

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION: SPECIAL USE PERMIT FOR MANHEIM AUTO AUCTION

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 Special Use Permits; and

WHEREAS, Rebecca Horner, Planning Director has reviewed the automobile sales, rental and service Special Use Permit application of Manheim Auto Auction for compliance with the Sarpy County Comprehensive Plan and the Sarpy County Zoning Regulations on the property generally located at 144th Street and Highway 50/Interstate 80 and legally described as follows:

Lots 1, 2 & 5 The Meadows II and Lots 3, 4, & 13 -17 Meadow II Replat 1 all in the Northwest Quarter of Section 24, Township 14N, Range 11E of the 6th P.M., Sarpy County.

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 Special Use Permit Application was held before the Sarpy County Planning Commission on January 12, 2011 and further, the Planning Commission gave their recommendation.
- II. A public hearing regarding the Special Use Permit 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 2007), 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 and the site plan.
- V. The Special Use Permit Application is in compliance with the Sarpy County Comprehensive Development Plan and the Sarpy County Zoning Regulations.

FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the Special Use Permit for automobile sales, rental and service on the above described property.

Dated this 15th day of February, 2011.

Moved by Jim Warren seconded by Jim Thompson, that the above Resolution be adopted. Carried.

YEAS:

NAYS:

ABSENT:

[Signature]

none

none

[Signature]

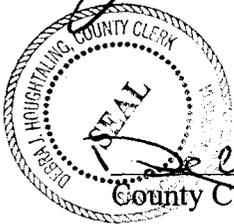
[Signature]

[Signature]

[Signature]

ABSTAIN:

none



County Clerk

[Signature]

Approved as to form:

[Signature]

County Attorney

Sarpy County Board of Commissioners Report
 Date of Meeting: February 15, 2011
 Staff report prepared February 8, 2011

Subject	Type	By
Special Use Permit for an existing automobile sales, rental and service use of an auto auction lot on property legally described as Lots 1, 2 & 5 The Meadows II and Lots 3, 4 & 13-17 Meadows II Replat I all in the NW quarter of Section 24, T14N, R11E of Sarpy County, Nebraska.	Resolution and public hearing	Rebecca Horner, AICP, Planning Director

- Request and History:
 - The applicant came to the Planning Department regarding a new building on the property. It was determined the existing use was non-conforming because the use was established in 1988 without a Special Use Permit. Staff informed the applicant that in order to improve or expand the use, the property needs to be brought into conformance through the approval of a Special Use Permit. The property owner decided to move forward with the plan to improve the property and applied for the Special Use Permit.
 - The applicant requests to build a new building for an accessory use (a new 1,620 square foot automobile storage facility) to the existing automobile auction.

- Comprehensive Plan and Zoning:
 - The Comprehensive plan designates this area as a future Business Park (Fig. 5.1)
 - The existing zoning is BG, General Business.
 - The proposed use falls within the definition of Automobile Sales, Rental and Service.
 - Automobile Sales Rental and Service is a Permitted Special Use in the BG district.

- Staff Comments:
 - The automobile auction lot has been in existence at this location since 1988.
 - The applicant indicates that although cars are delivered to the site 7 days a week, 24 hours a day, the primary sales day is Thursday from 9:30am until 2pm. The hours of operation appear to be compatible with the adjacent commercial residential uses. The full description provided by the applicant is attached.
 - Comments were received by several departments and jurisdictions. There were no objections to the uses stated.
 - The automobile auction lot currently has a large automobile auction building where the auction takes place indoor. Another large building in the eastern portion of the site is used to service and prepare automobiles for auction. Auto storage takes place on site in open air parking stalls.
 - The proposed accessory building would be located in the southern portion of the site and used to temporarily store and wrap vehicles for shipment.
 - The site is outside of the boundaries of the Highway Overlay Corridor District.
 - The existing use is well established. The Planning Department has not received complaints about the use in the past 2.5 years. The proposed accessory building will be located further away from existing residential uses and does not appear to substantially change the character of the existing use. Staff does not anticipate any adjacency issues with the proposed new building.

