

ANDOVER PLANNING COMMISSION  
SUBDIVISION COMMITTEE  
**July 10, 2018**  
**Minutes**

**1. Call to order.**

William Schnauber called the meeting to order at 5:30 p.m.

**2. Roll call.**

Subdivision Committee members in attendance: William Schnauber, Gary Israel and Alex Zarchan. Member Brian Lindebak was absent.

Staff in attendance: City Administrator Mark Detter, Assistant City Administrator Jennifer McCausland, Director of Public Works & Community Development Les Mangus, City Engineer & Building Official Steve Anderson and Planning/Stormwater/GIS Technician Lance Onstott.

**3. Approval of the minutes of the February 13, 2018 Subdivision Committee meeting.**

*A motion was made by Gary Israel, seconded by William Schnauber, to approve the minutes of the February 13, 2018 meeting. Motion carried 2/0/1. Alex Zarchan abstained.*

**4. Communications**

- a. Committee and Staff Report.**
- b. Potential Residential Development Report.**

Les Mangus stated that since public improvements were completed at Prairie Creek 3<sup>rd</sup> Addition, building permits have picked up considerably.

**5. Review and recommendation of The US 54/400 and Yorktown Final Plat.**

Les Mangus explained that this plat is for street purposes only and serves as an introduction to a much larger development project. The larger project includes both residential and commercial development on 110 acres. Part of the project involves negotiations between the developer and the City as to the construction of Yorktown St. between US 54/400 and Douglas Ave., of which include highway right-of-way acquisition for future development along US 54/400 per the Corridor Study. Because of the holiday, most of the utility companies and KDOT have not had sufficient opportunity to submit their comments regarding the plat. Phone calls have been received from Westar regarding a major transmission line north of US 54/400, the City of Wichita regarding a water transmission line north of US 54/400 and KDOT. The plat also contains multiple easements and condemnations that are being looked at closely. Tonight's meeting will serve as a good introduction to the project, but review by the Planning Commission will be scheduled for the August meeting to allow for further internal and external study.

Jason Gish, MKEC, was present to represent the project.

Mr. Gish explained that the majority of the easements and condemnations included in the title report occur outside of the dedication area. There is an electric transmission line located within a 2 ft. easement and

another blanket easement north of the transmission line for an electric pole. No electric pole is evident on site north of the current transmission line. East of Yorktown St. is a 10 ft. blanket easement in favor of One Gas, Inc. and another 10 ft. easement in favor of One Gas, Inc. – both will be cleaned up. Mr. Gish indicated that they would ensure that all encumbrances within the dedication area are released.

Les Mangus asked if the blanket easement for electric pole and anchor in favor of Kansas Gas and Electric Company referred to at the west portion of the highway right of-way dedication covered the entire quarter section.

Mr. Gish responded that it appears that it refers to this area only.

Les Mangus stated that Westar has communicated that they have not had enough time to research and clarify these items.

Mr. Gish reiterated that they would work through the releases of these encumbrances. He stated that platting, and vacating any easements, does not give them the right to disconnect any utilities that are serving users.

City Engineer & Building Official Steve Anderson, clarified to the Committee that the plat as submitted includes language from K.S.A. 12-512b, which vacates any encumbrance previously recorded on the property that is not shown on the new plat. He stated that proceeding with the plat without securing releases from utility companies would represent a disservice to our franchisees. Whichever encumbrance is not released will need to be shown on the new plat.

Les Mangus stated that if a utility secures a private easement, and a government entity comes along and expands their right of way into/over the preexisting easement, the government entity becomes responsible for the relocation of the utility infrastructure based on prior rights.

Les Mangus indicated that previous talks regarding new Yorktown St. right-of-way width with MKEC have included 140 ft. This plat shows a 115 ft. right-of-way for approximately the northern 1/3 in order to preserve the hedgerow that currently exists on site. Utility crossings, sidewalk crossings, grading and elevation difference, sight distance preservation and access from adjoining neighborhoods are difficult as proposed.

Mr. Gish stated that the preservation of the hedgerow is an important asset/amenity to residential developer. They want to ensure the preservation of the tree row to the north of the development along Douglas Ave. as well. He acknowledged there are concerns with the current right-of-way width/location as depicted and the conceptual road design - primarily with sight distance. He wants to accommodate that and also preserve the trees. They are not opposed to exploring alternate methods in order to maintain the road design and also preserve the trees.

