RESOLUTION: AMENDMENT TO SPECIAL USE PERMIT – CHALCO ANIMAL HOSPITAL
10208 S 168TH Ave, Sarpy County, Nebraska

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104(6), 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; 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; and,

WHEREAS, said Zoning Regulations require the County Board of Commissioners to approve Special Use Permits; and

WHEREAS, on May 14, 2013, via Resolution No. 2013-136, the County Board approved a Special Use Permit for Chalco Hills Animal Hospital, Heather Kreager, DVM to allow for the boarding of 10 dogs and 6 cats; and,

WHEREAS, the applicant, Chalco Hills Animal Hospital, Heather Kreager, DVM has applied to amend the existing Special Use Permit as follows:

1. Increase the maximum number of animals allowed to be boarded at any one time to 24 dogs and 6 cats.

WHEREAS, the Planning Department has reviewed the application of Heather Kreager, Chalco Hills Animal Hospital to amend the Special Use Permit Amendment as described above on the property located at 10208 S 168th Ave and legally described as follows:

Lot 12, Tiburon Village as platted and recorded in 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 amendment to the Special Use Permit was held before the Sarpy County Planning Commission on February 20, 2018, and further, the Planning Commission gave their recommendation.
II. A public hearing regarding the amendment to the Special Use Permit was held by this 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 has made a recommendation as noted in the attached Exhibit “A”, which Exhibit “A” includes the Planning Department report, Current Zoning Map, Future Land Use Map, and the Revised Operational Plan.

V. The zoning at the property described above is BG, General Business.

VI. The Special Use Permit is in compliance with the Comprehensive Development Plan and the Sarpy County Zoning Regulations.

VII. The performance standards set out at Section 41.5 of the Sarpy County Zoning Regulations have been met.

FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the amendment to the Special Use Permit for Chalco Hills Animal Hospital, Heather Kreager, DVM as described above.

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 March, 2018.

Attest

SEAL

Sarpy County Board Chairman

County Clerk
I. GENERAL INFORMATION

A. APPLICANT:
   Chalco Hills Animal Hospital - Heather Kreager, DVM
   10208 S 168th Ave
   Omaha NE 68136

B. PROPERTY OWNER:
   Jerome Knoll
   24261 S Somerset
   North Platte, NE 69101

C. SUBJECT PROPERTY LOCATION:
   Subject property is located in commercial strip center on 168th Avenue in Tiburon Village, just southwest of 168th Street and Cheyenne Road.

D. LEGAL DESCRIPTION:
   Lot 12, Tiburon Village

E. SUBJECT PROPERTY SIZE:
   approximately 1.31 acres

F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:
   - Future Land Use Designation: Low to Medium Density Residential
   - Zoning: BG (General Business District)

G. REQUESTED ACTION(S):
   - To approve a Revised Special Use Permit to allow boarding of non-medical animals for clients in conjunction with a principal use in the BG (General Business) Zoning District for Chalco Hills Animal Hospital located at 10208 S 168th Avenue.

H. PURPOSE OF REQUEST:
   - Pursuant to Sarpy County Zoning Regulations, Section 20.2.10 Veterinary clinics, animal hospitals, and animal daycare with outdoor runs and boarding are required to get a Special Use Permit for boarding outside of medical reasons. The Chalco Hills Animal Hospital occupies three bays in the strip center located on the site and currently has a SUP allowing non-medical overnight boarding for 10 dogs and 6 cats. No additional improvements or changes to the exterior are being proposed.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:
   The site is currently developed with a commercial strip center building for six businesses totaling approximately 12,000 sq. ft. and related parking.
B. GENERAL VICINITY AND 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>Mixed Use Center</td>
<td>BG</td>
<td>Tiburon Village</td>
</tr>
<tr>
<td>SOUTH</td>
<td>Urban Residential</td>
<td>RE1</td>
<td>Tiburon Estates</td>
</tr>
<tr>
<td>EAST</td>
<td>Urban Residential</td>
<td>BG/RS-100</td>
<td>Tiburon Point/Cheyenne Country Estates</td>
</tr>
<tr>
<td>WEST</td>
<td>Park and School Site</td>
<td>AG</td>
<td>Tiburon Driving Range</td>
</tr>
</tbody>
</table>

AG = Agricultural  
RE1 = Residential Estates 1 Acre  
RS-100 = Single-Family Residential  
BG = General Business

C. RELEVANT CASE INFORMATION:

- Animal Hospitals are a permitted use in the BG (General Business) zoning district but it only allows for the boarding of animals incidental to medical needs.
- Chalco Hills Animal Hospital opened for business at this location in January of 2015 and has been offering non-medical overnight boarding to their clients. They currently have a SUP to allow for the boarding of 10 dogs and 6 cats approved by Resolution 2013-136. They would like to increase this to a maximum of 24 dogs and 6 cats, which would include both medically and non-medically necessary boarding.
- Do to the growth in the area, the clinic recently expanded into the third bay. The request to increase the number of animals allowed for boarding will not require any additional improvements and will not extend the current operational hours that the business is open to the public.
- No outdoor kennels are used as all animals are hand walked by staff.

