

ANDOVER CITY PLANNING COMMISSION /
BOARD OF ZONING APPEALS
May 15, 2007
Minutes

The Andover City Planning Commission met for a regular meeting on Tuesday, May 15, 2007 located at 909 N. Andover Road in the Andover Civic Center. Chairman Quentin Coon called the meeting to order at 7:00 p.m. Commission members present were Jan Cox, Byron Stout, David Martine, Lynn Heath, Jeff Syrios, and John Cromwell. Others in attendance were City Council Liaison member JR Jessen, Administrative Secretary Deborah Carroll, Director of Public Works and Community Development Les Mangus, and Clerk/Administrator Jeff Bridges.

Call to order

Chairman Coon welcomed John Cromwell as the newest member to the Board.

Review the minutes of the regular April 17, 2007 Planning Commission meeting.

Review the minutes of the regular Apr. 17, 2007 PC mtg.

Lynn Heath made a motion to approve the minutes as presented. Byron Stout seconded the motion. Motion carried 6/0/1 with John Cromwell abstaining.

Communications:

Communications

Review the City Council minutes from the March 27, 2007, April 10, 2007 meetings. The minutes were received and filed.

Review the minutes of the May 8, 2007 Subdivision Committee Meeting. The minutes were received and filed.

Review the minutes of the May 1, 2007 Site Plan Review Committee Meeting. The minutes were received and filed.

Review the Potential Residential Development Lot Report.

Z-2007-05: Proposed establishment of the Marketplace Village Planned Unit Development District as an Overlay District to the Existing R-3 Multiple-Family Residential District and establishment of the Preliminary Marketplace Village Planned Unit Development Plan located at the Southeast corner of Yorktown Street and Minneha Street and on the South side of Pattison Street. (Contains 28.6 acres)

Z-2007-05:
Proposed
establishment of
the Marketplace
Village Planned
Unit
Development
District as an

Memo from Les Mangus: The proposed preliminary PUD establishes the basis for zoning and platting the multifamily project reviewed as a sketch plan a few weeks ago. There are several comments from both Staff and Bickley Foster in an effort to adequately display the proposed use and division of the buildings before they are built. Overlay District

Les said about a year ago this property was heard as an R-3 Multi-Family zoning case. The applicant plans to establish a Planned Unit Development that simplifies the method of dividing these 4 family dwellings into individual ownership. The applicant is asking for 20' front yards with lot sizes considerably larger than the 3,000 square feet allowed, and is more of an issue about arrangement of the buildings on the lot. Each building will be served by a private "T" driveway that serves the 4 individual attached garages of the 2 houses/4 dwellings that face each other.

Jason Gish of MKEC Engineering Consultants presented the plans and represented the applicant. He explained the 20' front building setback allows them to have more room to adjust the buildings on the property site. Jason stated they are preparing for Site Plan Review Committee where some new ideas will be presented for the patio areas and etc.

Quentin Coon asked for further information about the method of splitting this property into individual ownerships within the quadplex. Jason Gish said the lots will have "build to" lines.

Les explained this process establishes the Lot Split before the house is built. Jason submitted revised plans that address all of staff comments. Les said this revised plan looks okay regarding the sidewalks, collector streets, and use of the 58' street right-of-way only where there are no houses on one side.

David Martine asked how the issue of parking along the streets has been dealt with. Jason said to balance the scale of the lots, there will be 64' right-of-ways where there is double frontage on the north/south street, and the loop around the green space will only allow parking along 1 side. General discussion continued.

Quentin asked if there would be a walkway around the green space. Jason said they would rather not provide a sidewalk. Shallow shelves, wetland, and low impact development pond will be provided to keep the area more natural. This area will be maintained by the HOA. There was further discussion.

Quentin Coon asked what types of homes these would be. Les explained they will be 1 story with a basement, 1,500 square feet finished +/- with attached garage. The value of each box is approximately \$400,000.

Chairman Coon opened the public hearing at 7:21 p.m.

Terry Buller of 755 S. McCandless Road stated he lives just east of the proposed area. He was concerned about the screening of this multiple-family development for safety and security. They do not want the problems commonly associated with densely populated areas.

David Martine commented there is a 10' screening and utility easement on the rear property line. He asked Jason for the intent for this area. Jason said there is a proposed platted screening easement. Jason said this will be shown to the Site Plan Review Committee. The preference is to enhance the existing tree row with additional vegetation.

