

**BOARD OF COUNTY COMMISSIONERS**  
**SARPY COUNTY, NEBRASKA**

**RESOLUTION: SPECIAL USE PERMIT – CHALCO HILLS ANIMAL HOSPITAL**  
**10208 S 168<sup>th</sup> Ave, Sarpy County, Nebraska**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2012), 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 2012), 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 2012); and,

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

WHEREAS, the Planning Department has reviewed the Chalco Hills Animal Hospital Special Use Permit application to allow non-medical boarding of animals with a maximum of 10 dogs and 6 cats on the property in the commercial development known as Tiburon Village Addition generally located at 168<sup>th</sup> Street and Cornhusker Road 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 April 17, 2013, 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 once in the ten (10) day period immediately prior to each respective public hearing as required by Neb. Rev. Stat. §23-164 (Reissue 2012), 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, the operation plan, the Site Plan and an aerial view of the subject property.
- V. The zoning at the property described above is BG, General Business.

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

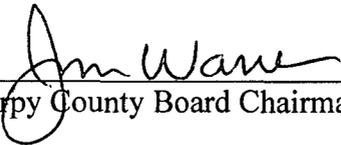
FURTHER BE IT RESOLVED THAT this Board in light of the above recited findings of fact, after due deliberation and consideration, approves the Special Use Permit application for Chalco Animal Hospital on the condition that the use remains compliant and consistent with the operation plan attached hereto in Exhibit A and as specifically described above.

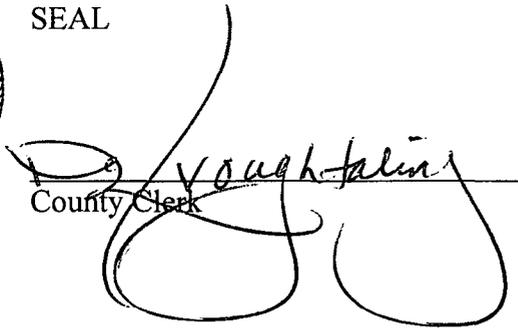
The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 14<sup>th</sup> day of May, 2013.

Attest

SEAL



  
Sarpy County Board Chairman

  
County Clerk

**Sarpy County Board of Commissioners**  
**Exhibit "A"**  
**Planning Department Report**  
**County Board Meeting Date: May 14, 2013**

Subject	Type	By
Request for a Special Use Permit to allow for the boarding of non-medical animals in conjunction with a Veterinarian Hospital/Clinic located at 10208 S 168 <sup>th</sup> Avenue (Lot 12, Tiburon Village)	Public Hearing & Resolution	Donna Lynam Zoning Administrator, Planning & Building Dept.



➤ **Summary and Purpose of Requests:**

- Chalco Hills Animal Hospital has submitted an application for a Special Use Permit to allow for the boarding of non-medical animals in conjunction with a Veterinarian Hospital/Clinic
- Per the Operational Plan the maximum number of animals to be boarded at any one time will be 10 dogs and 6 cats
- No additional improvement to the interior or exterior will be necessary to accommodate the new service.

➤ **Background and Analysis:**

- The property is zoned BG (general Business). Veterinary clinics, hospitals and animal daycare are permitted principal uses within the BG district. Outdoor runs and boarding operations, however, require a Special Use Permit.
- The Chalco Hills Animal Hospital opened for business in January 2013 and is one of 6 businesses within the strip center. All activity with regards to the boarding services will be carried out within the building except for individual pet walks by hospital staff for relief purposes.
- The detailed staff report on this application was presented to the Planning Commission at their April 17, 2013 meeting and is attached for your information and review.

➤ **Staff Recommendation:**

- Staff recommends **APPROVAL** of the Special Use Permit for Chalco Hills Animal Hospital located at 10208 S 168<sup>th</sup> Avenue to allow for the boarding of non-medical animals as it conforms to the Sarpy County Zoning Regulations.

➤ **Planning Commission Recommendation:**

- On April 17, 2013 the Planning Commission voted 8-0 to recommend **APPROVAL** of the Special Use Permit for Chalco Hills Animal Hospital as specifically described in their application and Operational Plan.