D. APPLICABLE REGULATIONS:

Sarpy County Zoning Regulations:
- Section 20 regarding the BG (General Business) District uses  
- Section 41 regarding Special Use Permits  
- Section 44 regarding Definition of Animal Hospital

III. ANALYSIS / STAFF COMMENTS

A. COMPREHENSIVE PLAN:

- The Comprehensive Plan designates the area as Low to Medium Density Residential which allows for neighborhood commercial centers such as where this facility is located.

B. TRAFFIC AND ACCESS:

- Access to the subject property is from 168th Street via Cheyenne Road.

C. OTHER AGENCY REVIEW/COMMENTS:

- The application was sent to area jurisdictional agencies or departments that may have an interest. At the time of this staff report, no comments or objections to the application had been received.
D. PUBLIC NOTIFICATION AND COMMENTS:
- Notice of the public hearing for this application was published in area newspapers, notification letters also were sent out to property owners within 300 feet of the subject property and the subject property was posted with a sign indicating a zoning action was pending on it.

E. GENERAL COMMENTS:
- The applicant is licensed as a Veterinarian through the Nebraska Department of Health and Human Services Division of Public Health and a veterinary clinic is exempt from Department of Agricultural Licensing. The applicant has provided a copy of the license issued by Nebraska Department of Health and Human Services for our records.
- Revised Operational Plan states that capacity will allow a maximum of 24 dogs and 6 cats, medically and non-medically, to be boarded at any one time.
- The BG zoning district allows a variety of uses such as those in this commercial development.
- The applicant indicates the hours of operation that the facility is open to the public will remain the same (M 7:30 am – 7 pm, T 7:30 am – 5 pm, W 8 am – 4 pm, TH 7:30 am – 5 pm, F 7:30 am – 7 pm, Sat 8 am – 12 pm, and closed Sunday).
- In the case of a hospitalized or boarding patient or client, a staff member would be coming back Saturday afternoons and evenings and multiple times on Sundays.

IV. STAFF RECOMMENDATION:
Staff recommends **APPROVAL** of a Special Use Permit for Chalco Hills Animal Hospital located at 10208 S 168th Avenue to provide non-medical boarding services to clients as specifically described in their application and Revised Operational Plan as it is in conformance with the Sarpy County Zoning Regulations.

V. PLANNING COMMISSION RECOMMENDATION:
The Planning Commission held public hearings on these applications at their February 20, 2018 meeting and recommended **APPROVAL** to the County Board

**MOTION:** Malmquist moved, seconded by Davis to recommend approval of the application for a Special Use Permit to allow for non-medical boarding services to clients in conjunction with a veterinary clinic as specifically described in their application and Revised Operational Plan as it is in conformance with the Sarpy County Zoning Regulations. **Ballot:** Ayes – Torczon, Sotak, Davis, George, Whitfield, Ackley, Huddleston, Giff, Korth, Malmquist and Lichter. Nays: None. Abstain: None. **Motion carries.**

VI. ATTACHMENTS TO REPORT:
1. Current Zoning Map
2. Future Land Use Map of Sarpy County Comprehensive Plan (showing subject property area)
3. Revised Operational Plan

VII. COPIES OF REPORT SENT TO:
1. Chalco Hills Animal Hospital - Heather Kreager, DVM (applicant)
2. Jerome Knoll (current property owner)
3. Public Upon Request
OPERATION PLAN

Chalco Hills Animal Hospital opened in February of 2013, at that time we occupied bay H and half of bay G within the Tiburon Village shopping center located at 10208 S 1 68th Ave, Omaha NE 68136. In August of 2017 we began construction on the adjacent front half of bay G and all of bay F. The remodel/expansion was designed by Slate Architecture and the project is being completed by Tackett Construction. The construction is still underway and completion is expected by March 2018.