Les Mangus said he visited the site yesterday to see the existing hedgerow has been trimmed on by the electric utility company. The trees are sparse at best. Any screening expected would need to be added.

There was discussion about a screening fence. Jason said they would rather see wrought iron fence instead of solid wood. Quentin Coon said this will be decided by the Site Plan Review Committee. David Martine asked for photos of the existing tree row to be brought for the Site Plan packets.

At 7:27 p.m., Jack Huenergardt of 840 S. McCandless Road said the information that has been submitted is too vague for the surrounding neighbors to understand. He does not want the congestion in the area. Mr. Huenergardt said he would like to see a screening fence built.

Chairman Coon asked if there was any further public comment. Hearing none, he closed the public hearing at 7:28 p.m. and began the review of the Rezoning Report.

ANDOVER CITY PLANNING COMMISSION

Agenda Item No. 5

REZONING REPORT *

CASE NUMBER: Z-2007-05

APPLICANT/AGENT: **BGS/ Mark Buckingham of MKEC**

REQUEST: **R-3 to R-3 PUD**

CASE HISTORY: **Currently zoned R-3 unplatte vacant land**

LOCATION: **South of US-54 & East of Yorktown**

SITE SIZE: **28.58 acres**

PROPOSED USE: **Multiple Family Dwellings**

ADJACENT ZONING AND EXISTING LAND USE:

North: B-3 YMCA & Elementary school sites
South: Butler Co. Agriculture
East: RR Butler Co. Single-Family residences
West: R-2 & R-3 Reflection Lakes Single-Family PUD

Background Information:

* Note: This report is to assist the Planning Commission to determine their findings from the evidence presented at the hearing so as to base their rezoning recommendation on the required 17 factors found in Section 11-100 H of the Zoning Regulations. The responses provided need to be evaluated with the evidence and reworded as necessary to reflect the Planning Commission's considered opinion. Sample motions are provided to ensure the accuracy of the motion and facilitate the summary of the hearing for the minutes. Conditions attached to the motion, if any, should be carefully worded to provide instructions to the applicant and facilitate enforcement by the Zoning Administrator.

(As per Article 11, Section 100 of the City of Andover Zoning Regulation – 1993)

H. Amendments to Change Zoning Districts. When a proposed amendment would result in a change of the zoning district classification of any specific property, the report of the Planning Commission, accompanied by a summary of the hearing, shall contain statements as to (1) the present and proposed district classifications, (2) the applicant's reasons for seeking such reclassification, and (3) a statement of the factors where relevant upon which the recommendation of the Commission is based using the following factors as guidelines:

FACTORS AND FINDINGS:

1. What is the character of the subject property and in the surrounding neighborhood in relation to existing uses and their condition?

YES NO

STAFF: Same as above.

PLANNING: Concur.

COUNCIL:

2. What is the current zoning of the subject property and that of the surrounding neighborhood in relation to the requested zoning change?

YES NO

STAFF: Same as above.

PLANNING: Concur.

COUNCIL:

3. Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?

YES NO

STAFF:

PLANNING: No.
COUNCIL:

4. Would the request correct an error in the application of these regulations?

YES NO

STAFF:
 PLANNING: No.
COUNCIL:

5. Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?

YES NO

STAFF: YMCA & Elementary School being built in the area.
 PLANNING: Concur.
COUNCIL:

6. Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?

YES NO

STAFF: All can be provided.
 PLANNING: Concur.
COUNCIL:

7. Would the subject property need to be platted or replatted in lieu of dedications made for rights-of-way, easements access control or building setback lines?

YES NO

STAFF:
 PLANNING: Yes.
COUNCIL:

8. Would a screening plan be necessary for existing and/or potential uses of the subject property?

YES NO

STAFF: Site Plan Review required.
 PLANNING: Concur. Jan Cox said her preference stated in the Subdivision Committee meeting is for a fence.
COUNCIL:

9. Is suitable vacant land or buildings available or not available for development that currently has the same zoning as is requested?

YES NO

- STAFF: No R-3 property is available nearby.
- PLANNING: Les said there is land zoned R-3 on the north side of Hwy. 54 just east of Andover Road. (Andover Lakes Estates)

COUNCIL:

10. If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?

YES NO

STAFF: N.A.
PLANNING: N.A.
COUNCIL:

11. Is the subject property suitable for the uses in the current zoning to which it has been restricted?

YES NO

- STAFF:
- PLANNING: Yes.

