

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION: SPECIAL USE PERMIT – RYAN SELPICKA
11274 Richland Drive, 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 Ryan Slepicka's Special Use Permit application to allow operation of an internet based car dealership in a portion of a commercial building under construction generally located at 11274 Richland Drive and legally described as follows:

Lot 1, Block 13 Westmont, 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 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 and the operation plan.
- V. The zoning at the property described above is BG, General Business District.

VI. 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 operation of operation of an internet based car dealership in a portion of a commercial building on the property described above, subject to the following conditions:

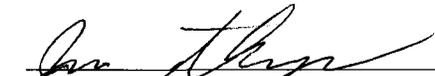
1. The applicant remain consistent with the operational plan.
2. All vehicles would be stored inside the building and would be advertised over the internet.
3. The building will be displayed in a neat and professional manner to meet covenants and zoning regulations and would include a professional sign.
4. The hours of operation would be from 10 am to 6 pm Monday through Saturday

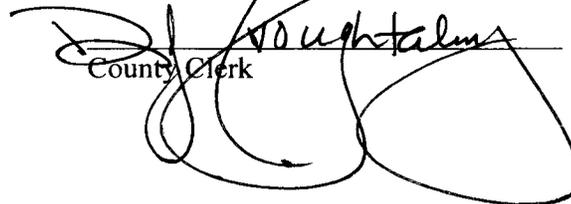
The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 9th day of September, 2014.

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 to operate a an internet based car dealership at 11274 Richland Drive, Omaha NE 68136 (Lot 1, Block 13, Westmont)	Public Hearing & Resolution	Donna Lynam, CFM Assistant Director Planning & Building Dept.

➤ **Summary and Purpose of Requests:**

- Ryan Slepicka has applied for a Special Use Permit (SUP) to operate his internet based car dealership in a portion of the commercial building under construction at 11274 Richland Drive.

➤ **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.
- Applicant has submitted his Operational Plan which contains the following information:
 - All vehicles would be stored inside the building and would be advertised over the internet.
 - The building will be displayed in a neat and professional manner to meet covenants and zoning regulations and would include a professional sign.
 - The hours of operation would be from 10 am to 6 pm Monday through Saturday

➤ **Staff Recommendation:**

Staff recommends **APPROVAL** of a Special Use Permit to operate an internet based car dealership in a BG (General Business) District as the request is in conformance with the Sarpy County Zoning Regulations and current Comprehensive Plan. Staff makes this recommendation with the condition that any outdoor display of vehicles is prohibited at all times as stated in his Operational Plan.

➤ **Planning Commission Recommendation:**

- On August 19, 2014 the Planning Commission voted to recommend **APPROVAL** of the Special Use Permit for Ryan Slepicka to operate an internet based car dealership in a BG (General Business) District.

MOTION: Huddleston moved, seconded by Davis to Approve this Special Use Permit application to allow for the operation of an internet based car dealership in BG (General Business District) as specifically described in the Application and Operational Plan submitted by the applicant, provided that the outdoor display of vehicles for sale will be prohibited at all times. **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**

RECOMMENDATION REPORT

**SPECIAL USE PERMIT APPLICATION (SUP 14-0008)
RYAN SLEPICKA for RYAN MOTORS**

**TO ALLOW FOR THE OPERATION OF AN INTERNET BASED CAR DEALERSHIP IN A
BG/HC (GENERAL BUSINESS W/HIGHWAY CORRIDOR OVERLAY) DISTRICT**

PLANNING COMMISSION HEARING OF: AUGUST 19, 2014

I. GENERAL INFORMATION

A. APPLICANT:

Ryan Slepicka
11274 Richland Drive, Suite 1
Omaha, NE 68138

B. PROPERTY OWNER:

Dan Williams
17105 S Hwy 50
Springfield, NE 68059

C. SUBJECT PROPERTY LOCATION: Subject property is located just south and west of 132nd and Highway 370 in the Westmont Subdivision.