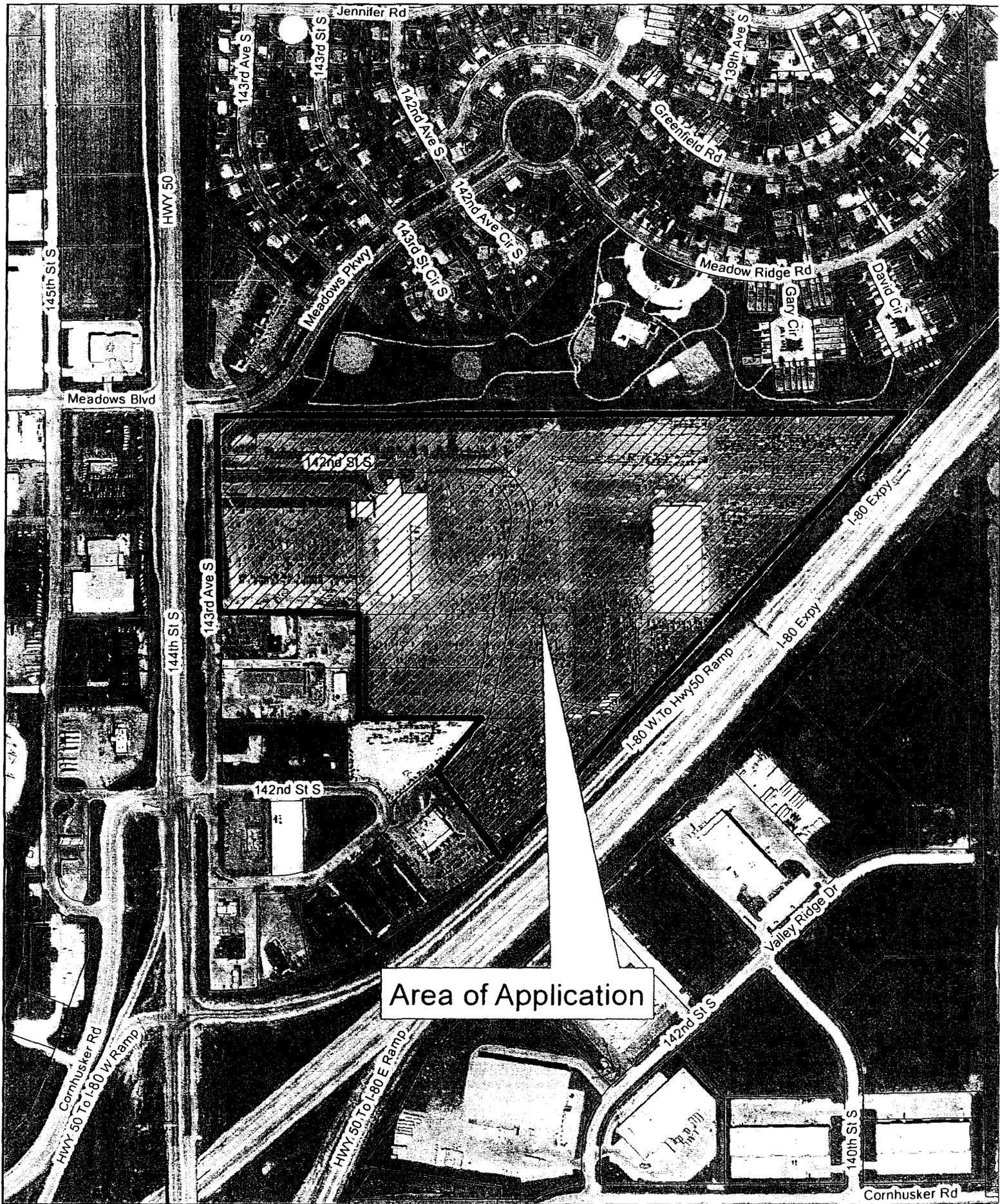
- Planning Commission Action
 - On January 12, 2011, *Bliss* moved, seconded by *Torczon*, to recommend approval of the Special Use Permit for automotive sales as it conforms to the amended Comprehensive Plan, Subdivision and Zoning Regulations. Ballot: **Ayes:** *Bliss, Fenster, Labart, Lichter, Stuart, Thompson, Torczon, Vanek and Whitfield.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Dunbar and Wear.* **Motion carried.**