COUNCIL:

12. To what extent would removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?

YES NO

- STAFF: No detriment is perceived compared to current R-3.
- PLANNING: Concur. Property is already zoned R-3.

COUNCIL:

13. Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?

YES NO

- STAFF:
- PLANNING: Yes.

COUNCIL:

14. Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?

YES NO

- STAFF: Provides a variety of housing types.
- PLANNING: Concur.

COUNCIL:

15. What is the support or opposition to the request?

YES NO

STAFF: None at this time.

PLANNING: Public concerns about proper screening.

COUNCIL:

16. Is there any information or are there recommendations on this request available from knowledgeable persons which would be helpful in its evaluation?

YES NO

STAFF: Approval contingent on satisfaction of staff comments.

PLANNING: Les said staff has approved the corrections.

COUNCIL:

17. If the request was not approved, would this result in a relative gain to the public health, safety and general welfare which would outweigh the loss in property value to or the hardship experienced by, the applicant?

YES NO

STAFF:

PLANNING: No.

COUNCIL:

Having considered the evidence at the hearing and the factors to evaluate the rezoning application, I David Martine, move that we recommend to the Governing Body that Case No. Z-2007-05 be approved to change the zoning district classification from the R-3 to R-3 PUD District based on the findings 5, 11, 13, & 14 of the Planning Commission as recorded in the summary of this hearing. Motion seconded by Lynn Heath. Motion carried 7/0.

Jeff Bridges said this case will be heard by the City Council on June 12, 2007.

Z-2007-06: Proposed change of zoning district classification from Butler County RR Rural Residential District to R-2 Single-Family Residential District and establishment of the Ami Lane Addition Planned Unit Development District and Ami lane Addition Preliminary Planned Unit Development Plan to be located at the southwest corner of Southwest 130th Street and Andover Road. (135.2 acres more or less)

From Les Mangus Memo: This Preliminary PUD reflects the concept that was reviewed as a sketch plat. The PUD provides for lot sizes as small as 8,500 sq. ft. with an average lot size of 12,507 sq. ft. 23% of the lots are between 8,550 and 10,000 sq. ft. The

Z-2007-06:
Proposed
change of
zoning district
classification
from Butler
County RR
Rural
Residential
District to R-2
Single-Family
Residential

typical exceptions are taken for 15 front yard setback on one side of a corner lot. Staff supports the plan with the satisfaction of the items on the checklist.

Kris Rose from Baughman Co. agent for the applicant, answered questions of the members about this plan. He said this development is proposing 289 single family lots, 5 acre public park, community pool, lakes and green space. The Preliminary PUD is being submitted to reduce minimum lot size from 75' to 70' with the square footage below 10,000 square feet. He has maintained an average lot size of over 10,000 square feet (12,500 sf.) 67 of the lots (approx. 25%) are smaller than 10,000 square feet. The street side setback will also be reduced to 15' except that 25' will be required in front of the garage door opening. The project will be done in 3 phases as follows: Phase 1- 97 lots, Phase 2- 110 lots, and Phase 3- 82 lots. Kris explained the sidewalk exhibit to the Commissioners. There will also be wall screening easements provided along Andover Road and along the south line of 130th Street. The intent is to maintain the existing hedgerow. No lots will front Ami Lane which is a collector street.

Kris continued to explain the corrections he has made to the plan from Les' comments:

1. Additional 10' will be dedicated along Andover Road to make a total of 60' right-of-way.
2. A traffic study will still be submitted to Les for review.
3. A revised utility plan will be drawn to show the looping of the 12" water line back to Andover Road from the south side of 130th Street. Wichita Water has approved the water line size.
4. Sewer line will be extended to the west for future development.
5. Preliminary profiles have been completed on the sewer extension from ½ mile north of this property. Sewer will be extended along the east line of Andover Road to 130th Street west to this property.
6. Drainage plan shows several lakes to accommodate the drainage in this area.

Quentin asked if there is detention in Reserve H. Kris submitted a drainage plan to the Commission. Kris said Reserve H is the public park and will not hold water there. Reserve C is the detention area for the west drainage. Discussion continued about the old lagoon from the mobile home park which will be abated properly by the applicant. This will be filled and graded by engineered standards.

District and establishment of the Ami Lane Addition
Planned Unit Development District

John Cromwell asked how long it will take for the traffic assessment to be provided. Kris said this will be submitted to Les before the final plat of this addition. John Cromwell asked if there is other development going on in this area that would impact the traffic report. Les said that would be based upon the background traffic and future projections which would include both off site and the on site.

