

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION: AMENDMENT TO SPECIAL USE PERMIT FOR RENEE JOHNSON
AND RESCIND Resolution 2014-201
Come Sit Stay, 7001 S 181st Street, Omaha, NE (Lot 1 and Lot 2 Sunridge Replat 3)

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, on March 1, 2011, via Rsln No. 2011-062, the County Board approved a Special Use Permit for Renee Johnson to operate a 15' x 60' outdoor run area connected to a dog kennel with a maximum of 15 dogs at a time in the outdoor run; and,

WHEREAS, on June 10, 2014, via Rsln No. 2014-201, the County Board approved an amendment to the Special Use Permit. However, Rsln No. 2014-201 was missing a portion of the legal description for the amendment, thus, the approval did not include all of the property to be used for the special use permit.

WHEREAS, rescinding Rsln No. 2014-201 and approving the amended application for the entire legal description is in the best interests of the applicant and Sarpy County.

WHEREAS, the applicant, Renee Johnson has applied to amend the existing Special Use Permit granted under Rsln No. 2011-062 as follows:

1. Expand the 15' x 60' fenced outdoor run area by an additional 38' in length and by 17' in depth in accordance with the plans submitted with the special use permit amendment application.
2. Allow overnight boarding and provide services to a maximum of 75 animals per day.

WHEREAS, the Planning Department has reviewed the application of Renee Johnson to amend the Special Use Permit Amendment as described above on the property located at 7001 S 181st Street and legally described as follows:

Lot 1 and Lot 2 Sunridge Replat 3 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 August 19, 2014, 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 and the operation 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.

BE IT FURTHER 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 Renee Johnson, Come Sit Stay as described above.

BE IT FURTHER RESOLVED THAT Resolution No. 2014-201, approved by this Board on June 10, 2014 is hereby rescinded.

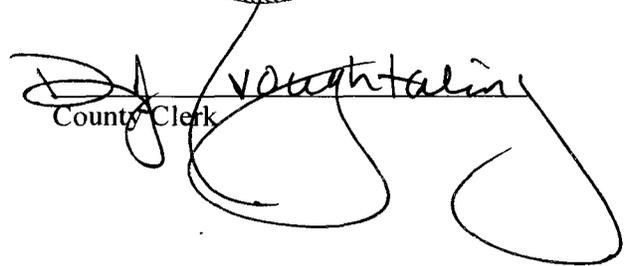
The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 9th day of September, 2014.

Attest

SEAL




Sarpy County Board Chairman


County Clerk

Sarpy County Board of Commissioners
Exhibit "A"
Planning Department Report
County Board Meeting Date: September 9, 2014

Subject	Type	By
Application for a Special Use Permit amending current SUP to expand facility allowing overnight boarding and outdoor fenced run area at 7001 S 181 st Street Omaha, NE 68136 (Lots 1 and 2 Sunridge Replat 3)	Public Hearing & Resolution	Donna Lynam, CFM Assistant Director Planning & Building Dept.

County Board Action approved a SUP for ComeSitStay on June 10, 2014. Since a portion of the fenced outdoor dog run lies within an easement on Lot 1, SunRidge Replat 3, the application must be approved with the corrected legal description.

➤ **Summary and Purpose of Requests:**

- Renee Johnson, applicant, is requesting permission to amend her existing SUP (Special Use Permit) to expand her animal daycare facility to allow for additional overnight boarding space and extend her existing fenced animal run to include additional area adjacent to the building.
- The applicant is in the process of expanding the ComeSitStay facility into the bays to the south of her existing facility.
- **There is an existing easement on Lot 1, SunRidge Replat 3 for a portion of the outdoor run area.**

➤ **Background and Analysis:**

- The detailed staff report on this application was presented to the Planning Commission at their August 19, 2014 meeting and is attached for your information and review.
- Current SUP was approved in March of 2011 by Resolution 2011-062 allowing a maximum of 15 dogs in the outdoor run at any one time and a maximum of 75 dogs in the indoor facility.
- The applicant says the facility averages 70 dogs per day
- The dogs are taken out in groups of 10 and are accompanied by staff while in the outdoor run.
- The pets are taken outside for the last time at 9:00 pm for the day.