- Recommendation
 - For the above stated reasons, I recommend approval to the **Special Use Permit** for Manheim Omaha Auto Auction Special Use Permit for an existing automobile sales, rental and service use of an auto auction lot on property legally described as Lots 1, 2 & 5 The Meadows II and Lots 3, 4 & 13-17 Meadows II Replat I all in the NW quarter of Section 24, T14N, R11E of Sarpy County, Nebraska.

Respectfully submitted by:

Rebecca Horner, AICP
 Planning Director





Area of Application

Manheim Auto Auction
9201 S 144th St.





SARPY COUNTY PLANNING

• 1210 GOLDEN GATE DRIVE PAPPILLION, NE 68046
• PHONE: 402-593-1555 • FAX: 402-593-1558 • E-MAIL: PLANNING@SARPY.COM

SPECIAL USE PERMIT APPLICATION

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

1. Submit complete Special Use Permit Application
2. Submit Non-Refundable Fee of \$250.00 made payable to Sarpy County Treasurer
3. 1 full sized site plan drawings (Folded)
4. 25 reduced size site plan drawing (8.5 x 11)
5. Detailed operational plans

PLANNING STAFF USE ONLY:

APPLICATION NO.: _____
 DATE RECEIVED: _____
 CP DESIGNATION: _____
 ZONING DESIGNATION: _____
 FEE: \$ 250 RECEIPT NO. 6326
 RECEIVED BY: _____
 NOTES: _____

APPLICANT INFORMATION:

NAME: NELSON-HILL CONTRACTING E-MAIL: BRIAN@Nelson-Hill Contracting.com

ADDRESS: 3024 N. 108 ST. CITY/STATE/ZIP: OMAHA, NE 68164

MAILING (IF DIFFERENT)
ADDRESS: P.O. Box 12244 CITY/STATE/ZIP: OMAHA, NE 68112

PHONE: 402-208-0362 FAX: 402-208-4906

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

Please check box if attaching separate sheet with owner information.

NAME: MANHEIM OMAHA E-MAIL: Bret.johnson@Transactions.com

ADDRESS: 9201 South 144 ST CITY/STATE/ZIP: OMAHA, NE 68138

MAILING (IF DIFFERENT)
ADDRESS: _____ CITY/STATE/ZIP: _____

PHONE: 402-896-3222 FAX: 402-991-5821

ENGINEER INFORMATION:

NAME: E&A Consulting E-MAIL: jheadley@eacg.com

ADDRESS: 330 N. 117th ST. CITY/STATE/ZIP: OMAHA, NE 68154

MAILING (IF DIFFERENT)
ADDRESS: _____ CITY/STATE/ZIP: _____

PHONE: 402-895-~~3599~~⁴⁷⁰⁰ FAX: 402-895-3599

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.

The proposed building will be 30x54, it will be used primarily to detensh vehicles out of the elements. This space will also be used to wrap vehicles that are missing glass to protect the interior.

PROJECT SITE 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.

ASSESSOR'S PARCEL NUMBER: 010417982

ADDITIONAL PARCEL NUMBERS _____

LEGAL DESCRIPTION: (Describe property to wit:)

LOT 1, 2, & 5 THE MEADOWS II & LOT 3, 4 & 13-17 THE MEADOWS II
REPLAT 1 & VAC 142nd St. (REFOR 10974830 & 10974725) SEE ATTACHED

GENERAL PROPERTY LOCATION: 144th & Highway 50 / INTERSTATE 80

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

PLEASE NOTE THE FOLLOWING PROCEDURES:

1. The Planning Commission will hold a public hearing and make a recommendation to the County Board.
2. County Board will hold a public hearing and make a final decision on the Special Use Permit.
3. All necessary agreements will be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the Special Use Permit applicant or the property owner.

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 Special Use Permit process as stated above and I authorize County Staff to enter the property for inspection related to the specific request during this process.