**MOTION:** Malmquist moved, seconded by Lichter to recommend approval of the Special Use Permit for Chalco Hills Animal Hospital to provide non-medical boarding services to clients as specifically described in their application and Operational Plan as it is in conformance with the Sarpy County Zoning Regulations, with the recommendation that the applicant provide the Sarpy County Planning & Building Department with a copy of their Boarding Kennel Facility License as issued by the State of Nebraska Department of Agriculture Bureau of Animal Industry. **Ballot:** Ayes – Lichter, Ackley, Whitfield, Mohr, Malmquist, Fenster, Torczon, and Farrell. Nays – none. Absent – Bliss, Stuart and Malmquist. **Motion carried 8-0-3.**



**SARPY COUNTY PLANNING  
& BUILDING DEPARTMENT**

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**RECOMMENDATION REPORT**

**SPECIAL USE PERMIT AMENDMENT (SUP 13-0002) – CHALCO ANIMAL HOSPITAL  
TO ALLOW FOR NON-MEDICAL BOARDING OF ANIMALS WITHIN FACILITY**

**PLANNING COMMISSION HEARING OF: APRIL 17, 2013**

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**I. GENERAL INFORMATION**

**A. APPLICANT:**

Chalco Animal Hospital - Heather Kreager, DVM  
10208 S 168<sup>th</sup> Ave  
Omaha NE 68136

**B. PROPERTY OWNER:**

Charter West National Bank  
20041 Manderson St  
Elkhorn, NE 68022

**C. SUBJECT PROPERTY LOCATION:** Subject property is located in commercial strip center on 168<sup>th</sup> Avenue in Tiburon Village Addition just southwest of 168<sup>th</sup> Street and Cornhusker 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: Park-School
- Zoning: BG (General Business District)

**G. REQUESTED ACTION(S):**

- To approve a Special Use Permit to allow non-medical boarding of animals for clients. The maximum number of animals to be boarded at any one time will not exceed 10 dogs and 6 cats. No additional improvements or changes to the interior or exterior will be necessary to provide this service.

**II. BACKGROUND INFORMATION**

- **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.
- **GENERAL VICINITY AND LAND USE**
  - North and East: BG (General Business), commercial land uses include a convenience store with fuel sales, a restaurant and pub and a nail salon.
  - South and West: Tiburon Golf Course and residential homes.
- **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 such hospital use.
  - Chalco Animal Hospital opened for business at this location in January and would like to be able to offer non-medical boarding services to clients.

- This boarding service 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.
- **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 land use map shows the area as Park-School in conjunction with the adjacent golf course and Mixed Use Center directly to the north.

#### **B. TRAFFIC AND ACCESS:**

- Access to the subject property is off of Cheyenne Road which intersects with 168<sup>th</sup> Street directly south of this commercial development.

#### **C. OTHER AGENCY REVIEW/COMMENTS:** The applications were sent to area jurisdictional agencies or departments that may have an interest.

- The only responses received indicated they had no comments or objections to the application.

#### **D. GENERAL:**

- Veterinary clinics, hospitals and animal daycare are permitted uses within the BG zoning district. Outdoor runs and boarding operations, however, require a Special Use Permit.
- This type of operation is regulated and inspected by the Nebraska Department of Agriculture and a license is required through them as well. The Operation Plan states that capacity will allow a maximum of 10 dogs and 6 cats to be boarded at any one time.
- The BG 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 8-7, T 8-5, W 8-12, Th 8-5, F 8-7, Sat 8-12, 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 RECOMMENDATIONS:**

Staff recommends **APPROVAL** of a Special Use Permit for Chalco Animal Hospital located at 10208 S 168<sup>th</sup> Avenue to provide non-medical boarding services to clients as specifically described in their application and Operational Plan as it is in conformance with the Sarpy County Zoning Regulations. Staff makes this recommendation with the condition that the applicant provide the Sarpy County Planning & Building Department with a copy of their Boarding Kennel Facility License as issued by the State of Nebraska Department of Agriculture Bureau of Animal Industry.