➤ **Staff Recommendation:**

- Staff recommends **APPROVAL** of this Special Use Permit application amending an existing SUP to allow for an expanded animal daycare and boarding facility including a fenced outdoor run area in a BG (General Business) zoning district as the request is in conformance with the Sarpy County Zoning Regulations and current Comprehensive Plan.

➤ **Planning Commission Recommendation:**

- On August 19, 2014 the Planning Commission voted to recommend **APPROVAL** of the Special Use Permit for Renee Johnson owner/operator of ComeSitStay to expand their fenced outdoor run area and pet boarding services.

MOTION: Lichter moved, seconded by Fenster, to recommend approval of the amendment to the Special Use Permit for ComeSitStay located at 7001 South 181st Street to allow the expansion of an existing pet boarding, daycare, and grooming facility with an expanded outdoor run for dogs in BG (General Business District). This recommendation is being made as the Special Use Permit is in conformance with the Sarpy County Comprehensive Plan and Zoning Regulations. **Ballot:** Ayes – Lichter, Huddleston, Davis, Ackley, Whitfield, Christianson, Malmquist, Fenster, Torczon and Farrell. Nays: None. Abstain: None. Absent: Bliss. **Motion carried.**



**SARPY COUNTY PLANNING
& BUILDING DEPARTMENT**

AMENDED RECOMMENDATION REPORT

**SPECIAL USE PERMIT AMENDMENT (SUP 14-0006) – ComeSitStay
PET BOARDING, GROOMING, AND DAYCARE WITH AN OUTDOOR RUN AREA**

PLANNING COMMISSION HEARING OF: AUGUST 19, 2014

County Board Action approved a SUP for ComeSitStay on June 10, 2014. Since a portion of the fenced outdoor dog run lies within an easement on Lot 1, SunRidge Replat 3, the application must be approved with the corrected legal description.

I. GENERAL INFORMATION

A. APPLICANT:

Renee Johnson
7001 S 181st Street
Omaha, NE 68136

B. PROPERTY OWNER:

KVI Associates, Inc.
15504 Spaulding Plaza
Omaha, NE 68116

C. SUBJECT PROPERTY LOCATION: Subject property is in the commercial center generally located at the southwest corner of Harrison Street and 180th Street.

D. LEGAL DESCRIPTION: Lot 1 and 2, SunRidge Replat 3

E. SUBJECT PROPERTY SIZE: approximately 1.2 acres

F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:

- Future Land Use Designations: Mixed Use Center
- Zoning: BG (General Business District)

G. REQUESTED ACTION(S):

- To approve an amendment to a previously approved Special Use Permit which allowed animal boarding and an existing outdoor fenced animal run area adjacent to the building. The requested amendment is to expand the fenced animal run area by an additional 38' in length by 17' in depth which will be adjacent to the additional indoor area being finished by the applicant.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The site is currently developed with a 7000 square foot, 7 bay commercial building and parking area.

B. GENERAL VICINITY AND LAND USE

- East, South, and West: BG (General Business), vacant property currently zoned for future commercial development. Beyond the BG Zoning is single-family residential use.
- North: Douglas County jurisdiction – residential use

C. RELEVANT CASE INFORMATION:

- Previous SUP for this project was approved by the County Board on March 1, 2011
- The applicant opened the animal daycare and overnight boarding facility on December 10, 2012.
- The applicant is in the process of expanding the currently facility which will contain 5,000 square feet once completed.
- They plan to provide services to an average of 70 dogs per day
- The outdoor area is fenced with a 6 foot white vinyl fence and has a concrete floor surface for washing and disinfecting purposes.
- Hours of operation are Monday through Friday 6:30 am to 7 pm, Saturdays 8 am to 6 pm, and Sundays from 9 am to 11 am.
- Currently have a staff of 16.