Chalco Hills Animal Hospital is a full service small animal veterinary hospital. Our newly expanded lease space will consist of a lobby and reception area, 5 exam rooms, 2 ADA approved bathrooms, radiology room (shielding plan completed and equipment registered with the state), doctors office, break room, utility room, pharmacy, treatment area, isolation ward, surgery prep area and surgery suite, grooming suite, a feline kennel ward, and a canine kennel area. The feline ward contains 6 cat condos and the canine kennel will have 5 larger runs, and 2 banks of kennels with enough space for up 16 dogs, the isolation are has room for 6 pets but this space is intended for hospitalized and surgical patients. At full capacity we could have up to 24 dogs at one time. We have no intention of anything outside of our lease space and the dogs would only be taken outside leashed for brief walks in designated areas.

Our primary purpose is to provide medical and surgical services to our patients. We are requesting permission to allow non-medical boarding of animals for our clients. This has been an ancillary service that our clients are using and requesting and as the area around us continues to grow we want to be able to provide the needed and desired services to keep our clients happy and provide the best care for our patients.

We currently have 7 employees/staff, including myself but are looking to add and additional veterinarian as well as support staff once the expansion is complete. We are open M 7:30-7, T 7:30-5, W 8-4, Th 7:30-5, F 7:30-7, Sat 8-12 and Sun Closed. In the case of a hospitalized or boarding patient a staff member would be coming back Saturday afternoons and evenings and multiple times on Sunday.

We are filing this application to obtain permission to increase the number of animals we are allowed to board, our previous special use permit (details attached) limited us to the previous number of spaces. The nature of our business has not and will not change, we are just growing and need more space.

Heather Kreager, DVM
Owner, Chalco Hills Animal Hospital
Vicinity Map - Current Zoning

10208 S 168th Avenue – Lot 12, Tiburon Village
Revised Special Use Permit
Current FLU - Sarpy Co

Subject Property Outlined in blue (Low to Medium Density Residential)

Legend
- Agriculture
- Residential Estates
- Low to Medium Density Residential
- Medium to High Density Residential
- Mixed Use Area
- General Commercial
- Business Park
- Light Industrial
- Heavy Industrial
- Parks, Recreation, and Open Space

10208 S 168th Avenue – Lot 12, Tiburon Village
Revised Special Use Permit

Future Land Use
Sarpy County, Nebraska

Amended 9-12-2017
STATE OF NEBRASKA

County of Sarpy

Being duly sworn, upon oath, Raylyn Ramsgard deposes and says that she 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, February 7, 2018

Gretta 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.

Raylyn Ramsgard
OR
Ron Petak
Accounting Manager
OR
Executive Editor

Laura Estep-Bronk
Sales Representative

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, February 20, 2018, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration. A Public Hearing will be held on the following applications:

Sarpy County Planning Department requests approval of text amendments to the following sections of the Sarpy County Subdivision Regulations: Section 12 - Standards for Construction Plans and Specifications.

Sarpy County Planning Department requests approval of text amendments to the following sections of the Sarpy County Zoning Regulations: Section 9 - Agricultural Farming District; and Section 10 - Agricultural Development District.

River Oaks Development LLC has submitted applications for consideration of a Revised Preliminary Plat for River Oaks, Lots 193 - 238 and Outlots O-R, and a Final Plat (Phase 3) of a subdivision to be known as River Oaks, Lots 193 - 239 and Outlots O and P inclusive, for a tract of land being part of Tax Lot 1 located in part of the NW1/4 of the NE1/4 and also part of the SW1/4 of the NE1/4, and also part of the NW1/4 of the SE1/4 of Sec 17, T14N, R 11E. Of the 6th P.M., Sarpy County, NE. Generally located south of 168th and Harrison Streets.

LKM Investments, LLC has submitted applications for consideration of a Change of Zone from B1 (General Business District) to MU (Mixed Use District) and a Preliminary Plat and Final Plat of a subdivision to be known as Plumbeck Addition Replat.

1, Lots 1 thru 6, being a replatting of Plumbeck Addition Lots 1 and 2, a surveyed, platted and recorded in Sarpy County, NE. Generally located Southeast of 180th Street and Harrison Street.

Chalco Hills Animal Hospital LLC, a Nebraska Corporation, has submitted an application for consideration of a Revised Special Use Permit to allow non-medical boarding of animals in conjunction with a Veterinary Hospital/Clinic located in the General Business District at 10208 S 168th Avenue, legally described as Lot 12, Tiburon Village, as surveyed, platted and recorded in Sarpy County, NE. Generally located southwest of 168th Street and Cheyenne Road.