[Signature]
Owner Signature (or authorized agent)

12-20-10
Date

Owner Signature (or authorized agent)

Date

LOTS 1, 2 AND 5, THE MEADOWS II, A SUBDIVISION LOCATED IN THE SW1/4 OF SECTION 24; AND ALTOGETHER WITH LOTS 3 AND 4, THE MEADOWS II REPLAT 1, A SUBDIVISION LOCATED IN SAID SW1/4 SECTION 24; AND ALSO TOGETHER WITH PART OF LOTS 13, 14, 15, 16 AND 17, SAID THE MEADOWS II REPLAT I; AND ALSO TOGETHER WITH THE INCLUDED VACATED 142ND STREET RIGHT-OF-WAY; ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5, THE MEADOWS II, SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT 10, THE MEADOWS, A SUBDIVISION LOCATED IN THE NW1/4 OF SAID SECTION 24, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 50; THENCE N88°08'02"E (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID LOT 5, THE MEADOWS II, SAID LINE ALSO BEING SAID SOUTH LINE OF LOT 10, THE MEADOWS, AND ALSO THE SOUTH LINE OF LOT 61, THE MEADOWS REPLAT, A SUBDIVISION LOCATED IN SAID NW1/4 OF SECTION 24, A DISTANCE OF 2277.91 FEET TO THE NORTHEAST CORNER OF SAID LOT 5, THE MEADOWS II, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 61, THE MEADOWS REPLAT, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 80; THENCE S38°19'32"W ALONG THE EASTERLY LINE OF SAID LOT 5, THE MEADOWS II, SAID LINE ALSO BEING SAID WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 80, A DISTANCE OF 878.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5, THE MEADOWS II, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID LOT 17, THE MEADOWS II REPLAT I; THENCE S41°47'37"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 80, A DISTANCE OF 1114.92 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 13, THE MEADOWS II REPLAT I, SAID LINE ALSO BEING THE NORTHERLY LINE OF LOT 3, THE MEADOWS II REPLAT III, A SUBDIVISION LOCATED IN SAID SW1/4 OF SECTION 24; THENCE N41°57'08"W ALONG SAID SOUTHERLY LINE OF LOT 13, THE MEADOWS II REPLAT I, SAID LINE ALSO BEING SAID NORTHERLY LINE OF LOT 3, THE MEADOWS II REPLAT III, A DISTANCE OF 306.95 FEET TO THE SOUTHWEST CORNER OF SAID LOT 13, THE MEADOWS II REPLAT I, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 3, THE MEADOWS II REPLAT III, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF OUTLOT "A", SAID THE MEADOWS II REPLAT III; THENCE N47°58'56"E ALONG THE WESTERLY LINE OF SAID LOT 13, THE MEADOWS II REPLAT I, SAID LINE ALSO BEING THE EASTERLY LINE OF SAID OUTLOT "A", THE MEADOWS II REPLAT III, A DISTANCE OF 30.25 FEET; THENCE NORTHEASTERLY ALONG SAID WESTERLY LINE OF LOT 13, THE MEADOWS II REPLAT I, AND ALSO THE WESTERLY LINE OF SAID LOT 14, THE MEADOWS II REPLAT I, SAID LINE ALSO BEING SAID EASTERLY LINE OF OUTLOT "A", THE MEADOWS II REPLAT III ON A CURVE TO THE LEFT WITH A RADIUS OF 424.31 FEET, A DISTANCE OF 216.66 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N33°21'14"E, A DISTANCE OF 214.32 FEET TO THE NORTHWEST CORNER OF SAID LOT 14, THE MEADOWS II REPLAT I, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID OUTLOT "A", THE MEADOWS II REPLAT III, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 15, THE MEADOWS II REPLAT I, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF VACATED 142ND STREET; THENCE N77°07'06"W ALONG THE NORTHERLY LINE OF SAID OUTLOT "A", THE MEADOWS II REPLAT III, AND ALSO THE NORTHERLY LINE OF SAID LOT 2, THE MEADOWS II REPLAT III, A DISTANCE OF 60.37 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4, THE MEADOWS II REPLAT I, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID VACATED 142ND STREET; THENCE S87°44'13"W ALONG THE SOUTH LINE OF SAID LOT 4, THE MEADOWS II REPLAT I, SAID LINE ALSO BEING SAID NORTHERLY LINE OF SAID LOT 2, THE MEADOWS II REPLAT III, A DISTANCE OF 372.88 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4, THE MEADOWS II REPLAT I, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 1, SAID THE MEADOWS II REPLAT I; THENCE N01°42'52"W ALONG THE WEST LINE OF SAID LOTS 4 AND 3, THE MEADOWS II REPLAT I, SAID LINE ALSO BEING THE EAST LINE OF SAID LOT 1, THE MEADOWS II REPLAT I, AND ALSO THE EAST LINE OF LOT 2, SAID THE MEADOWS II REPLAT I, A DISTANCE OF 364.40 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, THE MEADOWS II REPLAT I, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID LOT 2, THE MEADOWS II REPLAT I, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 1, THE MEADOWS II, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 2, THE MEADOWS II; THENCE S88°08'28"W ALONG THE SOUTH LINE OF SAID LOT 1, THE MEADOWS II, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 2, THE MEADOWS II REPLAT I, A DISTANCE OF 455.47 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, THE MEADOWS II, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 2, THE MEADOWS II REPLAT I, SAID POINT ALSO BEING ON SAID EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 50; THENCE N02°16'40"W ALONG THE WEST LINE OF SAID LOT 1, THE MEADOWS II, AND ALSO THE WEST RIGHT-OF-WAY LINE OF SAID VACATED 142ND STREET, AND ALSO THE WEST LINE OF SAID LOT 5, THE MEADOWS II, SAID LINE ALSO BEING SAID EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 50, A DISTANCE OF 670.71 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 1,867,272 SQUARE FEET OR 42.867 ACRES, MORE OR LESS.