D. APPLICABLE REGULATIONS:

- Sarpy County Comprehensive Development Plan
- Current Zoning District: Section 20, Zoning Ordinance, regarding the BG (General Business) District and Section 41 regarding Special Use Permits

III. ANALYSIS / STAFF COMMENTS

A. COMPREHENSIVE PLAN:

- The Comprehensive Plan shows the area as future Mixed Use Center development (Figure 5.1)

B. TRAFFIC AND ACCESS:

- Access to the subject property is from 183rd Street and Gertrude Street. There is no access allowed off of 180th Street or Harrison Street.

C. OTHER AGENCY REVIEW/COMMENTS: The applications were sent to area jurisdictional agencies or departments that may have an interest. Responses received by the Sarpy County Public Works Department and the Gretna Fire Department indicated they had no comments or objections to the application. No other responses were received.

D. GENERAL:

- Veterinary clinics, hospitals and animal daycare are permitted uses within the BG district. Outdoor runs and boarding operations 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 number of animals allowed within the facility is determined by their inspection of the facility and its employees and determining they are adequate to maintain the required welfare standards for that number.
- The original SUP was approved to allow up to 15 dogs in the outdoor run area at any one time.
- The expanded outdoor run area is proposed to still be adjacent to the building and surrounded by a 6' high solid white vinyl fence. The fence will be a visual screen for the use from adjacent properties will properly contain the animals. The applicant needs to verify that people can egress out of the expanded fenced area in the event of a fire evacuation of the building.
- The applicant indicates the hours of operation of the outdoor area are limited to the operational hours of the overall facility with pets being taken out after 6:30 am

weekdays and after 8 am on weekends. The pets would be taken out to the relief area for the last time each night at 9:00 pm. The hours of operation appear to be compatible with the adjacent commercial uses.

- **There is an existing easement on Lot 1, SunRidge Replat 3 for a portion of the outdoor run area.**

IV. STAFF RECOMMENDATIONS:

Staff recommends **APPROVAL** of the amendment to the Special Use Permit for ComeSitStay located at 7001 S 181st Street to expand their fenced outdoor run area and pet boarding services as it conforms to the Comprehensive Plan and Zoning Regulations of Sarpy County.