**V. PLANNING COMMISSION RECOMMENDATION:**

**MOTION:** Malmquist moved, seconded by Lichter to recommend approval of the Special Use Permit for Chalco Hills Animal Hospital to provide non-medical boarding services to clients as specifically described in their application and Operational Plan as it is in conformance with the Sarpy County Zoning Regulations, with the recommendation that the applicant provide the Sarpy County Planning & Building Department with a copy of their Boarding Kennel Facility License as issued by the State of Nebraska Department of Agriculture Bureau of Animal Industry. **Ballot:** Ayes – Lichter, Ackley, Whitfield, Mohr, Malmquist, Fenster, Torczon, and Farrell. Nays – none. Absent – Bliss, Stuart and Malmquist. **Motion carried 8-0-3.**

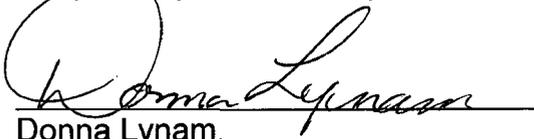
**VI. ATTACHMENTS TO REPORT:**

1. Current Zoning Map
2. Current Development Structure Plan – Figure 5.1 of Comprehensive Plan (showing subject property area)
3. Application and Operation Plan

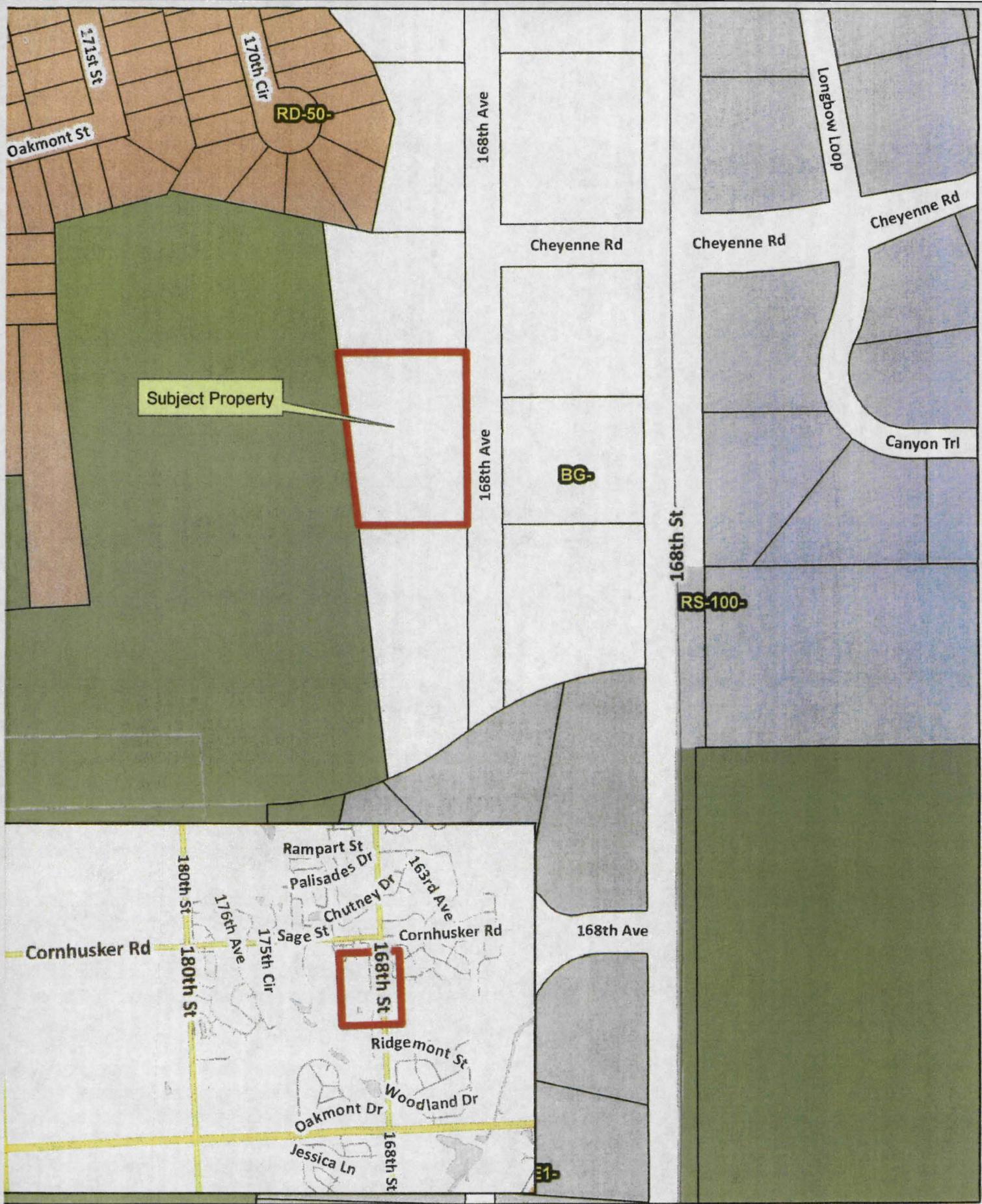
**VII. COPIES OF REPORT SENT TO:**

1. Chalco Animal Hospital - Heather Kreager, DVM (applicant)
2. Charter West National Bank (current property owner)
3. Public Upon Request

