Brinker Harding, Chairman, called the meeting to order, introduced the Planning Board members as well as the Planning Department staff, and explained the Planning Board’s public hearing procedures.

### PUBLIC HEARING AND ADMINISTRATIVE MEETING

The requests listed below were voted on concurrently in accordance with the Planning Department’s recommendation report.

No one appeared in opposition.

**(REGULAR AGENDA)**

**Subdivisions**

| 6. | C12-16-096 (D) Kountze Endowment True Vision LLC | REQUEST: Preliminary and Final Plat approval of KOUNTZE COMMONS, a minor plat inside the city limits (property is also located within an existing ACI-1(PL) Overlay District) |
|    |   | LOCATION: Southwest of 26th Avenue and Douglas Street |

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the Preliminary Plat, subject to the following conditions: 1) Include the standard right-of-way vacation language on the plat. 2) Provide for the removal or relocation of all utilities, or retain easements in the proposed right-of-way vacated areas. 3) Show a public access easement on the plat between Douglas and Farnam Streets. 4) Coordinate with the Public Works Department on the design of curb bump-outs along Farnam Street. 5) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies, and for approval of the Final Plat, subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Rosacker seconded the motion which carried 5-0.
### 7.  
**C12-16-097 (D)**  
Dragon Storage, LLC

**REQUEST:** Preliminary and Final Plat approval of **FALCON RIDGE REPLAT 3**, a minor plat outside the city limits

**LOCATION:** Northwest of 180th and Harrison Streets

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the Preliminary Plat, subject to the following conditions: 1) Coordinate with the Public Works Department in regards to the removal of the existing Harrison Street drive approach and constructing new sidewalks to connect the existing ones. 2) Place the following notes on the plat: (a) There shall be no direct access to Harrison Street from Lot 2 or Outlot B. (b) There shall be no direct access to 180th Street from Lot 2, Outlot A or Outlot B. 3) Provide sidewalks along Drexel Street. 4) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. 5) Include provisions for use, ownership and maintenance of the outlots in the final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Rosacker seconded the motion which carried 5-0.

### 8.  
**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

**LOCATION:** Southeast of 168th Street and West Maple Road

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved to layover at the request of the applicant. Mr. Magid seconded the motion which carried 5-0.

### 9.  
**C7-16-100 (D)**  
C10-16-101  
C12-16-102  
Relevant Community Church

**REQUEST:** Preliminary and Final Plat approval of **RELEVANT COMMUNITY**, a minor plat inside the city limits, with rezoning from AG to R4, along with Approval of a Conditional Use Permit to allow **Religious assembly** in a R4 District with a waiver of Section 55-186 Height to 55 feet (a portion of property is located within the flood fringe overlay district)

**LOCATION:** 21220 Elkhorn Drive

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the waiver of Section 55-186 Height to 55 feet, and 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 addresses the following: (a) Providing for a sidewalk along West Maple Road. (b) Compliance with the City’s Guidelines and Regulations for Driveway Location, Design and Construction. (c) Providing parking lot screening in accordance with Section 55-740(g) along the parking area on the east side of the property. 2) Obtaining the necessary waiver from the Zoning Board of Appeals for the deficiency in the impervious surface coverage percentage. 3) Signage in compliance with the Chapter 55 regulations. 4) Compliance with the revised site plan. 5) Compliance with the operating statement. 6) Compliance with the building elevations. 7) Compliance with all applicable stormwater management ordinances and policies. 8) Compliance with all applicable regulations. He also moved for approval of the rezoning from AG to R4, approval of the preliminary plat subject to: 1) Coordinating with NDOR for a determination on whether an extension of the westbound left turn lane will be required at the intersection of Elkhorn Drive and West Maple Road. 2) Provide for any identified improvements, if required. 3) Place a note on the plat that there shall be no direct access to West Maple Road from Lot 1. 4) Show all existing easements on the plat and grant an easement to the City for the sanitary sewer line if one does not exist. 5) Compliance with the City’s Guidelines and Regulations for Driveway Location, Design and Construction. 6) Compliance with all applicable stormwater management ordinances and policies, and 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. Mr. Rosacker seconded the motion which carried 5-0.
## Rezonings

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.</td>
<td>C10-16-106 (D)</td>
<td>Approval of an MCC-Major Commercial Corridor Overlay District</td>
<td>6401 Sorensen Parkway</td>
</tr>
</tbody>
</table>

Ann O'Connor

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval. Mr. Rosacker seconded the motion which carried 5-0.

