PLANNING BOARD AGENDA

Public Hearing and Administrative Meeting
Wednesday, July 6, 2016, 1:30 P.M.

Omaha/Douglas Civic Center
1819 Farnam Street
Legislative Chamber

DISPOSITION AGENDA

This document states the disposition of cases before the Planning Board at their Public Hearing and Administrative meeting held on July 6, 2016.

MEMBERS PRESENT: Brinker Harding, Chairman
Greg Rosenbaum
Van C. Deeb
Trenton Magid
David Rosacker
Kristine Karnes

MEMBERS NOT PRESENT: Arnold Nesbitt, Vice Chairman

Certification of Publication: Planning Board Administrator certifies publication of this agenda in the Daily Record, the official newspaper of the City of Omaha on Monday, June 27, 2016.

ADMINISTRATIVE MEETING ONLY

1. C10-14-127  
   C12-14-128  
   FRK Development, LLC

   REQUEST: Final Plat approval of INDIAN POINTE (Lots 267-409, Outlots L-M), a subdivision outside the city limits, with rezoning from AG to DR and R4

   LOCATION: Northeast of 192nd and Sahler Streets

   DISPOSITION: APPROVAL 6-0.

2. C10-16-172  
   C12-16-173  
   Deer Creek Reserve LLC

   REQUEST: Final Plat approval of DEER CREEK RESERVE (formerly a portion of Deer Creek Highlands), a subdivision outside the city limits, with rezoning from AG to DR and R4

   LOCATION: Southeast of 132nd and State Streets

   DISPOSITION: APPROVAL 6-0. Approval of the Final Plat subject to submittal of an acceptable final subdivision agreement prior to forwarding to City Council.
### 3. C10-12-223  
C12-12-224  
CR Investments Inc.  

**REQUEST:** Final Plat approval of HIGHLAND HILLS (Lots 191-492, Outlots D-H), a subdivision outside the city limits, with rezoning from AG to DR and R4  

**LOCATION:** Northeast of 168th and Ida Streets  

**DISPOSITION:** APPROVAL 6-0. Approval of the rezoning from AG to DR and R4. Approval of the Final Plat, subject to submittal of an acceptable final subdivision agreement and addressing the following items prior to forwarding the request to City Council: 1) Place the green corner in its own outlot and provide an access easement back to 167th Avenue/Whitmore Street. 2) Provide or address the following in regards to the temporary lift station: (a) Submit an exhibit showing that sewers served by the temporary lift station will be able to function by gravity in the future (this submittal does include such an exhibit). (b) The cost to construct the lift station and force main shall be specially assessed or paid for privately. (c) Provide language in the subdivision agreement that the temporary lift station shall be owned and maintained privately, and that its future decommissioning and removal will be paid for privately.

### 4. C10-07-127  
C12-07-128  
Full Circle Ventures, Inc.  

**REQUEST:** Final Plat approval of LEYTHAM (Lots 1-131, Outlots 1-33), a subdivision outside the city limits, with rezoning from AG to R4 and MU and approval of a NCE (Neighborhood Conservation/Enhancement) Overlay District  

**LOCATION:** Northeast of 168th and State Streets  

**DISPOSITION:** APPROVAL 6-0. Approval of the final plat subject to compliance with the conditions of the revised preliminary plat approval and subject to the following being addressed prior to forwarding the final plat to the City Council for final action: 1) Coordinating with Public Works on an acceptable paving plan. 2) Providing for the widening to a three-lane section for all frontage along 168th Street, plus any additional widening as needed to accommodate left turn lanes and tapers. 3) Coordinating with Public Works on the required street section for the eastbound approach of Rachel Snowden Parkway to 168th Street. 4) Preparing a post construction stormwater plan and maintenance agreement. 5) Coordinating with Public Works for necessary modifications to Outlot 2 to accommodate the design vehicle. 6) Providing that all corner lots at street intersections are chamfered at 8.5’ x 8.5’ and are depicted on the plat. 7) Providing turnarounds at the terminus of all temporarily dead-ended streets. 8) Coordinating with the NRD to verify that the subdivision will not impact their future lake to the north. 9) Submittal of an acceptable final subdivision agreement.