V. PLANNING COMMISSION RECOMMENDATION:

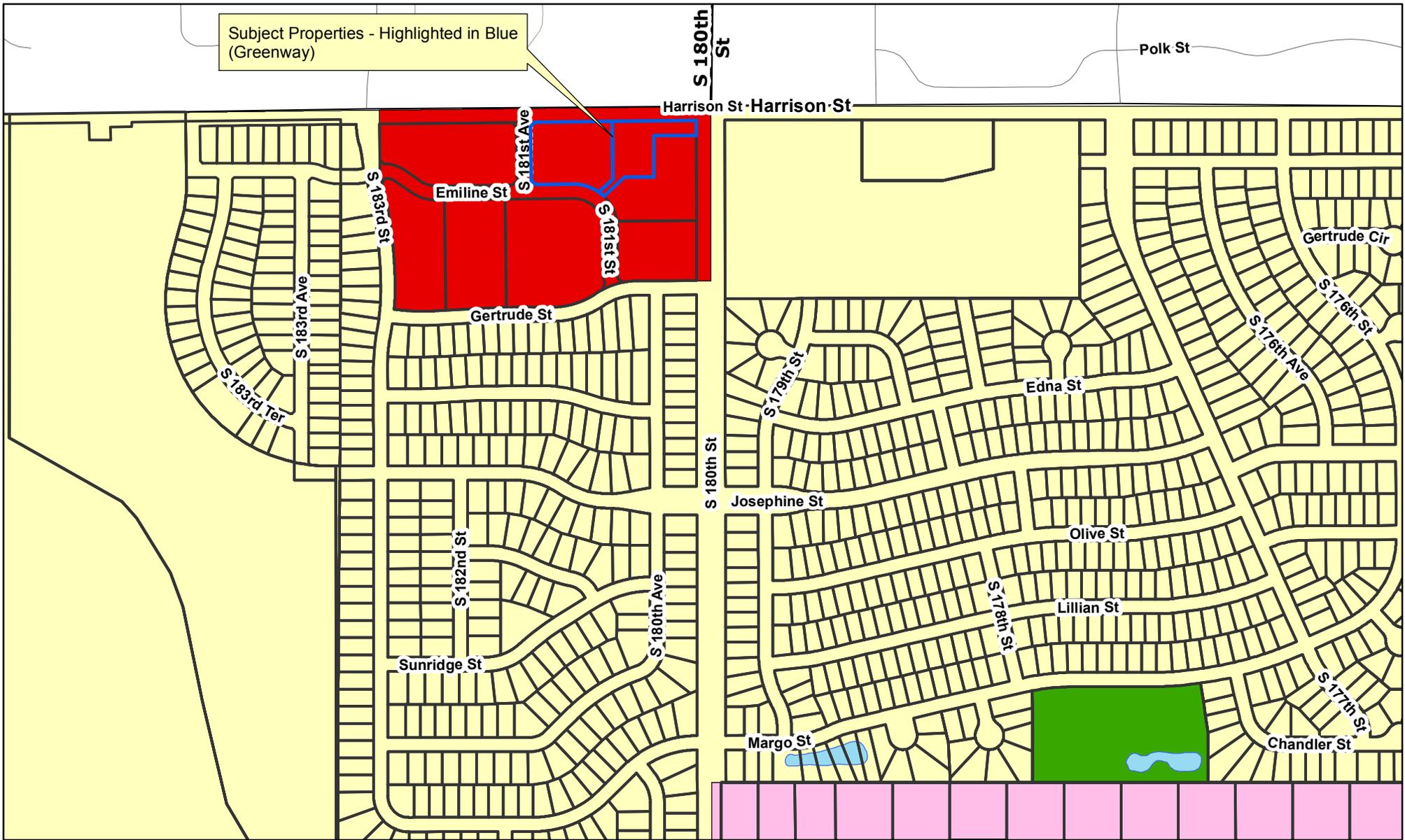
MOTION: Lichter moved, seconded by Fenster, to recommend approval of the amendment to the Special Use Permit for ComeSitStay located at 7001 South 181st Street to allow the expansion of an existing pet boarding, daycare, and grooming facility with an expanded outdoor run for dogs in BG (General Business District). This recommendation is being made as the Special Use Permit is in conformance with the Sarpy County Comprehensive Plan and Zoning Regulations. **Ballot:** Ayes – Lichter, Huddleston, Davis, Ackley, Whitfield, Christianson, Malmquist, Fenster, Torczon and Farrell. Nays: None. Abstain: None. Absent: Bliss. **Motion carried.**

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 Project Description

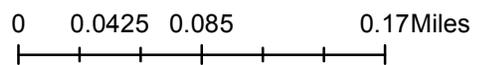
VII. COPIES OF REPORT SENT TO:

1. Renee Johnson (applicant)
2. KVI Associates, Inc. (current property owner)
3. Public Upon Request



Subject Properties - Highlighted in Blue (Greenway)

Current FLU - Sarpy Co



ComeSitStay Special Use Permit

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

Legend

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





SARPY COUNTY PLANNING & BUILDING DEPT.