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.</td>
<td>C10-16-120 (D)</td>
<td>Rezoning from R3 to R4</td>
<td>2617 North 138th Street</td>
</tr>
</tbody>
</table>

Victor Icenogle

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval. Mr. Rosacker seconded the motion which carried 5-0.

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.</td>
<td>C10-16-108 (D)</td>
<td>Rezoning from R4(35) to R4</td>
<td>4210 Ohio Street</td>
</tr>
</tbody>
</table>

Hallmarq Const. Inc.

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval. Mr. Rosacker seconded the motion which carried 5-0.

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.</td>
<td>C10-16-109 (D)</td>
<td>Rezoning from GI to R4</td>
<td>128 Cedar Street</td>
</tr>
</tbody>
</table>

John Capellupo

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval. Mr. Rosacker seconded the motion which carried 5-0.

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>15.</td>
<td>C10-16-110 (D)</td>
<td>Rezoning from DR and GI to GI (property is located within the flood fringe overlay district)</td>
<td>6105 Weir Street</td>
</tr>
</tbody>
</table>

Red River Service Corp

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval. Mr. Rosacker seconded the motion which carried 5-0.

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>16.</td>
<td>C10-16-111 (D)</td>
<td>Rezoning from MU to R7 (property is also located within an existing ACI-4(PL) Overlay District)</td>
<td>Northwest of 124th Plaza and West Dodge Road</td>
</tr>
</tbody>
</table>

McNeil Company Builders

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval subject to submittal of the following items prior to forwarding to City Council: 1) An acceptable Administrative Subdivision. 2) An acceptable Minor Amendment to the Candlewood Hills Mixed Use Development Agreement. Mr. Rosacker seconded the motion which carried 5-0.

<table>
<thead>
<tr>
<th>No.</th>
<th>Case Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.</td>
<td>C10-16-112 (D)</td>
<td>Approval of a Parking Adjustment for a Mixed Use Development (Section 55-736)</td>
<td>4911 South 72nd Street</td>
</tr>
</tbody>
</table>

Andrew Wesely

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the parking adjustment for mixed use developments pursuant to Section 55-736 of the Municipal Code, subject to: 1) Compliance with the submitted site plan. 2) Compliance with the submitted detailed parking information. Mr. Rosacker seconded the motion which carried 5-0.
19. C10-16-129 (D)  
Mark Sanford  
REQUEST: Approval of an MCC-Major Commercial Corridor Overlay District  
LOCATION: 5638 Center Street

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval. Mr. Rosacker seconded the motion which carried 5-0.

Special Use Permits

20. C8-16-113 (D)  
National Vehicle Marketing  
REQUEST: Approval of a Special Use Permit to allow Automotive sales in a CC District  
LOCATION: 4819 South 107th Avenue

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the Special Use Permit to allow Automotive sales in a CC District subject to: 1) No vehicles on display at any time. 2) Compliance with the submitted operating statement. 3) Compliance with all applicable regulations. 4) The applicant receiving a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. Mr. Rosacker seconded the motion which carried 5-0.

21. C8-14-175 (D)  
Nebraska Electrical Services  
REQUEST: Approval of a Major Amendment to a Special Use Permit to allow Custom manufacturing in a CC District (property is also located within a MCC overlay district and flood fringe overlay district)  
LOCATION: 3603 North 222nd Street

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the Major Amendment to the Special Use Permit to allow Custom Manufacturing in a CC-Community Commercial District subject to: 1) Compliance with the site and landscape plans. 2) No pole signs permitted. 3) No outdoor storage is permitted. 4) Compliance with the operating statement. 5) Compliance with the submitted building elevations. 6) Compliance with an approved Flood Plain Development Permit. 7) Compliance with all other applicable regulations. Mr. Rosacker seconded the motion which carried 5-0.

Vacations

22. C14-16-114 (D)  
Property Owner  
REQUEST: Vacation of that part of 11th Street lying north of that part of vacated 11th Street (Ord. 40525) north approximately 57.03 feet (north of Mason Street)

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the vacation, subject to retention of any and all necessary easements. Mr. Rosacker seconded the motion which carried 5-0.