Vencill Island Landowners Association has submitted an application for consideration of a Revised Special Use Permit to allow a commercial camping area in the AG Agricultural Farming District on the property commonly known as Vencill Island, and legally described, to wit: 1) Gov Lots 1, 4A, 4B, 5A, 5B, 8A & 8B exc ROW in NE ¼ of Sec 20, T14N, R10E; 2) Gov Lot 16 in NE ¼ of Sec 23, T14N, R10E; 3) That part of Tax Lot 13A lying W of 252nd Street in NW ¼ of Sec 28, T14N, R10E; 4) That part of Tax Lot 13A lying E of 252nd Street in NW ¼ of Sec 28, T14N, R10E; 5) Tax Lot 13 exc irreg. thru tract & Tax Lot 14 exc irreg. E 305.90 ft. together with the parts of Tax Lots 15 & 16 lying N & E of 252nd Street in SW ¼ of Sec 21, T14N, R10E; and 6) That part of Tax Lots 15 & 16 lying S & W of 252nd Street in SW ¼ of Sec 21, T14N, R10E, all located in Sarpy County, NE. Generally located south of Harrison Street and 252nd Street.

The Cloisters on the Plate Foundation has submitted an application for consideration of a Special Use Permit to allow alcohol sales in the AG Agricultural Farming District on the following legally described property, to wit: A portion of the SE 1/4 lying north of Fishery Road in Sec 3, T12N, R10E; the NW 1/2 and the SE 1/4 of the SW 1/4 in Sec 2, T12N, R10E; the NE 1/4 of the NW 1/4 including Tax Lot F and G in Sec 1, T12N, R10E; and that portion of the SW 1/4 of the SW 1/4 lying north of Fishery Road in Sec 2, T12N, R10E, all located in Sarpy County, Nebraska. Generally located northwest of Highway 31 and Fishery Road.

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. 2078497: 207

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

Notary-Public
STATE OF NEBRASKA  
}  
} SS.  
County of Sarpy  
}  

Being duly sworn, upon oath, Raylyn Ramsgard deposes and says that she is the Accounting Manager of 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, February 28, 2018**  
**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.

Raylyn Ramsgard  
Accounting Manager  
OR  
Ron Petak  
Executive Editor  
OR  
Laura Estep-Bronk  
Sales Representative

Date:  
Signed in my presence and sworn to before me:

[Signature]

**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, March 13, 2018, 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 requests approval of text amendments to the following sections of the Sarpy County Zoning Regulations: Section 9 - Agricultural Planning District; and Section 10 - Agricultural Development District.

Checo Hills Animal Hospital c/o Heather Hagleger, DVM, has submitted an application for consideration of a Revised Special Use Permit to allow non-medical boarding of animals in conjunction with a Veterinary Hospital/Clinic in the BG General Business District at 10268 S 168th Avenue, legally described as Lot 12, Tiburon Village, as surveyed, platted and recorded in Sarpy County, NE. Generally located southwest of 168th Street and Cheyenne Road. Vencil Island Landowners Association has submitted an application for consideration of a Revised Special Use Permit to allow a commercial camping area in the AG Agricultural Farming District on the property commonly known as Vencil Island, and legally described to wit: 1) Gov Lots 1, 4A, 4B, 5A, 5B, 8A & 8B exc ROW in NE ¼ of Sec 20, T14N, R10E; 2) Gov Lot 16 in NE ¼ of Sec 21, T14N, R10E; 3) That part of Tax Lot 13A lying W of 252nd Street in NW ¼ of Sec 28, T14N, R10E; 4) That part of Tax Lot 13A lying E of 252nd Street in NW ¼ of Sec 28, T14N, R10E; 5) Tax Lot 13 exc imp. the tract & Tax Lot 14 exc imp. E 305.90 ft. together with the parts of Tax Lots 15 & 16 lying N & E of 252nd Street in SW ¼ of Sec 21, T14N, R10E; and 6) That part of Tax Lots 15 & 16 lying S & W of 252nd Street in SW ¼ of Sec 21, T14N, R10E, all located in Sarpy County, NE. Generally located south of Harrison Street and 252nd Street. The Closers on the Platte Foundation has submitted an application for consideration of a Special Use Permit to allow alcohol sales in the AG Agricultural Farming District on the following property described legally as: to wit: A portion of the SE ¼ lying north of Fishery Road in Sec 3, T12N, R10E; the NE 1/4 of the SW 1/4 in Sec 2, T12N, R10E, the SW 1/4 of the NW 1/4 including Tax Lot F and G in Sec 11, T12N, R10E; and that portion of the SW 1/4 of the SW 1/4 lying north of Fishery Road in Sec 2, T12N, R10E of the 6th P.M. Sarpy County, Nebraska. Generally located northwest of Highway 31 and Fishery Road.

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