Quentin asked Les if Reserve H will become City of Andover property. Les said this will become a 5 acre neighborhood park.

Discussion continued about the 15' side yard setback. Les said all of the PUD's have utilized the 15' side yard setback.

David Martine asked Kris to have the final drainage plan included in the meeting packets when he returns for final PUD approval. He said it is a design goal for 2% lot drainage in the flow lines.

Byron Stout asked about further clarification about the 15' setback. Les said a solid fence on a corner would have to be back a minimum of 35". This is a typical situation. If there is to be any access on that 15' setback side of the corner, a garage access will have to be back at least 25 feet so a car can park in front of the garage and not extend out into the right-of-way to block the view.

Quentin asked if this property change needed to be approved by Butler County. Les said the annexation will go before the Commissioners. Since it is an island, it is separated from the city limits by a few hundred yards at the northeast corner of the development. Les said this case can be heard by the Planning Commission because they have petitioned for annexation. The City Council cannot adopt the zoning ordinance until the property is annexed. When this is added to the City Council agenda, the annexation must be placed before the zoning case.

At 7:52 p.m. Chairman Coon opened the public hearing and asked if anyone had any comments.

Rick Cook of 8425 Tipperary said he owns the quarter section that is adjacent on the west edge of the applicant's property. He is concerned about the safety of his high-strung horses and neighboring children having access onto his property if this plan is approved. He does not want to see a high density area built next door to his property. He is asking for screening along that west property line.

David Aronstein of 16620 SW 130th Street, Rose Hill, said he lives on the north side of 130th less than ¼ mile from this development. He was concerned about the amount of traffic that would be generated along 130th. He asked about paving on 130th and whose tax dollars would be used to pay for the improvements. Jeff Bridges said the developer will be responsible for paving the street to the furthest extent of his project on both sides of the street. Discussion continued about the ½ mile of dirt road (in front of Mr. Aronstein's property) that would remain Township responsibility between this development and the county line.

Jeff Syrios asked staff to explain how a street evolves. Jeff Bridges said a street will not get paved until there is development adjacent to it. Streets generally do not get paved until they are annexed by the city. General discussion continued. Les said the traffic study will be required before any improvements are designed, which would be the basis for the level of improvements. The improvements are proposed to the City Council for their acceptance. Mr. Aronstein continued to be concerned about the increased traffic along a ½ mile of road that will not be paved. Jeff Bridges said the City can only make improvements within its own jurisdiction. Anything beyond that will be the responsibility of the Township. Mr. Aronstein does not want to be the only taxpayer burdened with paving a road for the increased traffic from this new development. Discussion continued. Jeff Bridges informed Mr. Aronstein to watch the Andover web site of upcoming committee agendas about this project.

Mr. Aronstein also asked if he should be concerned about his property being annexed by the City of Andover in the future. Jeff Bridges said that would depend upon the need for public utilities in those areas. Jeff said eventually everything within the planning area is subject to annexation by the city. Les explained the Andover Planning Jurisdiction ends ½ mile south of SW 130th and at the county line. Les said some property owners will choose to "tag along" with proposed annexations to have access to public services.

Julie Winslow of 13275- 13273 SW 130th, Rose Hill said she has a residence and small business on her property. She is concerned about the safety issue of increased traffic along any unpaved area of 130th. She said she does not have a problem with the development, but does not want to lose the freedom she now enjoys owning a horse which she would not be allowed to do if annexed into the city limits. She also was upset about any

changes being made to the existing stream bed that runs through her property. She begged and cautioned the Planning Commission to protect her and the other neighbors from unwanted, negative impacts from this development. She asked for a promise that surrounding properties to the Ami Lane Addition will not be flooded.

Jerold Bibb, 13307 SW Butler Road said he has a large drainage ditch on the east side of the road that gets full during heavy rain. He was concerned about flooding on his property if this development is approved.

Gary Doty of 13485 SW Butler Road said he is concerned about the ponds in the Ami Lane Addition breeding mosquitoes if they are allowed to stagnate.

Kris Rose of Baughman Co. returned to the podium at 8:13 p.m. to address some of the concerns of the neighbors. He explained the proposed ponds will be designed to retain the runoff from any 100 year waterfall. The water will be leaked out at the same amount of flow as the existing. Kris said city staff reviews and must approve final drainage plans for new development. Calculations of the drainage study will be provided during the final plat stage.