### PUBLIC HEARING AND ADMINISTRATIVE MEETING  
**(HOLD OVER CASES)**  

**Subdivisions**

### 5. C10-15-299  
C12-15-300  
Western Springs Land Corp.  

**REQUEST:** Preliminary Plat approval of SHADOW VIEW VILLAGE, a subdivision outside the city limits, with rezoning from AG to MU (laid over from 04/06/16)  

**LOCATION:** Northwest of HWS Cleveland Boulevard and West Center Road  

**DISPOSITION:** APPROVAL 6-0. Approval of the rezoning from AG to MU, subject to submittal of an acceptable Mixed Use Development Agreement to be submitted with the Final Plat. Approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat: 1) Provide for all improvements identified in the final approved traffic study. Approval will be required from both the City of Omaha and the Nebraska Department of Roads (NDOR). 2)
Coordinate with the property owner to the west of the proposed subdivision for the acquisition of land necessary for the 200th Street improvements. For the acquired portion, either (1) include it within the subdivision boundaries, or (2) submit a paper right-of-way dedication for recording prior to final plat approval. 3) Coordinate with the Public Works Department on acceptable design for the proposed on-street parking on Gold Street and for the paving section along 200th Street. 4) Coordinate with NDOR for approval of the design of the westbound right turn lane at 200th Street and West Center Road. 5) Coordinate with the City of Omaha, NDOR and the property owner on the west for an acceptable location and design of the first full-movement intersection of 200th Street north of West Center Road. 6) Secure Public Works approval of the finalized design of the future roundabout prior to Planning Board approval of the Final Plat. 7) Provide the following notes on the plat: (a) There shall be no direct access onto West Center Road from Lots 4-8 or Outlot A. (b) There shall be no direct access onto 200th Street from Lots 3 or 4. 8) Include a provision in the final subdivision agreement that assigns responsibility for the routine maintenance and snow removal of the parking areas located on public right-of-way. 9) Revise all mixed use exhibits to comply with the City’s driveway regulations. 10) Provide sidewalks along all streets as required by the Subdivision Ordinance (including West Center Road). 11) Show a 35 foot no-build easement on the plat for lots/outlots on both sides of HWS Cleveland Boulevard. 12) WS Cleveland Boulevard will need 100 feet width right-of-way, 6 foot sidewalks, landscaping and street lights to be located and specified in accordance with the boulevard design guidelines found in the Suburban Park Master Plan. 13) All boulevard improvements must be accepted by the Park and Recreation Advisory Board prior to bidding. 14) Work with city staff in finalizing an acceptable tree mitigation plan. 15) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. 16) Include provisions for use, ownership and maintenance of the outlots in the subdivision agreement. 17) Provide a letter from the Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area. 18) Provide a letter of approval from Douglas County regarding noxious weed control. 19) An acceptable debt ratio of 4% or less.

| 6. | C10-16-098 (D) C12-16-099 Maple Valley, LLC | REQUEST: Preliminary Plat approval of MAPLE VALLEY REPLAT ONE, a subdivision outside the city limits, with a waiver of Section 53-8 for Street design standards (maximum grade), with rezoning from DR and MU to DR and MU (laid over from 06/01/16) | LOCATION: Southeast of 168th Street and West Maple Road |

**DISPOSITION:** LAYOVER 6-0.

**REGULAR AGENDA**

**Master Plan Referrals**

| 7. | C3-16-160 Planning Department on behalf of the City of Omaha | REQUEST: Approval of the UNMC REDEVELOPMENT PROJECT PLAN | LOCATION: Northeast of 42nd and Leavenworth Streets |