Respectfully submitted by:

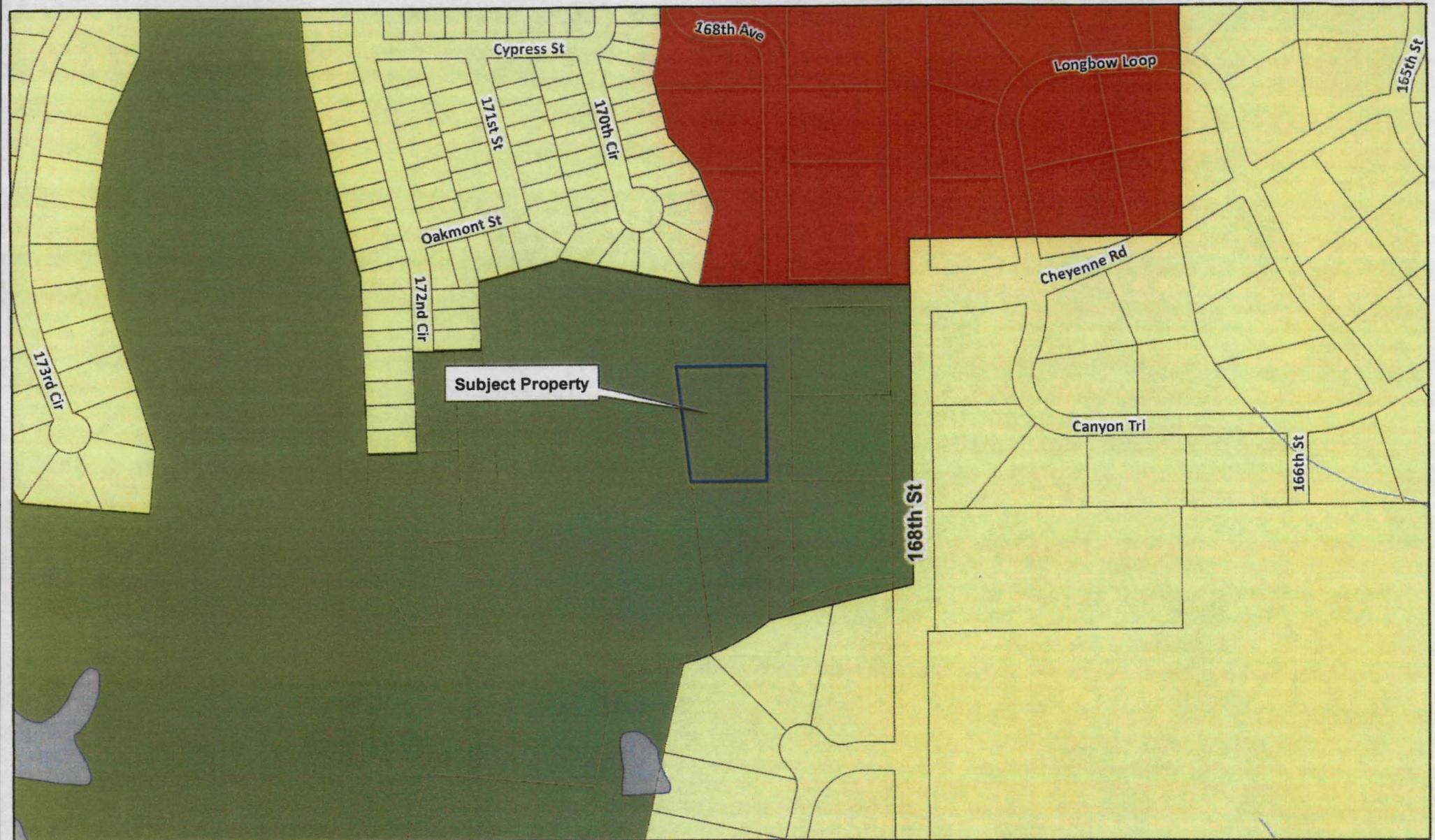


Donna Lynam,  
Zoning Administrator, Planning & Building Department  
Reviewed, edited & approved by: Bruce Fountain, Planning Director