Les Mangus stated that the City can consult with its attorney regarding additional options.

Jerry Jones, development consultant/partner for the project, asked Mr. Gish if the platting of the 25 ft. reserve area along the east side of Yorktown St. would be shown on the plat for the residential subdivision.

Mr. Gish responded that is the current option, but that it is a little awkward, because it is an island.

Les Mangus indicated that the idea is not unfamiliar to the City. It will take some further discussions to work through.

Les Mangus indicated that response from Andover emergency services has requested access from Yorktown St. into the adjacent properties to the east – no access is currently shown. Paul Revere St. would be a good candidate. TranSystems has reviewed the functional areas of the road and agrees that right in/right out access at this point is advisable.

Mr. Gish indicated that they are not opposed to the location. They anticipate a change in land use at Paul Revere St., so the location actually is preferred.

City Administrator Mark Detter indicated that he would like to see the neighborhood east of Yorktown St. have access somewhere along the new street.

TranSystems has reviewed all of the highway right-of-way for compliance with the US 54/400 Corridor Study. Functional areas have also been designed and reviewed extensively as, ultimately, traffic counts on this street are expected to be heavy – similar if not more than current Andover Rd. counts.

Steve Anderson stated that KDOT has asked previously for grant of fee simple estate instead of a dedication. He does not anticipate it slowing down the platting process, but at the most it may require a deed.

Les Mangus stated that KDOT has indicated that they are reviewing the plat and he expects their comments to include whether they require a grant of fee simple estate or if a platted dedication is adequate.

Steve Anderson stated that the east side of Yorktown St. directly north of US 54/400., should be changed to show “Complete Access Control” instead of the current language that references the US 54/400 Corridor Study appendix.

Mr. Gish indicated they were fine with that change.

Steve Anderson indicated there has been some discussion regarding temporary access at the south end of Yorktown St. The City prefers to license these access points with language included in a separate instrument processed concurrently with the final plat.

Les Mangus stated that this is the preferred method as although the temporary access points proposed do not cause any traffic concerns currently, they may when highway projects and additional future development occurs. A license allows the City to revoke the full access if/when necessary.

Steve Anderson added that the language triggering revocation could be included in a separate agreement.

Jerry Jones sought to clarify that a measurable trigger would be included that would dictate the access revocation.

Les Mangus and Steve Anderson both confirmed that a measurable trigger is preferable for all parties.

Les Mangus stated that TranSystems will need to coordinate with the property owner regarding temporary easements for storm sewer improvements.

Steve Anderson commented that temporary easements might not be necessary, but necessity should be understood more fully within the next few weeks.

Les Mangus stated that a waterline is expected to be installed along the west side of Yorktown St.

Les Mangus indicated that various other on site and/or offsite improvements will be addressed in the developer's agreement.

William Schnauber asked what is planned for the existing stretch of Yorktown Rd.

Les Mangus responded that multiple access scenarios are being explored for the neighborhood: cul-de-sacs and other terminations are being considered for the current neighborhood roads in order to direct traffic to appropriate access points. Traffic engineering will play a major role in the eventual design.

Mr. Gish asked about the timeline going forward in regards to the amount of time needed to allow for utility company reviews.

Les Mangus responded that the August 21, 2018 Planning Commission meeting is the goal, which would be preceded by the Subdivision Committee meeting scheduled for August, 14, 2018.

*A motion was made by Gary Israel to continue to allow MKEC and all parties involved to continue moving forward on the recommendations on The US 54/400 and Yorktown Final Plat and that we prepare to meet August 14, 2018 with more information. Motion seconded by Alex Zarchan. Motion carried 3/0.*

## **6. Member items.**

Gary Israel hoped everyone enjoyed Independence Day.

## **7. Adjourn.**

*A motion was made by Alex Zarchan, seconded by William Schnauber, to adjourn at 6:15 p.m. Motion carried 3/0.*

Respectfully Submitted by,

Lance Onstott  
Stormwater/GIS/Planning Technician

Approved this 14<sup>th</sup> day of August, 2018 by the Andover City Subdivision Committee, City of Andover.