D. LEGAL DESCRIPTION: Lot 1, Block 13, Westmont as surveyed, platted and recorded in Sarpy County, Nebraska.

E. SUBJECT PROPERTY SIZE: approximately .05 acres

F. EXISTING FUTURE LAND USE AND ZONING DESIGNATIONS:

- Future Land Use Designation: Urban Residential
- Zoning: BG/HC (General Business w/Highway Corridor Overlay)

G. REQUESTED ACTION(S):

- To approve a Special Use Permit to allow for the operation of an internet based car dealership.

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE: The site is currently being developed with two commercial buildings which will offer leased bays.

B. GENERAL VICINITY ZONING AND LAND USE

- North: zoned IL (Light Industrial District) and BG (General Business District) – PMNRD Property and Shopko Distribution Center
- South: zoned RD-50 (Residential District) – Westmont Housing Development
- East: zoned RD-50 (Residential District) – Westmont Housing Development
- West: zoned BG (General Business District) – Small Retail

C. RELEVANT CASE INFORMATION:

- Ryan Slepicka has applied for a Special Use Permit (SUP) to operate his internet based car dealership.
- All vehicles would be stored inside the building and would be advertised over the internet.
- The building will be displayed in a neat and professional manner to meet covenants and zoning regulations and would include a professional sign.
- The hours of operation would be from 10 am to 6 pm Monday through Saturday

D. APPLICABLE REGULATIONS:

- Sarpy County Comprehensive Plan
- Sarpy County Zoning Regulations:
 - Section 20 – BG (General Business) District
 - Section 41– Special Use Permits

III. ANALYSIS

A. COMPREHENSIVE PLAN:

- The Comprehensive Plan future land use map designates this area as Urban Residential.

B. TRAFFIC AND ACCESS:

- Access to the site will be from Richland Drive.

C. OTHER AGENCY REVIEW/COMMENTS:

- The application was sent to area jurisdictional agencies or departments that may have an interest. All responses received indicated no comments or objections to the application.

D. GENERAL PUBLIC 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.
- At the time of this staff report, one inquiry was made with regards to the application. The caller did not indicate opposition to the project, but had concerns with outdoor vehicles. Is hoping for a nice, clean, professional looking operation.

E. GENERAL INFORMATION:

- The applicant's Operation Plan contains the following information:
 - All vehicles would be stored inside the building and would be advertised over the internet.
 - The building will be displayed in a neat and professional manner to meet covenants and zoning regulations and would include a professional sign.
 - The hours of operation would be from 10 am to 6 pm Monday through Saturday

IV. STAFF COMMENTS AND RECOMMENDATIONS:

- Staff recommends **APPROVAL** of this Special Use Permit application to allow for the operation of an internet based car dealership provided that outdoor display of vehicles for sale will be prohibited at all times, in the BG zoning district as specifically described in the Application and Operational Plan submitted by the applicant.

V. PLANNING COMMISSION RECOMMENDATION:

MOTION: Huddleston moved, seconded by Davis to Approve this Special Use Permit application to allow for the operation of an internet based car dealership in BG (General Business District) as specifically described in the Application and Operational Plan submitted by the applicant, provided that the outdoor display of vehicles for sale will be prohibited at all times. **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. Sarpy County Current Zoning Map
2. Current Development Structure Plan – Figure 5.1 of Sarpy Co. Comprehensive Plan (Future Land Use Map)
3. SUP Application and Operation Plan