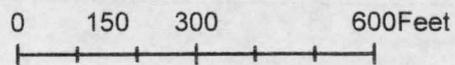


**Vicinity Map - Zoning**  
 10208 S 168th Ave  
 Zoning





### Current FLU - Sarpy Co



Comprehensive Development Plan  
**Figure 5.1: Development Structure Plan**  
 Sarpy County, Nebraska

#### Legend

Bellevue Future Growth	Mixed Use	Cross County Arterial
Business Park	Mixed Use Center	City Limit
Civic	New Richfield Village	City ETJ
Conservation Residential	Park/School Site	
Estate Residential	Pflug Interchange Development	
Greenway	Residential - Community Systems	
Industrial	Urban Residential	
Light Industrial/Storage	Urban Residential II	
Long Term Residential Growth		



# SARPY COUNTY PLANNING & BUILDING DEPT.

1210 GOLDEN GATE DRIVE PAPPILLION, NE 68046

PHONE: 402-593-1555 FAX: 402-593-1558

E-MAIL: [PLANNING@SARPY.COM](mailto: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. Completed Special Use Permit Application
2. Non-Refundable Fee of \$250 made payable to Sarpy County Treasurer (additional fees may also be required to cover cost of mailing of public notifications)
3. Two (2) site plan drawings and/or other such plans and data showing the dimensions, arrangements, description, data, and other material which shall constitute a record essential to the understanding of the proposed use.
4. One (1) reduced size site plan drawing or other material provided above (8.5 x 11)
5. One (1) electronic copy of site plan drawing or other material provided above (in PDF form)
6. A detailed operational plan for propose use
7. Other information as deemed necessary by Sarpy County Planning Department
8. **Please review Section 41 of the Sarpy County Zoning Regulations for complete information, processes and submittal requirements for Special Use Permits.**

### PLANNING STAFF USE ONLY:

APPLICATION #: SUP 13-0002

DATE RECEIVED: 3-2-2013

CP DESIGNATION: Public Use - 1st 2nd...

CURRENT ZONING DESIGNATION: CG

PROPOSED ZONING DESIGNATION: \_\_\_\_\_

APPLICATION FEE: \$ 250.00 RECEIPT NO. 1778

PUBLIC NOTIFICATION  
PROCESSING FEE: \$ \_\_\_\_\_ RECEIPT NO. \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### APPLICANT INFORMATION:

NAME: Heather Kreager, DVM E-MAIL: h.kreager@hotmail.com

ADDRESS: 10208 S 168th Ave CITY/STATE/ZIP: Omaha, NE 68136

MAILING ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_  
(IF DIFFERENT)

PHONE: 402-884-0220 FAX: 402-884-1118

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

NAME: Charter West Natl. Bank E-MAIL: sdavis@charterwest.com

ADDRESS: 20041 Manderson St CITY/STATE/ZIP: Elkhorn, NE 68022

MAILING ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_  
(IF DIFFERENT)

PHONE: 402-289-0045 FAX: 402-289-0082

### ENGINEERING/SURVEYING OR OTHER CONSULTING PROFESSIONAL'S INFORMATION:

NAME: N/A E-MAIL: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY/STATE/ZIP: \_\_\_\_\_  
(IF DIFFERENT)

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

*Rec 3-2-13*

**OPERATION PLAN / PROJECT DESCRIPTION:** Describe the project in detail, including proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, other operational details, etc. – Attach as separate document entitled "Operation Plan." **PLEASE NOTE:** A detailed project description is essential to the reviewing process of this request.

**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.

**SUBDIVISION NAME (if applicable):** Tiburon

**ASSESSOR'S PARCEL NUMBER:** N/A **ADDITIONAL PARCEL NUMBERS** \_\_\_\_\_

**GENERAL LOCATION:** 168th and Cornhusker (Tiburon Village)  
(example 189<sup>th</sup> & Giles Rd)

**LEGAL DESCRIPTION:** (Describe property to wit:) Primary Property Type: Retail, Sub-type: Strip Center  
Lot 12, Tiburon Village - Suite 300 W.

**SIZE OF PROPERTY:** 2276 sq ft acres **CURRENT ZONING:** unknown **REQUESTED ZONING (if applicable):** \_\_\_\_\_

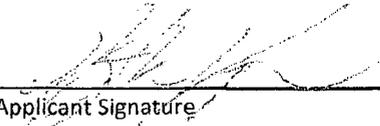
**ADDITIONAL INFORMATION:** Please use this space to provide any other information you feel is appropriate for Sarpy County to consider during review of your application. Attach extra sheets if necessary.