23. C14-16-115 (D)  
Planning Board  
REQUEST: Vacation of 27th Avenue from the north right-of-way line of Farnam Street to the south right-of-way line of Douglas Street

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the vacation, subject to the following conditions: 1) The existing brick will be returned to the City. 2) The returns removed and curbs constructed to close the alley at the cost of the requesting party. Requesting party must verify if the sewer line in the street has been abandoned and should be plugged at 28th and Dodge Streets. Mr. Rosacker seconded the motion which carried 5-0.
25. C14-16-117 (D) Planning Board REQUEST: Vacation of the north/south alley adjacent to Mason Street between Turner Boulevard and 33rd Street, stretching north of Mason Street 132 feet

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the vacation, subject to retention of any and all necessary easements, dedication of a public access easement and complying with any other stipulations identified in an approved subdivision agreement, if applicable. Mr. Rosacker seconded the motion which carried 5-0.

26. C14-16-118 (D) Planning Board REQUEST: Vacation of the north/south alley adjacent to Mason Street between Turner Boulevard and 33rd Street, stretching south of Mason Street 176 feet

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the vacation, subject to retention of any and all necessary easements, dedication of a public access easement and complying with any other stipulations identified in an approved subdivision agreement, if applicable. Mr. Rosacker seconded the motion which carried 5-0.

27. C14-16-119 (D) Planning Board REQUEST: Vacation of the east/west alley adjacent to 31st Street between Marcy Street and Mason Street, stretching from 31st Street west 150 feet

At the Planning Board meeting held on May 4, 2016, Mr. Rosenbaum moved for approval of the vacation, subject to the following conditions: 1) Retention of sewer easements. 2) Dedication of a public access easement. 3) Time for coordination to move waste collection services. 4) Approval will be subject to the stipulations and conditions of the approved subdivision agreement for this area. Mr. Rosacker seconded the motion which carried 5-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

| REQUEST: Preliminary Plat approval of THE VILLAS OF PINEY CREEK (a Revised Preliminary Plat of a portion of WEST HAMPTON PARK), and Final Plat approval of THE VILLAS OF PINEY CREEK (Lots 1-51, Outlots A-B), a subdivision outside the city limits, with rezoning from R4 to DR and R4 (laid over from 03/02/16) |
| LOCATION: East of 204th Street and north of Blondo Parkway |

At the Planning Board meeting held on May 4, 2016, Larry Jobuen, 11440 West Center Rd., appeared before the Board on behalf of the applicant. Mr. Jobuen stated that the applicant was acceptable to all conditions on the Department recommendation report and was available to answer questions.

James Tollefson, 20221 Pearl Cir., appeared before the Board in opposition. Mr. Tollefson stated that his property was adjacent on the north of the site and that he was concerned development of the site impeded the water drainage along his property line. Mr. Jobuen confirmed that a sanitary and storm sewer system accommodated water drainage from the north and into the public storm sewer system constructed as part of the roadway system. Mr. Tollefson was also concerned with removal of dead trees, installation of a fence
along the property line, grading, construction maintenance and maintenance of weeds. He was also concerned with price points, home ownership and neighborhood association.

Mr. Jobeun stated that he would meet with Mr. Tollefson for further discussions. He then stated that trees were evaluated for removal, fencing was dependent upon each home owner, and grading was lower to the south of Mr. Tollefson’s property line. He then explained that price points were $215,000 to $235,000 for home ownership and that a neighborhood association would be created. He added that the applicant was obligated to comply with a noxious weed plan.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval of the rezoning, approval of the preliminary plat subject to the 8 conditions on the recommendation report, and approval of the final plat subject to the conditions on the recommendation report.

Mr. Deeb moved for approval of the rezoning from R4 to DR and R4, approval of the Preliminary Plat of The Villas of Piney Creek subject to: 1) The applicant committing to the payment of a ¼ of the cost of the traffic signal to be installed by the City in the future at 204th Street and Blondo Parkway if the subdivision is not included in SID 489. 2) Coordinating with the Public Works Department regarding an acceptable GO (General Obligation) paving plan is required. 3) Providing a note on the plat that states that there shall be no direct access to Blondo Parkway from any lots within the subdivision. 4) Providing sidewalk chamfers of 12.01’ on lot corners at public street intersections are required. 5) Providing for traffic calming on all street segments in excess of 1,000 feet. 6) Including provisions in the subdivision agreement regarding sidewalk maintenance responsibilities for all double-fronted lots. 7) Compliance with all stormwater ordinances and policies will be required; including providing for a no net increase in stormwater runoff and treatment of the first ¼ inch of stormwater for water quality. 8) An acceptable debt ratio of 4% or less unless the improvements are funded privately, and approval of the Final Plat of The Villas of Piney Creek (Lot 1 – 51, Outlot A and B) subject to compliance with 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.