1210 GOLDEN GATE DRIVE, #1240
PAPILLION, 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. Completed Special Use Permit Application
2. Non-Refundable Fee of \$_____ made payable to Sarpy County (an additional fee of **\$25.00** is 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 14-0006
 DATE RECEIVED: 03-31-14 10:18 RCVD
 CP DESIGNATION: Mixed Use Center
 CURRENT ZONING DESIGNATION: BG
 PROPOSED ZONING DESIGNATION: _____
 APPLICATION FEE: \$175 RECEIPT NO. 2088
 PUBLIC NOTIFICATION
 PROCESSING FEE: \$25.00 RECEIPT NO. _____
 RECEIVED BY: _____
 NOTES: _____

APPLICATION FILING FEES – see Sarpy County Master Fee Schedule for the Planning and Building Department

APPLICANT INFORMATION:

NAME: Benee Johnson E-MAIL: reneee@comesitstayomaha.com
 ADDRESS: 7001 S. 181st St CITY/STATE/ZIP: Omaha NE 68136
 MAILING ADDRESS: _____ CITY/STATE/ZIP: _____
 (IF DIFFERENT)
 PHONE: 402-933-3774 FAX: 402-932-3609

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

NAME: KVI ASSOCIATES, INC E-MAIL: fkulig@kviassociates.com
 ADDRESS: 15504 Spaulding Plz CITY/STATE/ZIP: Omaha, NE 68116
 MAILING ADDRESS: _____ CITY/STATE/ZIP: _____
 (IF DIFFERENT)
 PHONE: 402 496 2600 FAX: _____

ENGINEERING/SURVEYING OR OTHER CONSULTING PROFESSIONAL'S INFORMATION:

NAME: _____ E-MAIL: _____
 ADDRESS: _____ CITY/STATE/ZIP: _____
 MAILING ADDRESS: _____ CITY/STATE/ZIP: _____
 (IF DIFFERENT)
 PHONE: _____ FAX: _____

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): Sunridge

ASSESSOR'S PARCEL NUMBER: 011589616 **ADDITIONAL PARCEL NUMBERS** _____

GENERAL LOCATION: 180th + Harrison
(example 189th & Giles Rd)

LEGAL DESCRIPTION: (Describe property to wit:) Lot 2 Sunridge Replat 3^{Three}

SIZE OF PROPERTY: _____ acres **CURRENT ZONING:** BG **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.

We are expanding our indoor area + would like to expand our outdoor area as well. Our goal is to attach a new fence to our existing one. The new fence will be made of the same vinyl material + also be 6' tall to match our existing fence.

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.

[Signature]
Applicant Signature

3/19/14
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.

[Signature]
Owner Signature (or authorized agent)