Syble Bibb of 13307 SW Butler Road stated her concerns about flooding on her property. She was upset about the sump pump in her basement running when the basement is not flooded because the water is so saturated. She thinks the 3 acre lake in the Ami Lane Addition will be built 100 feet from her basement and that will make her basement leak. She said there is no drainage ditch on her property to carry excess water. She also does not want the children from this neighborhood playing on her land. She thinks this development will trash up her property. She said she will not allow drainage from the new development to run across her property.

Laura Aronstein of 16620 SW 130 addressed the Commissioners at 8:18 p.m. She stated her family moved to this area for the privacy and country feel. She objects to this high density development.

Chairman Coon asked Kris Rose to restate the outline of the screening plan for this project. Kris said there will be screening along Andover Road and intend to leave the hedgerow along 130th Street. He said they have made several design adjustments

to spare as many existing trees as possible.

At 8:23 p.m. Rick Cook of 8425 Tipperary returned to state his concern of children accessing his horses through the hedgerow and becoming injured. He said this is a serious issue.

Julie Winslow of 13275- 13273 SW 130th, Rose Hill said she does not want to have to screen her property from this development with an 8' cedar fence. She asked for a more extensive drainage study in fear of changing the flow of her stream bed.

Chairman Coon asked if there were any further comments from the audience. Hearing none, he closed the public hearing at 8:24 p.m. and began the review of the Rezoning Report.

ANDOVER CITY PLANNING COMMISSION

Agenda Item No. 6

REZONING REPORT *

CASE NUMBER: Z-2007-06

APPLICANT/AGENT: **Paul Kelsey/ Kris Rose of Baughman Co.**

REQUEST: **Butler Co. Ag. & RR to R-2 PUD**

CASE HISTORY: **A portion of the subject property is platted Chance Acres.**

LOCATION: **South of SW 130th & West of Andover Road**

SITE SIZE: **135.2 acres**

PROPOSED USE: **Single-Family residential development.**

ADJACENT ZONING AND EXISTING LAND USE:

North: Butler Co. Ag.-40 pastureland.

South: Butler Co. Ag.-40 & RR single family homes

East: Butler Co. RR- undeveloped single family lots

West: Butler Co. Ag.-40 pastureland

Background Information: **The platted undeveloped land east of Andover Road is the subject of The "Estates" sketch plat.**

* Note: This report is to assist the Planning Commission to determine their findings from the evidence presented at the hearing so as to base their rezoning recommendation on the required 17 factors found in Section 11-100 H of the Zoning Regulations. The responses provided need to be evaluated with the evidence and reworded as necessary to reflect the Planning Commission's considered opinion. Sample motions are provided to ensure the accuracy of the motion and facilitate the summary of the hearing for the minutes. Conditions attached to the motion, if any, should be carefully worded to provide instructions to the applicant and facilitate enforcement by the Zoning

Administrator.

(As per Article 11, Section 100 of the City of Andover Zoning Regulation – 1993)

H. Amendments to Change Zoning Districts. When a proposed amendment would result in a change of the zoning district classification of any specific property, the report of the Planning Commission, accompanied by a summary of the hearing, shall contain statements as to (1) the present and proposed district classifications, (2) the applicant's reasons for seeking such reclassification, and (3) a statement of the factors where relevant upon which the recommendation of the Commission is based using the following factors as guidelines:

FACTORS AND FINDINGS:

1. What is the character of the subject property and in the surrounding neighborhood in relation to existing uses and their condition?

YES NO

STAFF: Shown above.
PLANNING: Concur.
COUNCIL:

2. What is the current zoning of the subject property and that of the surrounding neighborhood in relation to the requested zoning change?

YES NO

STAFF: Shown above.
PLANNING: Concur.
COUNCIL:

3. Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?

YES NO

STAFF:
 PLANNING: No
COUNCIL:

4. Would the request correct an error in the application of these regulations?

YES NO

STAFF:
 PLANNING: No
COUNCIL:

5. Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?

YES NO

STAFF: Urban development in the area.
 PLANNING: Concur.

COUNCIL:

6. Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?

YES NO

STAFF: All can be provided.
 PLANNING: Concur.

COUNCIL:

7. Would the subject property need to be platted or replatted in lieu of dedications made for rights-of-way, easements access control or building setback lines?

YES NO

STAFF:
 PLANNING: Yes.

COUNCIL:

8. Would a screening plan be necessary for existing and/or potential uses of the subject property?

YES NO

STAFF:
 PLANNING: Jan Cox said public concern justifies asking the developer for screening to protect the existing neighbors.