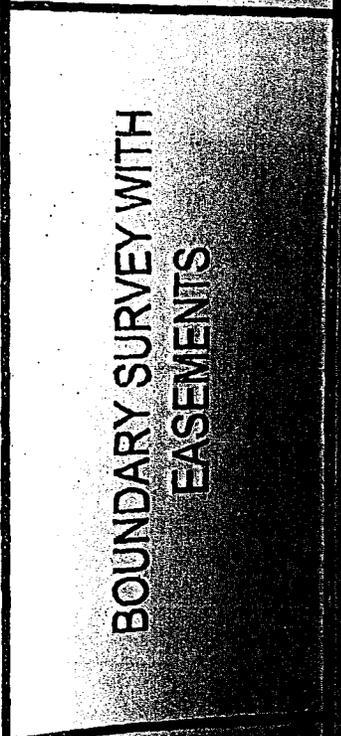
LAND SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT, MAP, SURVEY OR REPORT WAS MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.



K #3247

OMAHA AUTOC
SARPY COUNTY,



BOUNDARY SURVEY WITH
EASEMENTS

Revised: _____ Date: _____
Proj No: P2011-01
Date: 03/20/11
Drawn By: _____
Checked By: (S) _____
Checked By: (S) _____

Manheim Omaha sits on 48 acres and houses roughly 1500 vehicles. Thursday's are our primary sale day which starts at 9:30 am each week. Manheim Omaha offer's 1000 vehicles through seven lanes each Thursday. There are roughly 600 dealers on site as well as appr. 300 online each Thursday bidding on vehicles set for sale at this facility.

— operation ceased by 2pm each Thursday.

Employees

Shipments handled + type of delivery truck.

Set times?

Todd Swirczek

From: brian@nelson-hillcontracting.com
Sent: Tuesday, December 21, 2010 12:42 PM
To: Todd Swirczek
Subject: Re: omaha auto auction

232 employees. Cars come in 24 hrs. a day and 7 days a week ether by transport, trailered or driven. Hope that helps. Thanks Brian

Sent from my Verizon Wireless BlackBerry

From: Todd Swirczek <tswirczek@sarpy.com>
Date: Tue, 21 Dec 2010 11:47:00 -0600
To: 'brian@nelson-hillcontracting.com' <brian@nelson-hillcontracting.com>
Subject: omaha auto auction

Brian,

Please provide use with the number of employees and the delivery times/types and any other info. That Rebecca requested.