**DISPOSITION:** APPROVAL 6-0.

| 8. | C3-16-162 Planning Department on behalf of the City of Omaha | REQUEST: Approval of the AMES ROW HOUSES TIF REDEVELOPMENT PROJECT PLAN | LOCATION: 5801 Fowler Avenue |

**DISPOSITION:** APPROVAL 6-0.
## Planning Board Agenda

### July 6, 2016

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9. C3-16-163

Planning Department on behalf of the City of Omaha

| REQUEST: | Approval of the 27th and Leavenworth Community Redevelopment Area Designation |
| LOCATION: | An area generally bounded by Leavenworth and Mason Streets on the north, 20th and 24th Streets on the east, Interstate 480 on the west and Woolworth Avenue and Hickory Street on the south |

**DISPOSITION:** APPROVAL 6-0.

10. C19-16-164

Planning Department on behalf of the City of Omaha

| REQUEST: | Approval of the 2016 Annexation Package: Pacific Ridge (SID 486); Elk Valley (SID 458); Falcon Ridge (SID 434); Autumn Grove (SID 431) and adjacent area; Western Oaks (SID 389) and adjacent area; Dickenson Landing/Wood Creek (SID 385); High Point (SID 293) and adjacent area |
| LOCATION: | Omaha and 3-mile extraterritorial jurisdiction |

**DISPOSITION:** APPROVAL 6-0.

### Subdivisions

11. C12-16-166 (D)

Vesta Properties, LLC

| REQUEST: | Preliminary and Final Plat approval of MEIER ACRES, a minor plat outside the city limits |
| LOCATION: | Northeast of 132nd Street and Rainwood Road |

**DISPOSITION:** APPROVAL 6-0. Approval of the preliminary plat subject to the following conditions:
1) Provide an exhibit comparing current grades with proposed grades or submit a verification letter stating that the driveway will not affect grading onsite. 2) Provide tree removal calculations to ensure that mitigation is not required. 3) Place the building envelope and driveway location on the Final Plat. 4) Waive the right to protest the creation of a future sidewalk improvement district in the final subdivision agreement. 5) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. 6) Include provisions for use, ownership and maintenance of the outlot in the final subdivision agreement. Approval of the Final Plat, subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, prior to forwarding the plat to the City Council.

12. C12-16-167

Gregory Ruegsegger

| REQUEST: | Preliminary and Final Plat approval of FURNITURE ROW 78, a minor plat inside the city limits |
| LOCATION: | 119 North 72nd Street |

**DISPOSITION:** APPROVAL 5-0-1. Approval of the preliminary plat subject to: 1) Relocating the existing ingress/egress south to Capitol Court, south of the southern edge of the subdivision. 2) Closing the existing access to 72nd Street from Lot 1 and placing a note on the plat that there shall be no direct access to 72nd Street from Lot 1. 3) Dedicating right-of-way 18 feet from behind the existing curb along North 72nd Street. 4) Coordinating with Urban Design on the appropriate design of the sidewalk area along North 72nd Street. 5) Removing the existing pavement along the curbline of Capitol Court and providing 6.5 of landscaping and a 5 foot sidewalk. 6) Compliance with all applicable stormwater management ordinances and policies. 7) Submittal of an acceptable final subdivision agreement. Approval of the final plat, subject to the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement prior to forwarding to City Council.
<table>
<thead>
<tr>
<th>Request Number</th>
<th>Parcel Numbers</th>
<th>Request Description</th>
<th>Location</th>
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<tbody>
<tr>
<td>13.</td>
<td>C12-16-168 (D)</td>
<td>Preliminary Plat approval of BULL CANYON ACRES, a subdivision outside the city limits</td>
<td>10409 North 72nd Street</td>
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<td>Paul and Keely Yates</td>
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<td>14.</td>
<td>C10-16-169 (D)</td>
<td>Preliminary and Final Plat approval of WATERS EDGE, a minor plat outside the city limits, with rezoning from AG to R4</td>
<td>Northwest of 195th and Harrison Streets</td>
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<td>C12-16-170</td>
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<td>The Water’s Edge United Methodist Church</td>
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<td>15.</td>
<td>C11-16-174</td>
<td>Preliminary and Final Plat approval of 32 CALIFORNIA, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth and approval of a PUR-Planned Unit Redevelopment Overlay District</td>
<td>Southeast of 32nd and California Streets</td>
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<td>C12-16-175</td>
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<td>Uptown Properties, LLC and DBA Uptown Urban Dwellings</td>
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<td>16.</td>
<td>C10-16-176 (D)</td>
<td>Approval of an MCC-Major Commercial Corridor Overlay District</td>
<td>7400 Military Avenue</td>
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<td>Marian High School</td>
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<td>17.</td>
<td>C10-16-177 (D)</td>
<td>Rezoning from R3 to R4</td>
<td>13633 Miami Street and 13624 Ohio Street</td>
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<td>E &amp; A Consulting Group</td>
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<td>18.</td>
<td>C10-16-178 (D)</td>
<td>Rezoning from GI to DS</td>
<td>1054 South 20th Street</td>
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<td>Grace Longley</td>
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**Rezonings**