COUNCIL:

9. Is suitable vacant land or buildings available or not available for development that currently has the same zoning as is requested?

YES NO

STAFF: Not in the immediate area.
 PLANNING: Les said there are a handful of single family lots available in Flint Hills across the street to the east, and Tuscany is 1 mile away.

COUNCIL:

10. If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?

YES NO

STAFF: N.A.
PLANNING: N.A.
COUNCIL:

11. Is the subject property suitable for the uses in the current zoning to which it has been restricted?

YES NO

STAFF:

PLANNING: Yes.
COUNCIL:

12. To what extent would removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?

YES NO

STAFF: Increased traffic, activity, noise, light, etc.
PLANNING: Concur with staff and to include safety.
COUNCIL:

13. Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?

YES NO

STAFF:

PLANNING: Yes.
COUNCIL:

14. Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?

YES NO

STAFF:

PLANNING: Jan Cox thinks the Comp Plan suggests using land closer to the existing city limits before developing agricultural areas. Les said the Future Land Use map indicates this property is designated future residential property. Lynn Heath said the city should square up it's boundaries.
COUNCIL:

15. What is the support or opposition to the request?

YES NO

STAFF: Neighbors opposed to urban development.

PLANNING: Neighbors present to oppose due to screening, safety, road development, taxation, drainage & traffic.

COUNCIL:

16. Is there any information or are there recommendations on this request available from knowledgeable persons which would be helpful in its evaluation?

YES NO

STAFF: Approval as applied for.

PLANNING: Commissioners have obtained most of what they need.

COUNCIL:

17. If the request was not approved, would this result in a relative gain to the public health, safety and general welfare which would outweigh the loss in property value to or the hardship experienced by, the applicant?

YES NO

STAFF:

PLANNING:

COUNCIL:

After general discussion, Les said the engineering will be done at the platting stage, this plan is conceptual. Additional improvements could be required if necessary. Depending on how the peak traffic hour fits into the peak traffic hour on Andover Road today. Les expects this to only put 70- 80 cars an hour on Andover Road at the Andover Road location 40% expected to run on Andover Road and 60% will travel on 130th.

Discussion continued whether screening or safety fence would be required. Jeff Syrios cautioned the Planning Commission from the burden of protection of children from every hazard in life, but the property does need to be protected.

Lynn Heath said that children are the responsibility of the parents. Les said rarely has a PUD or residentially zoned area been required to place a solid fence around its entire perimeter. Les is of the opinion that solid fences are more of a nuisance than asset. Areas are created that are hard to maintain. Jan Cox would rather see a concrete fence.

David Martine suggested adding:

1. Existing trees on the east and west property boundaries protected and not removed except as necessary for street and utility cuts. Adjacent owners are not to remove hedgerows.
2. Drainage should be designed at 2% in the drainage flow lines.
3. The wall easement in the front along Andover Road and 130th is 5' with a 10' sidewalk next to it. He asked for plantings to be added along the outside of the concrete

wall along Andover Road and 130th.

4. Fencing along the east property line is something to be considered, and the homeowners along west property line should provide the fencing along that line as they see fit. Les said the Commission could ask for a buffer strip along the adjacent properties and that the existing hedgerows be maintained. Fencing and/or additional landscaping could be required at final platting.

Having considered the evidence at the hearing and the factors to evaluate the rezoning application, I David Martine, move that we recommend to the Governing Body that Case No. Z-2007-06 be modified & approved to change the zoning district classification from Proposed change of zoning district classification from Butler County RR Rural Residential District to R-2 Single-Family Residential District and establishment of the Ami Lane Addition Planned Unit Development District and Ami lane Addition Preliminary Planned Unit Development Plan based on the findings 5, 11, 13, and 14 of the Planning Commission as recorded in the summary of this hearing and that the following conditions be attached to this recommendation:

1. *The General Provisions will state the 10' minimum wall easement be extended to include landscape.*
2. *Existing trees on the north, east and west property lines to remain in tact in a buffer area.*
3. *Entry monument installed for the development.*
4. *Design goal of 2% with a 1.5% minimum slope of the flow lines.*

Motion seconded by Lynn Heath.

In further discussion about drainage, the engineer should provide a final drainage plan to show how the flow will be maintained off this property. John Cromwell also wants to see the flood plan for this area. Les said it is the Subdivision Regulations and Street & Drainage Policy are standards that the rate of runoff at the 25 year storm do not exceed what it is pre-development. If the 25 year is met, you improve the 100 year storm.