Thank you,

Todd Swirczek
Planner
Sarpy County Planning Department
402-593-1557
tswirczek@sarpy.com

Sandra Logue

From: Laster, Lori [llaster@papionrd.org]
Sent: Thursday, December 23, 2010 9:54 AM
To: Sandra Logue; Rebecca Horner; Todd Swirczek
Subject: RE: Manheim Auto Auction (Omaha Auto Auction)

The District has no comment on this application.

Lori Ann Laster, CFM
Stormwater Management Engineer
Papio-Missouri River NRD
8901 South 154th Street
Omaha, Nebraska 68138
(402) 444-6222 office
(402) 505-1082 cell
llaster@papionrd.org

From: Sandra Logue [<mailto:slogue@sarpy.com>]
Sent: Wednesday, December 22, 2010 10:09 AM
To: Grint, Amanda; Brian Hanson; Jeff Davis; Jeff Loll; Jerry Obrist; Laster, Lori; Mark Wayne; Nicole O'Keefe; Tom Lynam; Tim Weander (tim.weander@nebraska.gov); Todd Swirczek; Rebecca Horner
Subject: Manheim Auto Auction (Omaha Auto Auction)

This is an expansion off of an existing use.

Thanks,
Sandy Logue
Administrative Assistant
Sarpy County Planning Dept.
1210 Golden Gate Dr.
Papillion, NE 68046
402-593-1555
Fax: 402-593-1559
slogue@sarpy.com

Sandra Logue

From: John G. Miriovsky [jmiriovsky@lincoln.ne.gov]
Sent: Wednesday, December 22, 2010 10:27 AM
To: Sandra Logue
Cc: Jerry G. Obrist
Subject: RE: Manheim Auto Auction (Omaha Auto Auction)

We have reviewed the request of Manheim Auto Auction and find no issues with the proposed expansion.

John Miriovsky

From: Jerry G. Obrist
Sent: Wednesday, December 22, 2010 10:18 AM
To: John G. Miriovsky
Subject: FW: Manheim Auto Auction (Omaha Auto Auction)

Please review and respond directly. Thank you. Jerry ☺

From: Sandra Logue [mailto:slogue@sarpy.com]
Sent: Wednesday, December 22, 2010 10:09 AM
To: Amanda Grint; Brian Hanson; Jeff Davis; Jeff Loll; Jerry G. Obrist; Lori Laster; Mark Wayne; Nicole O'Keefe; Tom Lynam; Tim Weander (tim.weander@nebraska.gov); Todd Swirczek; Rebecca Horner
Subject: Manheim Auto Auction (Omaha Auto Auction)

This is an expansion off of an existing use.

*Thanks,
Sandy Logue
Administrative Assistant
Sarpy County Planning Dept.
1210 Golden Gate Dr.
Papillion, NE 68046
402-593-1555
Fax: 402-593-1559
slogue@sarpy.com*

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

Sandra Logue

From: Tom Lynam
Sent: Wednesday, December 22, 2010 10:35 AM
To: Sandra Logue
Subject: RE: Manheim Auto Auction (Omaha Auto Auction)

I have no comment on this permit.

Tom Lynam
Sarpy County Surveyor

From: Sandra Logue
Sent: Wednesday, December 22, 2010 10:09 AM
To: Amanda Grint; Brian Hanson; Jeff Davis; Jeff Loll; Jerry Obrist; Lori Laster; Mark Wayne; Nicole O'Keefe; Tom Lynam; Tim Weander (tim.weander@nebraska.gov); Todd Swirczek; Rebecca Horner
Subject: Manheim Auto Auction (Omaha Auto Auction)

This is an expansion off of an existing use.

*Thanks,
Sandy Logue
Administrative Assistant
Sarpy County Planning Dept.
1210 Golden Gate Dr.
Papillion, NE 68046
402-593-1555
Fax: 402-593-1559
slogue@sarpy.com*