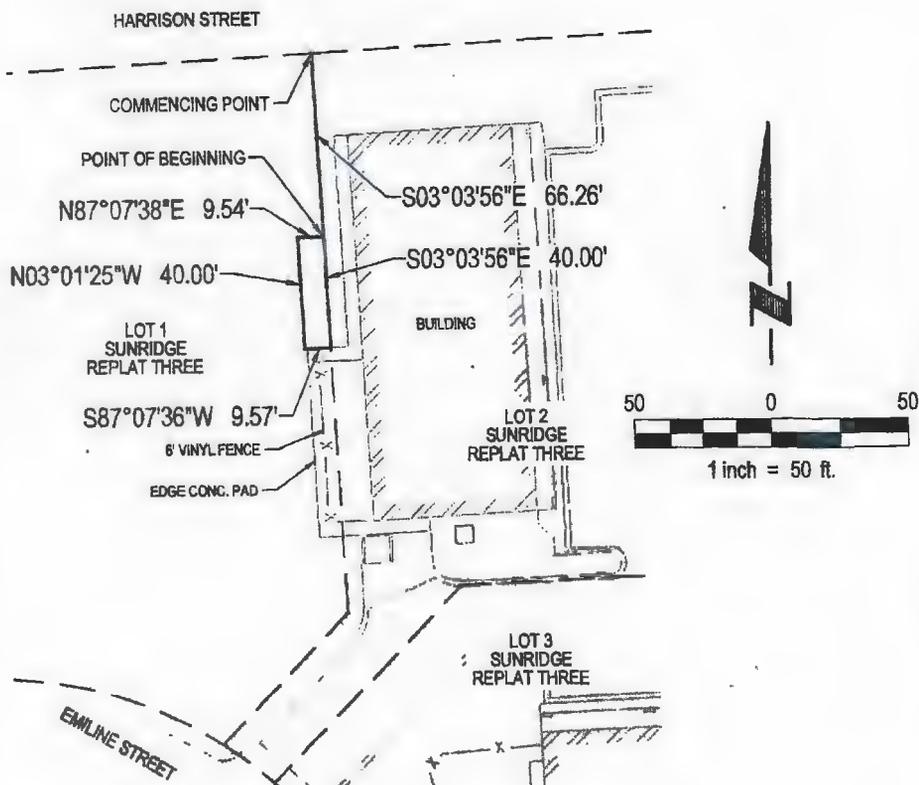
3/19/14
Date

Owner Signature (or authorized agent)

Date

ComeSitStay is a pet boarding, grooming, daycare facility for dogs located on the SW corner of 180th and Harrison. We have been open for business since July of 2011 and we need more room! We are expanding our business into the two bays that are directly to the North of our existing area. We would like to extend our outdoor, fenced-in area as well. The fence will be a 6 foot vinyl material to match the existing fence. We use this area to take the dogs out to relieve themselves multiple times throughout the day and once at 9pm every evening. We divide the groups of dogs that we let out according to size (about 10 dogs at one time.) A staff member supervises the dogs at all times, clean up messes, and make sure they are safe when outdoors. The floor of the outdoor area is made of concrete which is disinfected and hosed down every day. Our business hours are Monday-Friday from 6:30am to 7pm, Saturdays from 8am to 6pm, and Sundays from 9am to 11am, 1pm to 3pm, and 5pm to 7pm. We currently have 16 people on staff. We see an average of 70 dogs per day.

EXHIBIT "A"



LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN LOT 1, SUNRIDGE REPLAT THREE, A SUBDIVISION LOCATED IN THE EAST 1/2 OF THE NE1/4 OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, SUNRIDGE REPLAT THREE, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 2, SAID SUNRIDGE REPLAT THREE, AND ALSO ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HARRISON STREET; THENCE S03°03'56"E (ASSUMED BEARING) ALONG THE EASTERLY LINE OF SAID LOT 1, SUNRIDGE REPLAT THREE, SAID LINE ALSO BEING THE WESTERLY LINE OF SAID LOT 2, SUNRIDGE REPLAT THREE, A DISTANCE OF 66.26 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S03°03'56"E ALONG SAID EASTERLY LINE OF LOT 1, SUNRIDGE REPLAT THREE, SAID LINE ALSO BEING SAID WESTERLY LINE OF LOT 2, SUNRIDGE REPLAT THREE, A DISTANCE OF 40.00 FEET; THENCE S87°07'36"W, A DISTANCE OF 9.57 FEET; THENCE N03°01'25"W, A DISTANCE OF 40.00 FEET; THENCE N87°07'38"E, A DISTANCE OF 9.54 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 382 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

 Engineering • Planning • Environmental & Field Services 330 North 117th Street Omaha, NE 68154 Phone: 402.893.4700	E & A CONSULTING GROUP, INC.		EXPANSION EXHIBIT LOT 1, SUNRIDGE REPLAT THREE NE1/4 SEC. 17, T14N, R11E SARPY COUNTY, NEBRASKA
	Drawn by: FCE	Scale: 1" = 50'	
Job No.: P2001.097.013			