Motion at 9:05 p.m. carried 7/0.

Les Mangus stated this matter will also be heard by the City Council on June 12, 2007.

David Martine made a motion to call for a brief recess of the meeting. Byron Stout seconded the motion. Motion carried 7/0.

Recess

Quentin Coon called the Planning Commission back to order at 9:12 p.m.

SU-2007-02: Special Use requested to establish a Dealership for the sale of Antique and Classic Automobiles within an enclosed building in the B-2 Neighborhood Business District to be located at 1636 N. Main Street.

From Les Mangus Memo: This application arises from the owner's desire to acquire an automobile dealer's license for the location where he and his partners work on and store antique and classic automobiles. The property currently has a special use, which allows the current use of the building, but the State of Kansas requires a zoning certificate to verify that the proper zoning is in place for a dealer's license. All work and display is proposed to be within the enclosed structure. The building adjacent to the north already has the special use for the automobile dealer's license, and has been used by several different owners for the last 15 years or so. Staff supports the application as applied for.

SU-2007-02:
Special Use
requested to
establish a
Dealership for
the sale of
Antique and
Classic
Automobiles
within an
enclosed
building in the
B-2
Neighborhood
Business
District to be
located at 636
N. Main Street.

Chairman Coon asked the applicant to present his case.

Jeff Siebels is one of the owners of this property. He stated construction of this building is now being completed. The garage has been designed to hold 30 classic cars. They need the special use approval to apply for a dealership license for limited trading of classic and antique cars. This is not intended as a major business for the 3 owners of the site. He estimates 1 car per month will be sold. All cars at all times will be stored inside. The bulk of the sales and buying activities will be conducted via the internet and phone. There will be minimal traffic, with no regular business hours. Cars shown by appointment only.

David Martine asked if any cars would be stacked on Main Street with for sale signs in them. Jeff Siebel said definitely not.

Chairman Coon asked at 9:15 if anyone from the audience wished to speak about this request. Hearing none, he closed the public hearing at 9:15 and began review of the Rezoning Report.

ANDOVER CITY PLANNING COMMISSION

Agenda Item No. 7

REZONING REPORT *

CASE NUMBER: SU-2007-02

APPLICANT/AGENT: **Chris Hammon**REQUEST: **Special Use to allow the sale of classic cars in B-2.**CASE HISTORY: **Currently zoned B-2 with Special Use for indoor storage of vehicles, equipment, & supplies.**LOCATION: **1636 N. Main St.**SITE SIZE: **117.5' x 190'**PROPOSED USE: **Storage and sales of classic cars.****ADJACENT ZONING AND EXISTING LAND USE:**

North: B-2 w/ Spec. Use for the sale of antique & classic automobiles/R-2 Single-Family.

South: B-1 legal non-conforming warehouse

East: B-2 auto Parts/Lawn Equipment store

West: B-1 USD 385 Copy center R-2 Single-Family residence

Background Information:

* Note: This report is to assist the Planning Commission to determine their findings from the evidence presented at the hearing so as to base their rezoning recommendation on the required 17 factors found in Section 11-100 H of the Zoning Regulations. The responses provided need to be evaluated with the evidence and reworded as necessary to reflect the Planning Commission's considered opinion. Sample motions are provided to ensure the accuracy of the motion and facilitate the summary of the hearing for the minutes. Conditions attached to the motion, if any, should be carefully worded to provide instructions to the applicant and facilitate enforcement by the Zoning Administrator.

(As per Article 11, Section 100 of the City of Andover Zoning Regulation – 1993)

H. Amendments to Change Zoning Districts. When a proposed amendment would result in a change of the zoning district classification of any specific property, the report of the Planning Commission, accompanied by a summary of the hearing, shall contain statements as to (1) the present and proposed district classifications, (2) the applicant's reasons for seeking such reclassification, and (3) a statement of the factors where relevant upon which the recommendation of the Commission is based using the following factors as guidelines:

FACTORS AND FINDINGS:

1. What is the character of the subject property and in the surrounding neighborhood in relation to existing uses and their condition?

YES NO

STAFF: Shown above.

PLANNING: Concur.

COUNCIL:

2. What is the current zoning of the subject property and that of the surrounding neighborhood in relation to the requested zoning change?

YES NO

STAFF: Shown above.

PLANNING: Concur.

COUNCIL:

3. Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?

YES NO

STAFF:

PLANNING: No.

