

ANDOVER PLANNING COMMISSION  
SUBDIVISION COMMITTEE  
**May 9, 2017**  
**Minutes**

The Andover City Subdivision Committee met for a regular meeting on May 9, 2017 at 1609 E. Central Ave. in the Conference Room 1, Andover City Hall. Brian Lindebak called the meeting to order at 5:30 p.m. Other members present were William Schnauber and Tyson Bean. Members Lynn Heath and Mike Warrington were not in attendance.

Attending Staff: City Administrator Mark Detter, Assistant City Administrator Jennifer McCausland, Director of Public Works Les Mangus, Administrative Assistant Daynna DuFriend and City Council Liaison Sheri Geisler.

**Review the minutes of the April 11, 2017 Subdivision Committee.**

*Approval of April 11, 2017 meeting minutes will be continued to next meeting.*

**Review and recommendation on the Preliminary and Final Plats of KSC Subdivision.**

Joshua Oathout, Anderson Engineering, agent to the applicant, was present to represent the application.

Les Mangus explained that he and Josh Oathout with Anderson Engineering have both been trying to make contact with KDOT for months to get their input on these plats because it is in the corridor study area. Because they have not been able to get any answers from KDOT, they are of the opinion that this plat needs to dedicate the right of way to the US 54 / 400 corridor study and in compliance with the corridor study, dedicate all of the access to the public. The access would then be taken back to the City Council to ask for an access license that would allow for conditions allowing the applicant continued use of that Kellogg driveway until such time as the highway project comes along or something changes that would require that access to be closed. They are needing more information on the drainage plan. There is a set of contours and a building pad but it is not known exactly where the drainage goes.

Mr. Oathout said that on one of the civil sheets there is a stormwater summary on pre-developed close and post-developed close and asked if a stamped report for the drainage was needed.

Les Mangus replied yes.

Brian Lindebak asked if this would not be taken to the Planning Commission until that report has been submitted.

Les Mangus agreed, and said that it would be up to Anderson Engineering and the applicant and if they can turn that around in time for the Planning Commission meeting next week.

Mr. Oathout asked when the drainage study would be needed in order to stay on the agenda for the meeting.

Les Mangus said that the drainage study is not exactly time critical. It would need to be submitted by Thursday or Friday to be included in the meeting packet. If it cannot be produced that quickly they will have to see what the city engineer says about it. This is a fairly simple site. They will have to work with the applicant on the language needed on the dedication.

William Schnauber asked if the drainage was the only issue or is a response also needed from KDOT by Friday and if this would go to the Planning Commission next week if KDOT does not respond.

Les Mangus said that he would be calling KDOT again tomorrow to find out why he did not receive the expected response today and added that the city attorney is of the opinion that dedication and access control be required. This will continue on to the Planning Commission.

Mark Detter stated that it is documented that attempts have been made to contact KDOT.

Brian Lindebak asked if the access controls were taken away and it was then licensed to them, does there need to be a cross-lot agreement in place with adjoining properties and how is the access taken away and given back conditionally?

Les Mangus noted that this has been discussed but the applicant has not been able to make contact with the property owners of Capital Federal or US Beef. For Andover Road there would be a described break in access control, the Kellogg side would just be a conditional. They would never be without access it is about the ease of access at those points.

Brian Lindebak asked if there was a title commitment showing that there was no other access.

Mr. Oathout said that there is.

Brian Lindebak said that he is aware of an access agreement that is in place from the 1950's stating that it runs with the land.

Les Mangus stated there is a second one from the 1980's that confines all of it to one point, where it is today at the front.

Brian Lindebak listed comments regarding details on the plats as follows:

1. Show elevation contours.
2. Label adjoining easements.
3. Denote how the highway was taken, where the condemnation was from and how the right of way fits with the property.
4. Dedicate the small triangle of land at the southwest corner of property for the road right of way. To be determined by staff.
5. Correct notary certificate wording.
6. Easement dedicated along Andover Road for sidewalk.
7. Include block number.
8. Reference K.S.A.12-512(b) under the owner's certificate. This statute addresses easements and rights of ways.
9. Fix the closure and show how the property fits with the condemnation case.

*Brian Lindebak made a motion, seconded by William Schnauber, to recommend the Andover Planning Commission approval of the Preliminary and Final Plats of KSC Subdivision with the listed recommended changes being made prior to plat going to the Planning Commission. Motion carried 3/0.*

**Member items:**

Mark Detter mentioned that at the May 2<sup>nd</sup> Site Plan Review Committee meeting the time frame for Site Plan approval was discussed and he agrees with staff that there is nothing in the regulations stating when approval runs out. This has never become an issue but this is being reviewed.

**Adjourn:**

*Brian Lindebak made a motion, seconded by William Schnauber, to adjourn the meeting, at 6:03p.m. Motion carried 3/0.*

Respectfully Submitted by

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Dayna DuFriend  
Administrative Secretary

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by the Andover City Subdivision Committee, City of Andover.