VII. COPIES OF REPORT PROVIDED TO:

1. Ryan Slepicka (applicant)
2. Dan Williams (property owner)
3. Public Upon Request



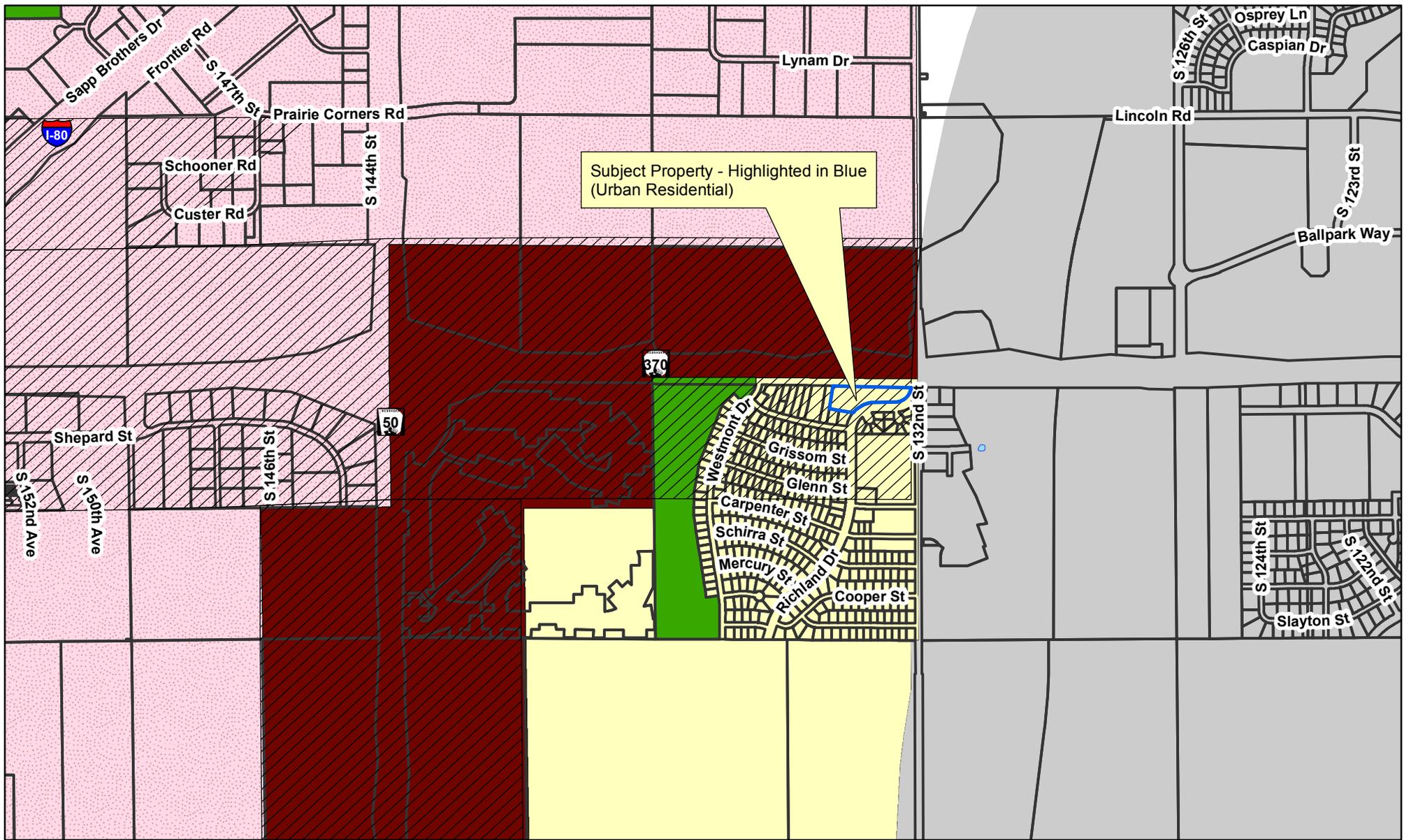
Vicinity Map - Current Zoning

11274 Richland Dr, Suite #1

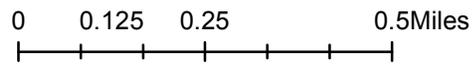
Ryan Slepicka Special Use Permit

 Sarpy Highway Corridor Overlay





Current FLU - Sarpy Co



Ryan Slepicka Special Use Permit

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

Legend

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



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 \$ 300 made payable to Sarpy County (an additional fee of \$ 25.00 is also to 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 14-0008
 DATE RECEIVED: 4-20-14
 CP DESIGNATION: Urban Residential I
 CURRENT ZONING DESIGNATION: BG ^{Highway} _{Corridor} ^{District}
 PROPOSED ZONING DESIGNATION: _____
 APPLICATION FEE: \$ 300 RECEIPT NO. 2377
 PUBLIC NOTIFICATION
 PROCESSING FEE: \$ 25.00 RECEIPT NO. 2377
 RECEIVED BY: _____
 NOTES: _____

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

APPLICANT INFORMATION:

NAME: Ryan Slepicka E-MAIL: Ryanmotars@outlook.com
 ADDRESS: 11411 Westmont Dr. CITY/STATE/ZIP: Omaha, NE 68138
 MAILING ADDRESS: _____ CITY/STATE/ZIP: _____
 (IF DIFFERENT)
 PHONE: 402-639-2324 FAX: _____

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

NAME: Dan Williams E-MAIL: Danw@fighton.com
 ADDRESS: 17105 So. Hwy 50 CITY/STATE/ZIP: Springfield, NE 68059
 MAILING ADDRESS: _____ CITY/STATE/ZIP: _____
 (IF DIFFERENT)
 PHONE: 402-740-2202 FAX: 402-253-3190

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): Westmont

ASSESSOR'S PARCEL NUMBER: 010326782 ADDITIONAL PARCEL NUMBERS _____

GENERAL LOCATION: 132nd & 370 Hwy, 11274 Richland Dr. suite #1
(example 189th & Giles Rd)

LEGAL DESCRIPTION: (Describe property to wit:) Lot 13 Block 1 Westmont