This shopping center is currently bank owned, however it is in the process of being sold to JAC Properties, Inc, principal owner Mr. Jerome Knoll

**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 Special Use Permit application.
4. Any necessary agreements will be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the applicant or the property owner.

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

  
Applicant Signature

03/02/2013  
Date

I, the undersigned, understand the Special Use Permit process as stated above and I authorize Sarpy County staff to enter the property for inspection related to the specific request during this process.

\_\_\_\_\_  
Owner Signature (or authorized agent)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner Signature (or authorized agent)

\_\_\_\_\_  
Date



10208 South 168th Avenue • Omaha, Nebraska • 68136 • Phone (402) 884-0220 • Fax : (402) 884-1118

## OPERATION PLAN

Chalco Hills Animal Hospital took possession of bay H/suite800 within the Tiburon Village shopping center (10208 S 168<sup>th</sup> Ave, Omaha NE 68136) in November of 2012. This bay is 2276 sq ft in size. The Ideal Construction Company (Jeff Hartung) was contracted to complete all of the demolition, renovation and build out of the space. They completed their work and had all inspections completed and passed by the end of January 2013. No additional improvements or changes are planned.

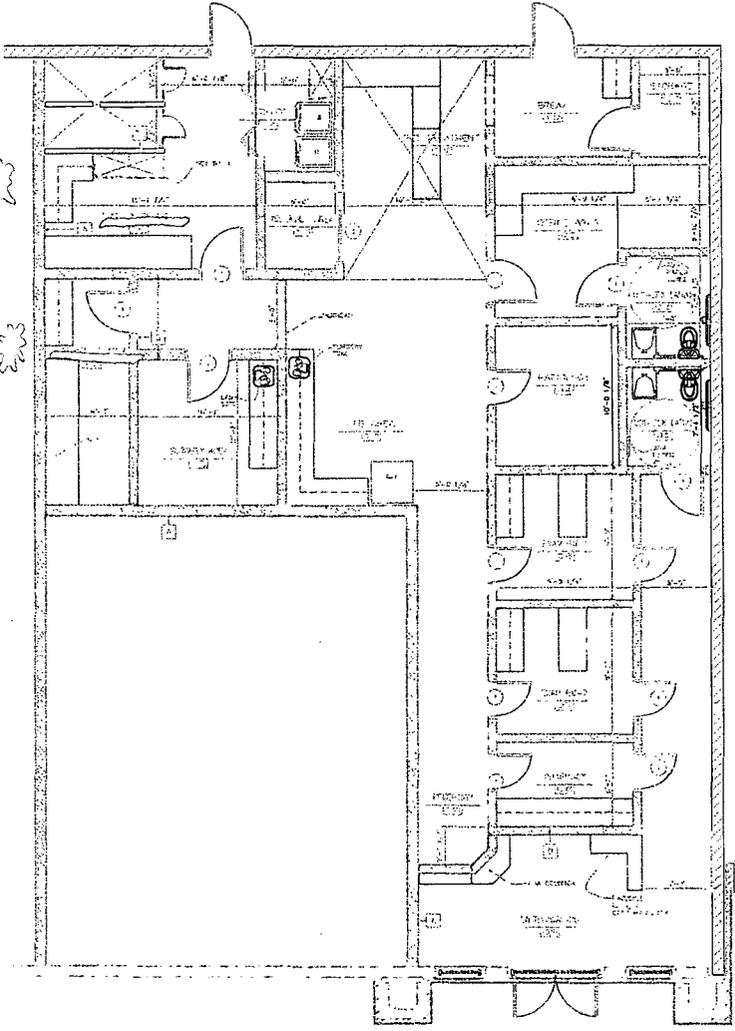
Chalco Hills Animal Hospital is a full service small animal veterinary hospital. Our lease space consists of a lobby and reception area, 2 exam rooms, 2 ADA approved bathrooms, radiology room (shielding plan completed and equipment registered with the state), doctors office, break room, utility room, treatment area, isolation ward, surgery suite, a feline kennel ward, and a canine kennel area. The feline ward contains 6 cat condos and the canine kennel has 8 cages of varying sizes and 2 large runs. We have no intention of anything outside of our lease space and the dogs would only be taken outside leashed for brief walks.