Mr. Magid seconded the motion which carried 5-0.

(REGULAR AGENDA)

Master Plan Referrals

2. C3-16-125 Planning Department on behalf of the City of Omaha

REQUEST: Approval of the AKSARBEN APARTMENTS III TIF REDEVELOPMENT PROJECT PLAN

LOCATION: 2313 South 63rd Street

At the Planning Board meeting held on May 4, 2016, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the proposed project was a continuation of the Aksarben development and complied with the Master Plan and Community Development Law. She explained that the project included 241 market rate apartments units on the perimeter of the site with apartment amenities within the interior of the site. She added that the project also include 399 structured and 26 surface parking stalls. She then stated that public improvements included streetscaping, a cul-de-sac at 63rd Street, and removal and rerouting of storm sewers. Ms. Hadley stated that the developer was contributing approximately $100,000 in Tax Increment Financing (TIF) funds to the City to support Arbor Street improvements.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval.

Mr. Deeb moved for approval. Mr. Magid seconded the motion which carried 5-0.
3. C3-16-126
Planning Department on behalf of the City of Omaha

REQUEST: Approval of the DUNDEE FLATS TIF REDEVELOPMENT PROJECT PLAN

LOCATION: Southeast of 49th and Dodge Streets

At the Planning Board meeting held on May 4, 2016, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the proposed project involved demolition of the existing dilapidated buildings and residential home and construction of a new building. She then stated that the project included 63 market rate apartments units on the second through fourth floors, commercial space on the first floor, and 70 parking stalls on the ground floor with some surface parking behind the building. She explained the project required rezoning approvals and that basic streetscaping was planned along Dodge Street and 49th Street. Ms. Hadley stated that the developer met with neighbors to discuss the project and all were in support. She mentioned that the development was within one block of the proposed Bus Rapid Transit (BRT) station.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval.

Mr. Magid moved for approval. Mr. Deeb seconded the motion which carried 5-0.

4. C3-16-127
Planning Department on behalf of the City of Omaha

REQUEST: Approval of the LITTLE BOHEMIA TIF REDEVELOPMENT PROJECT PLAN

LOCATION: 1419, 1423 and 1425 South 13th Street

At the Planning Board meeting held on May 4, 2016, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the proposed project was complete rehabilitation of 3 buildings on the 13th Street corridor and streetscaping along the front of the buildings. She then stated that the developer planned contribution of Tax Increment Financing (TIF) funds for additional streetscaping beyond their site. She displayed renderings of possible uses for the site upon completion and stated that approximately 23 jobs would be created. She added that the project required rezoning approvals.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval.

Mr. Rosacker moved for approval. Mr. Magid seconded the motion which carried 5-0.

5. C3-16-128
Planning Department on behalf of the City of Omaha

REQUEST: Approval of the 1207 CASS TIF REDEVELOPMENT PROJECT PLAN

LOCATION: 1207 Cass Street

At the Planning Board meeting held on May 4, 2016, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the project resulted from a Request for Proposal (RFP) issued by the City in 2015 for an undeveloped parcel owned by the City. She then stated that the proposed project was a mixed use development with 18 exterior surface parking stalls, 49 ground floor parking stalls, first floor retail space, second and third floors Class A office space, fourth and fifth floors for 45 market rate residential units and that the project created approximately 128 jobs.

Larry Jobeun, 11440 West Center Road, appeared before the Board on behalf of the developer. Mr. Jobeun stated that the ground floor was slated for possible conversion to retail space. In response to the Board, Ms. Hadley explained the process of Tax Increment Financing (TIF) calculations and Mr. Jobeun stated that projected project costs were $13.5 million and projected value was $10.75 million.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval.