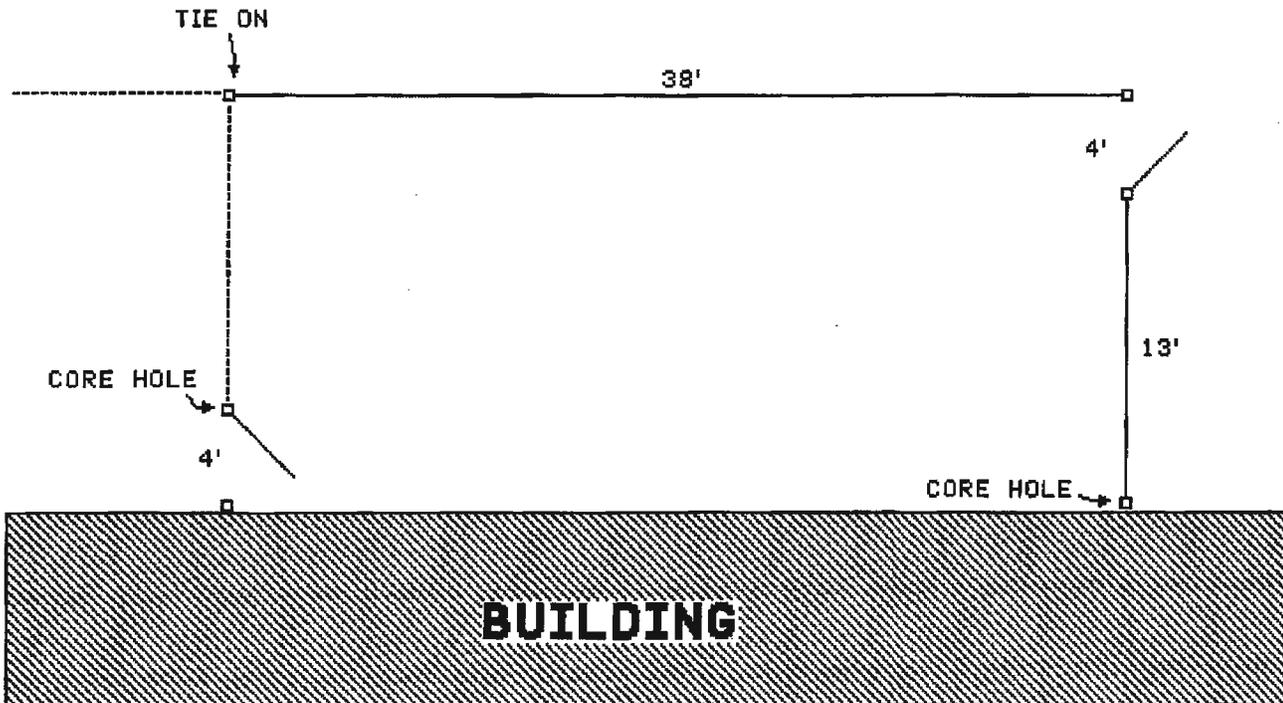
Quality Fence Company

Omaha's Most Trusted Fence Company

QUALITY FENCE CO.
17716 Storage Road
OMAHA, NEBRASKA 68136
(402) 896-9325, Fax: (402) 894-0076

JOB SKETCH

COME SIT STAY
7001 S. 181st STREET
OMAHA, NEBRASKA 68136



02/14/2014

VENTEICHER, LLC

15504 Spaulding Plaza, Suite C8 • Omaha, Nebraska 68116

Office: (402) 496-2600 • FAX: (402) 496-4599

March 25, 2014

Renee Johnson

Comesitstay Pet Day Care
7001 South 181st Street
Omaha, NE 68136

Re: Approval for erection of a fence.

Dear Renee:

We are the Owners of Lot 1 Sunridge Replat 3. Please let this letter confirm that we approve the construction of a fence by you within the area described in the attached site plan. The type and style of the fence is to be similar to the fence you currently have within a portion of the described area.