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. As a new business it is difficult to predict how often our clients would choose to board their animals with us for non-medical reasons. At absolute capacity we would have no more than 10 dogs and 6 cats, but having every cage filled is highly unlikely at this point in our business.

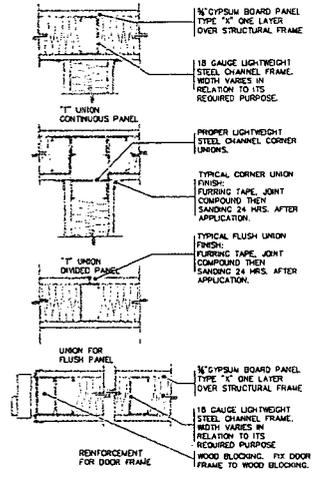
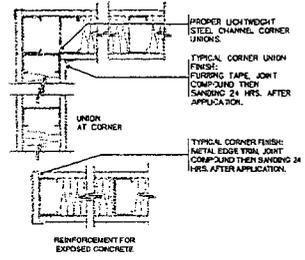
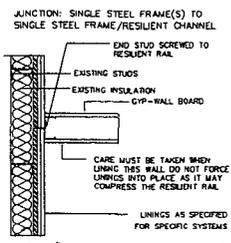
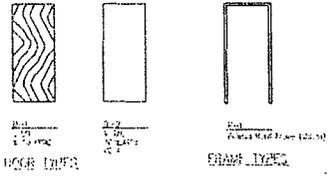
We currently have only 3 employees/staff, including myself. We are open M 8-7, T 8-5, W 8-12, Th 8-5, F 8-7, Sat 8-12 and Sun Closed. In the case of a hospitalized or boarding patient a staff member would be coming back Saturday afternoons and Evenings and multiple times on Sunday.

Our only request is to be granted permission to allow boarding of non-medical patients within our facility.

Thank You,  
Heather Kreager, DVM  
Chalco Hills Animal Hospital



DOOR SCHEDULE								
NO	DOOR	SIZE	TYPE	TYPE	FRAME	HDWR/GRP	UL RATING	REMARKS
1		3-0x6-8x1 3/4"	D-1	F-1				PAINTED FINISH
2		3-0x6-8x1 3/4"	D-1	F-1				STAINED FINISH
3		5-0x6-8x1 3/4"	N/A	N/A				



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, 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, April 3, 2013 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.

Signature of Kirk Hoffman
Shon Barenklau OR Kirk Hoffman
Publisher Business Manager

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 Wednesday, April 17, 2013, at 7:00 P.M. in the Sarpy County Board Room, Sarpy County Administration, Papillion, Nebraska. Heather Kreager, DVM, owner of Chalco Hills Animal Hospital, has submitted an application for consideration of a Special Use Permit to allow non-medical boarding of animals at the property commonly addressed 10208 South 168th Avenue, Suite 800, and legally described as Lot 12, Tiburon Village, as surveyed, platted and recorded, Sarpy County, NE. Property owners Wade and Susan Wickey have submitted an application for

Today's Date 04-02-2013
Signed in my presence and sworn to before me:

Signature of Laura Estep Bronk
Notary Public



Printer's Fee \$ 24.08
Customer Number: 40638
Order Number: 0001621824

consideration of a Special Use Permit to allow a home-based internet firearms business to be known as American Heritage Firearms at their property commonly addressed as 9905 South 176th Street, and legally described as Lot 226, Tiburon, as surveyed, platted and recorded, Sarpy County, NE. New Circular Wireless PCS, LLC d/b/a AT&T Mobility requests approval of a Special Use Permit to collocate and modify their existing facility on a cell tower to include replacing 6 existing antennas at the same elevation and location on the tower, adding a remote radio head behind 3 antennas, replacing REIT cable, and adding a surge suppressor system on the following described property to wit: Tax Lot 4 Section 23 Township 14N Range 10E Sarpy County, Nebraska. Generally located at 218th & Giles Rd. JMF LLC - Paul McCune has submitted an application for a Final Plat of a subdivision to be known as Tiburon Ridge, Phase 1, being a platting of part of Tax lots 15A & 16B in the East 1/2 of the Southwest 1/4 of Section 28, Township 14N, Range 11E of the 6th P.M. Sarpy County, NE. Generally located Northwest of 174th and Hwy 370. An agenda for the meeting, kept continually current, is available for inspection at the Sarpy County Planning Department office. 1621824-4/3