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**Dispositions**

- **Approval 6-0.** Approval of the rezoning from AG to R4. Approval of the preliminary plat subject to: 1) Placing a note on the plat that there shall be no direct access to Harrison Street from Lot 2. 2) Providing sidewalks per City standards along all street frontages. 3) Compliance with all applicable stormwater management ordinances and policies. Approval of the final plat, subject to the conditions of preliminary plat approval.

- **Approval 6-0.** Approval of the PUR, subject to submittal of a revised site and landscape plan that keeps the remaining on-street parking in place, moves Units 5-7 to the south 3.57 feet and provides adequate screening along the eastern boundary and is in compliance with all applicable site development regulations prior to forwarding the request to City Council.

- **Approval 6-0.** Approval of the waiver of Section 53-8(4)(a) for Lot depth. Approval of the Preliminary Plat, subject to the following conditions: 1) Provide for the use, ownership and maintenance of the outlot in the final subdivision agreement. 2) Maintain the existing sidewalks as required by the Subdivision Ordinance. 3) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. Approval of the Final Plat, subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, prior to forwarding the request to the City Council for final action.
19. C10-16-179 (D)  
MS Omaha, LLC  
REQUEST: Rezoning from CC to LO, with approval of an MCC-Major Commercial Corridor Overlay District  
LOCATION: Southwest of 132nd Street and Westwood Lane  
DISPOSITION: APPROVAL 6-0.

20. C7-16-180 (D)  
C10-16-181 John Tiemann  
REQUEST: Rezoning from LO to LC, with approval of a Conditional Use Permit to allow Veterinary services in a LC District  
LOCATION: 1113 North 72nd Street  
DISPOSITION: APPROVAL 6-0. Approval of the rezoning from LO to LC. Approval of the Conditional Use Permit to allow Veterinary services in a LC District subject to: 1) Submittal of a request to include the property in the ACI-2(50) Overlay District. 2) Submittal of a revised site plan providing the closure of the 72nd street access drive. 3) All activities being confined to indoors and no noticeable external effects. 4) Compliance with the revised site plan. 5) Compliance with the operating statement. 6) Compliance with all stormwater management regulations. 7) Compliance with all applicable ordinances and regulations. 8) The applicant obtaining all necessary permits.

21. C10-16-182 (D)  
C11-16-183 Giddings Group on behalf of The Duke of Omaha, LLC  
REQUEST: Rezoning from GI to R8, with approval of a PUR-Planned Unit Redevelopment Overlay District  
LOCATION: 151 North 46th Street  
DISPOSITION: LAYOVER 6-0. Layover for 30 days.