Mr. Deeb moved for approval. Mr. Rosenbaum seconded the motion which carried 5-0.
Overlay Districts

<table>
<thead>
<tr>
<th>10.</th>
<th>C9-16-103</th>
<th>REQUEST: Approval of a PK-Parking Overlay District</th>
<th>Kurtis Suhr</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOCATION: 820, 824 and 826 South 41st Street</td>
<td>LOCATION: 820, 824 and 826 South 41st Street</td>
<td></td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on May 4, 2016, Carol Boyd, Community Alliance, 4001 Leavenworth Street, appeared before the Board on behalf of the applicant. Ms. Boyd stated that the request was for parking for their non-profit mental health agency located directly east of the site. She added that 3 homes were planned for demolition to create parking.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval of the parking overlay district subject to the 2 conditions on the recommendation report.

Mr. Rosenbaum moved for approval of the PK Overlay District, subject to the following prior to forwarding the request to the City Council for final action: 1) Submittal of a final site/landscape plan in compliance with all applicable regulations; or 2) Submittal of a final site/landscape plan in compliance with all applicable regulations except those waived by the Zoning Board of Appeals (e.g. handicap stall requirements). Mr. Magid seconded the motion which carried 5-0.

| 18. | C12-06-053 | REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for Aksarben Village (portion of property is also located within the flood fringe overlay district) |
|-----|-----------|--------------------------------------------------|-------------|
|     |Howard Kooper | LOCATION: 2313 South 63rd Street |             |

At the Planning Board meeting held on May 4, 2016, the case was withdrawn at the request of the applicant prior to the meeting.

Vacations

| 24. | C14-16-116 | REQUEST: Vacation of the east/west alley between 38th Avenue and 38th Street that abuts 221 South 38th Avenue and 3814 & 3824 Farnam Street |
|-----|-----------|--------------------------------------------------|-------------|
|     |Planning Board | LOCATION: 2313 South 63rd Street |             |

At the Planning Board meeting held on May 4, 2016, Dave Fanslau, Assistant Planning Director presented the request. Mr. Fanslau stated that the vacation provided access to a future development to the east at 38th and Farnam Streets, with no planned improvement to the west portion of the vacated alley. He added that a portion of the vacated land would be granted to 3 abutting property owners.

Tom McCleay, 8712 W Dodge Rd., appeared before the Board on behalf of the property owner to the south of the vacated alley. He explained that the adjacent redevelopment included 3 buildings along Farnam Street from 38th Avenue to 38th Street and that the vacation was discussed with adjacent property owners.

Matt Dwyer, 144 S 39th St., appeared before the Board. Mr. Dwyer stated that he represented the developer of adjacent properties to the south and was available to answer questions.

Mark Santo, 1107 S. 99th Cir., appeared before the Board in opposition. Mr. Santo stated that he was co-owner of the property at 221 South 38th Avenue adjacent to the north of the alley and that he supported the development, but had questions regarding the process of the alley vacation. He explained that he maintained the unimproved portion of the alley for approximately 38 years and that he was concerned with costs associated with the alley vacation.

Ryan Haas, Public Work Department, stated that upon private development of the property adjacent on the south, the east portion of the alley was previously vacated and the request was for the western portion of the same alley. He displayed a site plan and noted the portions of land granted to the land owner to the south and to Mr. Santo on the north, and that a small portion in the middle remained as right-of-way. He explained that costs associated with the vacated land was allocated through private arrangements, or the land was reverted back to the adjacent owners with no compensation.
Mr. Santo inquired about the costs associated with his allocated portion of the vacated land. Mr. Haas commented that price was based upon appraisal value or could be linked with public improvements after value was determined. Mr. Fanslau added that replatting was not necessary and that the legal description included the vacated portion of the alley.

In response to the Board, Mr. Dwyer explained that middle and east portion of the alley provided access to a parking garage on the future development.

James Thele, Planning Director, explained that a City Council committee set a value for the individual parcels and land owners were responsible for those costs, or private nego between parcel owners could determine responsibility for costs involved with the set values.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval.

Mr. Magid moved for approval of the vacation, subject to retention of any and all necessary easements, dedication of a public access easement and complying with any other stipulations identified in an approved subdivision agreement, if applicable. Mr. Rosacker seconded the motion which carried 5-0.

**ADJOURNMENT**

It was the consensus of the board to ADJOURN the meeting at 2:41pm.

_________________________________________
Date Approved

_________________________________________
Brinker Harding, Chairman

_________________________________________
Rikki Flott, Planning Board
Recording Secretary