014. That plan was to construct 409 single family residences in phases. The first two plats included 150 single family lots.

We began discussing additional public trails in Greenview and Franklin in 2014 after we learned that the existing concrete trail was built using public funds with no developer contributions.

After approval of the first Preliminary Plan BHI transferred ownership to their development company, TS Development LLC. TS Development LLC is the applicant and developer of this current request.

PHASE III AND PHASE IV

Phase III includes 47 new single family lots in the Richland housing line. Phase IV includes 55 single family lots in the Pine Crest housing line. Some of these lots will be made available to other local homebuilders after they are platted. We have included a handout of existing Richland and Pine Crest homes to better illustrate what these homes look like.

We anticipate grading will begin in the spring of 2020 and construction of the infrastructure will begin in the spring/summer of 2020.

Storm water detention will be provided such that the amount of post development discharge is limited to pre-development levels. The site is currently above the 100 year flood plain.

In fact, the record snow fall and rain fall events in 2017, 2018 and 2019 have led us to include additional detention and erosion control measures which will reduce post construction storm water flows off site to noticeably lower than preconstruction flows (required by regulations).

We have included a handout of an existing sediment & detention basin and linear silt trap to better illustrate what these features look like.

The project will be graded such that drainage is collected in storm sewers which are being dedicated as public and discharging into existing drainage ways.

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Details of specific storm water management strategies will be developed during final design.

We will be dedicating public right-of-way and constructing streets, storm sewers, sanitary sewers, water, electricity, natural gas and communications utilities. Street names will be coordinated with City staff.

We have already built a signature boulevard which Phase III and Phase IV will connect to with some landscaped medians, a concrete trail and concrete sidewalks already in place.

The proposed out-lots are planned to be owned and maintained by TS Development LLC or a Homeowners Association and will be either future development, landscape buffers or storm water management areas.

In addition, LED street lighting and quality building covenants will continue to contribute to this unique neighborhood.

PROPOSED OUTLOT B (FORMER LCSD LANDS)

TS Development LLC purchased all of the parcels owned by the Lewis Central School District and requested annexation into the City.

As of this date TS Development LLC has retained an architect who is just now beginning to masterplan this area. The specific land use and zoning will not be known for several months and will require multiple meetings with City staff.

Because borrow excavation is needed from these lands near the hill top for the Phase III single family lots we are including these lands as a single out lot for now.

This request will facilitate grading operations under a single approved grading permit.

Once TS Development LLC and City staff have created an acceptable land use, zoning and TIF development plan for this out lot they will submit those required rezoning and development plan applications to Planning Commission and City Council for consideration.

DEVELOPER REQUESTS / VARIANCES / HARSHIPS

No lot variances are known of at this time but we will work with City staff to identify front lot / street addresses of a few uniquely shaped corner lots.

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At an October 23, 2017 Pottawattamie County Commissioner Meeting County officials confirmed that no County permits were required of TS Development. We request that no County permits be a condition of the Cities review comments.

We request that we not be required to begin sanitary lift station designs until such time that an acceptable land use, zoning and TIF development plan be approved for Out Lot B.

A traffic study prepared by The Schemmer Associates was prepared and submitted several years ago. Another independent traffic study was prepared by FHU and submitted and reviewed in 2017. We request that additional traffic studies not be a condition of the Cities review comments.

We request that we not be required to begin Greenview Road widening designs until such time that an acceptable land use, zoning and TIF development plan be approved for Out Lot B.

At an October 23, 2017 Pottawattamie County Commissioner Meeting we delivered a 2017 Greenview Trail Study to both City and County officials. With the precedent that existing public trails within Greenview Road were paid for without developer contributions we request that the City not require us to fund and build trails within Greenview and Franklin.

We request that the City utilize our 2017 Greenview Trail Study, update costs and pursue State, Federal and Foundation funding to build public trails within Greenview and Franklin as time permits.

We request that the sewer tap on fee program that was established with the first two plats be continued with Phase III and Phase IV single family lots.

We request that driveway curb grinding be allowed with Phase III and Phase IV single family lots as our storm sewer inlet designs are not dependent upon holding flow in the gutters.

If adjoining property(s) wish to connect, tap into or use any part of Whispering Oaks lands or infrastructure, in part or in whole, we request that the City require said adjoining property(s) submit an acceptable plan. We request that the City require adjoining property(s) comply with Whispering Oaks building covenants and that adjoining properties agree to pay all costs and assume operations & maintenance and liabilities of said connections, taps or use as this is the common practice.

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We are requesting this project be advanced to the Planning Commission at the earliest possible meeting date.

If you have any questions or comments please feel free to contact either Charly Huddleston, Project Manager or myself at 402.592.6942 office. We look forward to your favorable response.

Sincerely,
TS Development LLC



Gerald Torczon
Managing Partner

CC: Neil Smith (BHI), Charly Huddleston (TSA)