

Agenda Item # 29c
Date 4/17/24

NOTICE OF PUBLIC HEARING

You are hereby notified that the Douglas County Planning Commission will meet at 6:00 p.m. on Wednesday, April 17th, 2024 in the Douglas Room, first floor, 15335 West Maple Road, Omaha, NE 68116

1. Jennifer Karls, applicant-amendment of a Special Use Permit to add a 2nd screen to the Quasar drive-in movie theater located at 13427 N 300 Street, Valley, NE 68064. SW 1/4 SW 1/4 Section 02-Township 16-Range 09; Parcel Number 0100880000.

This is a public meeting and all are welcome to attend. Documentation of these items and the full agenda will be available at the Douglas County Environmental Services webpage at <https://www.dceservices.org/land-use-and-zoning/planning-commission> approximately one week prior to the meeting.

Madison Homan, Douglas County Planning and Zoning

402-444-4681

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Dodgco Co Hwyway Dept

Project Name:

[Add Note](#)

Project Description:

Permit Number: SUP-0001-24

Applicant: Karls, Jennifer

Initial Application Number: REFERENCE-24-0268

Primary Contact: Karls, Jennifer ¹

Permit Type: SPECIAL USE PERMIT

Primary Contractor:

Status*:

Last Activity: 03/14/2024 21:59

Process State: Pending

Last Inspection Date:

Parent Permit:

Initiated:

Assigned To:

Submitted*: Application is 8 days old

Fast Track:

Completed: 1 of 1 submittals received, 0 of 1 submittals accepted.

Applied for Online:

Approved: 0 of 11 (0%) steps approved.

Cycle Information

Cycle Number: 0

Cycle State: Pending

Cycle Start:

Ready: \$325.00 paid (100%), \$0.00 due.

Issued:

Finalized: No inspections.

Closed: \$0.00 deferred fees due.

Expires: Exp Override:

Site Address

Site Address:

[Verify Address and Coordinates](#)

Site City:

Latitude:

State: Site Zip:

Longitude:

Inspection Area:

Zone:

Primary Parcel: 0100880000 ¹

BOARD OF COUNTY COMMISSIONERS DOUGLAS COUNTY, NEBRASKA

Resolved

WHEREAS, a request was received from Jennifer and Jeffrey Karls for a Special Use Permit to allow a Drive-in Movie Theater in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 2-Township 16-North-Range 9 East of the 6th P.M., Douglas County, Nebraska, except the South 60 feet thereof. General location: Northeast corner of the intersection of 300th Street and Hwy. 36 (Pawnee Road) and;

WHEREAS, the Planning Commission considered this request on October 11, 2017 and recommended approval (with the staff working with all the affected parties to resolve issues identified – landscaping, fencing, improvements along 300th Street, improvements along Hwy. 36, lighting, signage, Emergency Management and building design) on a 5-0 vote; and

WHEREAS, pursuant to notice published in The Daily Record on January 12 and January 26, 2018, a public hearing was held in the Legislative Chamber, Omaha/Douglas Civic Center on February 6, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS, DOUGLAS COUNTY, NEBRASKA that approval be and is hereby given to Jennifer and Jeffrey Karls for a Special Use Permit to allow a Drive-in Movie Theater in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 2-Township 16-North-Range 9 East of the 6th P.M., Douglas County, Nebraska, except the South 60 feet thereof. General location: Northeast corner of the intersection of 300th Street and Hwy. 36 (Pawnee Road) with the following conditions:

1. The site is developed per the Site Plan dated 02-05-2018.
2. One screen only approved at this time, movies to run from Memorial Day through Labor Day (~~Friday and Saturday nights~~). Movies, or events beyond those dates, or if a second screen is requested, an amendment to this SUP is required, following the procedures for a new SUP request.
3. If 300th St. is to be paved in the future, County will need 17 feet of additional right-of-way (r-o-w). This additional road dedication is not required immediately, but as part of the paving project. The additional r-o-w is to be complied-with when planting trees, fencing, etc.