SIZE OF PROPERTY: .05 acres CURRENT ZONING: BG, HC 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.

Requesting special use for internet based car dealership

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

5/19/14
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] member Williams Enterprises
Owner Signature (or authorized agent)

5-19-2014
Date

Owner Signature (or authorized agent)

Date

I am requesting a special use permit to be used for an internet based vehicle dealership located at 11274 Richland Drive, Suite # 1. Vehicles would be stored inside the building and would be advertised over the internet. The building will be displayed in a neat and professional manner to meet covenants and zoning. A clean and professionally made sign will accompany the building. Hours of operation would be from 10am-6pm Monday-Saturday.

I have been a current resident of the Westmont neighborhood for over five years, and I would like to see the neighborhood continue to improve. This is why I would conduct a clean and professional business that would bring value to the neighborhood and surrounding areas.

Thank you for your consideration,

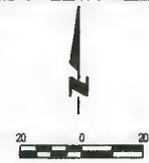
Ryan Slepicka



GENERAL INFORMATION

LEGAL DESCRIPTION: LOT 13, BLOCK 1 WESTMONT, 3.39 ACRES
 PROPERTY ADDRESS: 11200-11212 RICHLAND DRIVE
 OWNER: DAN WILLIAMS
 EXISTING ZONING: BG (GENERAL BUSINESS) WITH HC (HIGHWAY CORRIDOR OVERLAY DISTRICT)

HWY 370



40 PARKING STALLS SHOWN

DISTANCE FROM PROPERTY LINE TO EDGE OF HWY 370 PAVEMENT

2" CALIPER TREE SCREENING



EXISTING WESTMONT C-STORE

E & A CONSULTING GROUP, INC.
 Engineering • Planning • Environmental & Field Services
 200 Main 17th Street Omaha, NE 68102
 Phone: 402.342.4000 Fax: 402.342.5200
 www.eacg.com



WILLIAMS BLDG.
 LOT 13, WESTMONT

SITE PLAN AND VARIANCE EXHIBIT

Revisions	Description	Date	Drawn By	Checked By
1	ISSUED FOR PERMITTING		JAC	JAC
2	REVISED PER COMMENTS		JAC	JAC

C1