Special Use Permits

22. C10-16-196 Kirt Trivedi  
REQUEST: Rezoning from DS to CBD (property is also located within an ACI-1(PL) Overlay District)  
LOCATION: Southwest of 24th Avenue and Farnam Street  
DISPOSITION: LAYOVER 6-0. Layover for 30 days.

23. C8-16-184 Merlyn Menjivar  
REQUEST: Approval of a Special Use Permit to allow Day care services (general) in a HI District  
LOCATION: 2221 Washington Street  
DISPOSITION: APPROVAL 6-0. Approval of the Special Use Permit to allow Day care services (general) in HI subject to: 1) Providing a revised site plan (drawn to scale) that includes a paved driveway to paved off-street parking that is compliant with the applicable regulations prior to forwarding the request to the City Council for final action. 2) Removing the existing parking pad off Washington Street and replacing with appropriate landscaping prior to issuance of a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. 3) Obtaining the necessary building permits and a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. 4) Compliance with the revised operating statement. 5) Compliance with Section 55-787 Storm shelter of the Omaha Municipal Code. 6) Compliance with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality. 7) Compliance with all other applicable regulations.
24. C8-16-185 (D)  
Paul Janky  
REQUEST: Approval of a Special Use Permit to allow Custom manufacturing in a CC District (property is also located within the flood fringe overlay district)  
LOCATION: 4835 South 136th Street  

DISPOSITION: APPROVAL 6-0. Approval of the Special Use Permit to allow Custom manufacturing in a CC-Community Commercial District (property is also located within the flood fringe overlay district) subject to:  1) Submittal of a revised site plan prior to forwarding this request to City Council that adequately addresses the following: (a) Removing the crushed rock outdoor storage area and access driveway or paving the area with an approved hard surface. (b) Obtaining a building permit for the fence area if retained. (c) Obtaining a waiver from the Zoning Board of Appeals for the off-street parking requirements.  2) Coordinating with Public Works on the on-street parking improvements.  3) Dedicating ROW, if necessary, to ensure the property line is a minimum of 1 foot behind the sidewalk.  4) Compliance with the revised site plan.  5) Compliance with the operating statement.  6) No outdoor storage of materials.  7) Compliance with all applicable stormwater management ordinances and policies.  8) The applicant receiving a Certificate of Occupancy from the Permits Division of the Planning Department.  9) Compliance with all other applicable regulations.

25. C8-16-187 (D)  
Carri Godfrey  
REQUEST: Approval of a Special Use Permit to allow General retail sales in a GI District  
LOCATION: 9445 "J" Street  

DISPOSITION: APPROVAL 6-0. Approval of the Special Use Permit to allow General retail sales, subject to the following conditions:  1) Compliance with the site development plan.  2) Compliance with all other applicable regulations.  3) Compliance with the operating statement.

26. C8-16-188  
Patrick Thit  
REQUEST: Approval of a Special Use Permit to allow Automotive sales in a GC District  
LOCATION: 5934 Ames Avenue  

DISPOSITION: DENIAL 6-0.

Conditional Use Permits

27. C7-16-171 (D)  
The Water's Edge United Methodist Church  
REQUEST: Approval of a Conditional Use Permit to allow Religious assembly in a R4 District (pending)  
LOCATION: Northwest of 195th and Harrison Streets  

DISPOSITION: APPROVAL 6-0. Approval of the Conditional Use Permit to allow Religious Assembly in a R4 district subject to:  1) Submittal of a revised site/landscape plan which provides the appropriate number of tree plantings in accordance with Section 55-718.  2) Signage in compliance with the Chapter 55 regulations for civic uses in a R4 district.  3) Compliance with the revised site plan.  4) Compliance with the operating statement.  5) Compliance with the building elevations.  6) Compliance with all applicable stormwater management ordinances and policies.  7) Compliance with all other applicable regulations.
## REQUEST:

**28.** C7-16-189 (D)

**Drew Rathbun**

**REQUEST:** Approval of a Conditional Use Permit to allow *Indoor sports and recreation* in a CC District (property is also located within the flood fringe overlay district)

**LOCATION:** 13540 Discovery Drive

**DISPOSITION:** APPROVAL 6-0. Approval of a Conditional Use Permit to allow *Indoor sports and recreation* in a CC District, subject to the following conditions: 1) Compliance with the site plan. 2) Compliance with the proposed operating statement. 3) Compliance with all other applicable regulations.

**29.** C7-16-190

**PJ Morgan Real Estate**

**REQUEST:** Approval of a Conditional Use Permit to allow *Single-family (attached)* in a R4(35) District

**LOCATION:** 6336 and 6348 Pierce Street

**DISPOSITION:** DENIED 3-2-1.

### Vacations

**30.** C14-16-191

**Planning Board**

**REQUEST:** Vacation of part of Hillandale Circle right-of-way in Wright's Subdivision (abutting Lot 20, Skyline Oaks II and Lot 1, Wright's Subdivision)

**DISPOSITION:** APPROVAL 6-0. Approval of the vacation, subject to all easements being maintained and transferring the 20 foot (minimum) segment of right-of-way to Lot 1, Wright's Subdivision.

**31.** C14-16-192 (D)

**Property Owner**

**REQUEST:** Vacation of "U" Street and 69th Street abutting the south property line of Lot 1, "Q" Street Acres Replat 2, the west line of Lot 1, "Q" Street Acres Replat 1 and Lot 40, "Q" Street Acres

**DISPOSITION:** APPROVAL 6-0. Approval of the vacation, subject to maintaining a channel maintenance agreement and easement to the specifications of the PMRNDRD and granting a public access easement according to the attached site layout map.

**32.** C14-16-193 (D)

**Property Owner**

**REQUEST:** Vacation of 40th Street from the north right-of-way line of Leavenworth Street to the south right-of-way line of Jones Street

**DISPOSITION:** APPROVAL 6-0. Approval of the vacation, subject to sewers in the proposed vacation area being released to the applicant and removing one (1) stop sign, two (2) no parking either side signs and one (1) right turn must turn right sign.
<table>
<thead>
<tr>
<th></th>
<th>C14-16-194 (D) Planning Board</th>
<th>REQUEST:</th>
<th>Vacation of Emile Street from the east right-of-way line of Saddle Creek Road to the west right-of-way line of 42nd Street, 45th Street from the north right-of-way line of Emile Street to the north right-of-way line of Dewey Avenue, including the traffic circle, Dewey Avenue from the west right-of-way line of 45th Street to the east right-of-way line of 44th Street, and 44th Street from the south right-of-way line of Dewey Avenue to the south right-of-way line of Farnam Street.</th>
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<tbody>
<tr>
<td>DISPOSITION: APPROVAL 6-0. Approval of the vacation, subject to retaining the sewer easements along Dewey Avenue and 44th Street and the property owner obtaining ownership of the sewers along Emile Street as shown in the attached Exhibit “A”.</td>
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<td>C14-16-195 (D) Planning Board</td>
<td>REQUEST:</td>
<td>Vacation of Saratoga Street bound on the west and north by Lot 1, Fort Omaha Expansion, bound on the east by 30th Street and bound on the south by Lot 16, O’Brien's Addition, along with part of a north/south alley bound on the west by a remnant of Tax Lot 23 of the NE 1/4 of the NW 1/4 of Section 4 - T15N - R13E, bound on the north by Saratoga Street, bound on the east by Lots 16-20 of O’Brien's Addition and bound on the south by Sorensen Parkway</td>
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<td>DISPOSITION: APPROVAL 6-0. Approval of the vacation, subject to retention of all easements.</td>
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Minutes approved: June 1, 2016