4. Entrance into property must be a minimum of 1000' from the Hwy. 36/ 300th St. intersection (measured from north edge of Hwy. 36 r-o-w to the center line of their private entrance drive).
5. Before drive-in opening, applicant to contact County Engineer. Engineer will grade 300th Street (at no cost) as a standard procedure; then applicants are to apply calcium chloride (dust control). The cost of the calcium chloride application is 100% applicant responsibility. Engineer will assist them in finding a contractor. The dust control application is to be done a minimum of two times (May; July – Aug) per year, but may be more depending on wear and tear on 300th Street. Engineer will determine if a more-than twice per year application is necessary. Each time prior to dust control application, the Engineer will grade the road (at no cost to the applicants). The application of calcium chloride remains 100% applicant expense. The grading and dust control application shall run from the 300th Street/ Hwy. 36 intersection to the north edge of their private entrance drive. Applicants are to coordinate with Engineer on the installation of the calcium chloride.
6. A one-year (calendar) average of 600 vehicles per operating day using 300th Street [this is 300 vehicles] will cause the County to review/re-consider if just calcium chloride dust control is sufficient along 300th Street. If hard surfacing of 300th St. does become necessary, then an agreement would be required as to each entity's responsibility, time-frame, etc. Additional r-o-w required at that time (if not done previously).
7. Engineer will put out tubes prior to drive-in opening to obtain a baseline traffic count (to determine non-event traffic) along 300th Street.
8. Applicants are to provide attendance vehicle numbers to the County (both Planning and Engineer) – per event.
9. Staff will provide a status report to the Planning Commission and County Commissioners annually.
10. Permit to be reviewed in 2033.
11. Street lights shall be as State required. All costs associated with lighting are 100% applicant's responsibility.
12. Tree spacing and type shall be per County Extension Office, and as further refined by County and/or State requirements.
13. Signage along Hwy. 36 and 300th Street must be in compliance with State and/or County regulations. Temporary and/or directional signage is permitted at the entrances.
14. The State is not requiring turn lanes along Hwy. 36 at this time. State has developed criteria (including accidents, complaints) that will cause them to review/re-consider the installation of turn lanes along Hwy. 36. If turn lanes are required, cost is not a State responsibility.

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15. Emergency warning system shall be reviewed/approved by the County's Emergency Manager.
16. An 8-foot tall fence is permitted.
17. [Concession] building shall be a 1960's retro design.

Motion to approve by Kraft, second by Cavanaugh to approve.

Amendment to strike the Friday and Saturday nights by Borgeson, second by Duda. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Absent: Boyle. Motion passed.

Amendment to number 17 to say the "concession building shall be a 1960's retro design" by Kraft, second by Duda. Yeas: Borgeson, Cavanaugh, Duda, Kraft, Morgan, Rodgers. Absent: Boyle. Motion passed.

Vote on original motion to approve with amendments.

I move the adoption of the resolution.

Adopted: February 6, 2018

Yeas: Borgeson, Cavanaugh, Duda, Kraft, Morgan, Rodgers

Absent: Boyle

(CERTIFIED COPY)



Daniel A. Esch
Douglas County Clerk

Resolution No: 111
ADOPTED: February 6, 2018

**BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA**

Resolved

WHEREAS, a request was received from Jennifer and Jeffery Karls to amend Condition #2 of their Special Use Permit - regarding the seasonal limit on operations - allowing for a Drive-In Movie Theater at 13427 N. 300th Street; and

WHEREAS, the Planning Commission considered this request on August 19, 2020, and recommended approval on a 5 (one vote virtual) to 2 vote; and

WHEREAS, the revised Condition #2 would then read "One screen only approved at this time. If a second screen is requested, an amendment to this SUP is required, following the procedures for a new SUP request"); and

WHEREAS, pursuant to notice published in The Daily Record on August 25, 2020, a public hearing was held in the Legislative Chamber, Omaha/Douglas Civic Center on September 15, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS, DOUGLAS COUNTY, NEBRASKA that approval be and is hereby given to amend Condition #2 of the Special Use Permit issued to Jeff and Jennifer Karls - regarding the seasonal limit on operations - allowing for a Drive-In Movie Theater at 13427 N. 300th Street, in which Condition #2 will now read "One screen only approved at this time. If a second screen is requested, an amendment to this SUP is required, following the procedures for a new SUP request."

Motion by Borgeson, second by Morgan to approve. I move the adoption of the resolution.

Adopted: September 15, 2020

Yeas: Borgeson, Boyle, Cavanaugh, Morgan, Rodgers, Duda

Absent: Kraft

(CERTIFIED COPY)



Daniel A. Esch
Douglas County Clerk