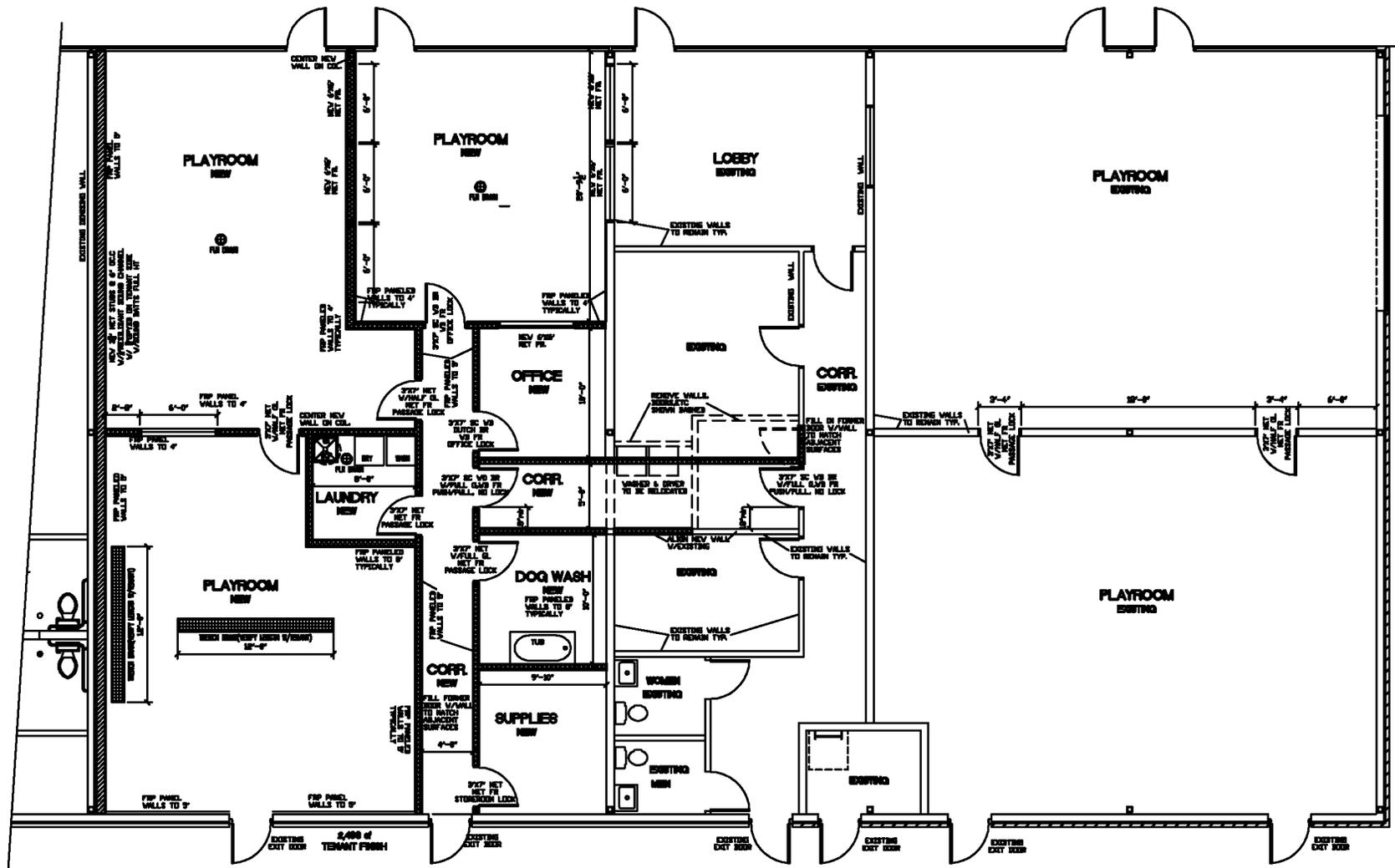
Let me know if any further confirmation is required.

Sincerely,



Frank Kulig

For The Venteicher Limited Liability Company



TENANT REMODEL PLAN