COUNCIL:

4. Would the request correct an error in the application of these regulations?

YES NO

STAFF:

PLANNING: No.

COUNCIL:

5. Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?

YES NO

STAFF:

PLANNING: No.

COUNCIL:

6. Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?

YES NO

STAFF: All are in place and adequate.

PLANNING: Concur.

COUNCIL:

7. Would the subject property need to be platted or replatted in lieu of dedications made for rights-of-way, easements access control or building setback lines?

YES NO

STAFF:

PLANNING: No.

COUNCIL:

8. Would a screening plan be necessary for existing and/or potential uses of the subject property?

YES NO

STAFF: Screening plan is in place.
 PLANNING: Les said since the property is already zoned B-2 Neighborhood Business District. With the construction of the building, screening was already required of the 1 adjacent single-family neighbor. No additional screening is required. An approved site plan is on file.

COUNCIL:

9. Is suitable vacant land or buildings available or not available for development that currently has the same zoning as is requested?

YES NO

STAFF: N.A.

PLANNING: N.A.

COUNCIL:

10. If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?

YES NO

STAFF: Allows the owner to sell vehicles being stored on site.

PLANNING: Concur.

COUNCIL:

11. Is the subject property suitable for the uses in the current zoning to which it has been restricted?

YES NO

STAFF:

PLANNING: Yes.

COUNCIL:

12. To what extent would removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?

YES NO

STAFF: No detriment is perceived.

PLANNING: Concur.

COUNCIL:

13. Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?

YES NO

 STAFF:
 PLANNING: Yes.
COUNCIL:

14. Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?

YES NO

STAFF: The Comp Plan recognizes this commercial area.
 PLANNING: Yes. Concur.
COUNCIL:

15. What is the support or opposition to the request?

YES NO

STAFF: None at this time.
PLANNING: None noted.
COUNCIL:

16. Is there any information or are there recommendations on this request available from knowledgeable persons which would be helpful in its evaluation?

YES NO

STAFF: Approval as applied for.
PLANNING: Concur.
COUNCIL:

17. If the request was not approved, would this result in a relative gain to the public health, safety and general welfare which would outweigh the loss in property value to or the hardship experienced by, the applicant?

YES NO

STAFF:
 PLANNING: No.
COUNCIL:

Having considered the evidence at the hearing and the factors to evaluate the rezoning application, I David Martine, move that we recommend to the Governing Body that Case No. SU-2007-02 be approved for Special Use requested to establish a Dealership for the sale of Antique and Classic Automobiles within an enclosed building in the B-2 Neighborhood Business District to be located at 1636 N. Main Street based on the findings 10, 11, 13, & 14 of the Planning Commission as recorded in the summary of this hearing. Motion seconded by

Lynn Heath. Motion carried 7/0.

David Martine made a motion at 9:20 p.m. to recess the Planning Commission and to convene the Board of Zoning Appeals. Byron Stout seconded the motion. Motion carried 7/0.

Recess PC &
Convene BZA

BZA-V-2007-02: Ben and Stan Lawrence of INVENIT Investments, pursuant to Section 10-107 of the City Zoning Regulations, requests a variance to allow a front yard setback reduction from 25 feet to 22 feet for the purpose of allowing a 3 foot encroachment of a covered porch on property zoned as the R-2 Single-Family Residential District located at 1849 N. Lakeside Drive.

BZA-V-2007-02: Ben and Stan Lawrence of INVENIT Investments, pursuant to Section 10-107 of the City Zoning Regulations, requests a variance to allow a front yard setback reduction from 25 feet to 22 feet

From Les Mangus Memo: This application arises from the owner's desire to remove the existing sales office from the property, and construct a single family dwelling. The lot is a very peculiar shape, and is encumbered by a large easement in the rear yard, which both limit the buildable area of the lot. Since the property is on the inside of the curve on Lakeside Drive, the requested encroachment does play into the vision of cars coming around the curve, but it is no more than the remainder of the house, which complies with the required 25 ft. minimum setback. Staff supports the variance as applied for.

Chairman Coon said Mayor Ben Lawrence is the applicant.

Ben Lawrence of 1930 N. Grace Ct. requested a variance for 1849 N. Lakeside as to the front setback. He said this is an odd shaped lot which has been vacant for 8 years. Ben bought this property 6 months ago and is trying to make a house fit on it that will blend in with the character of the existing neighborhood and not exceed the minimum square feet requirements of the neighborhood covenant. He has a custom design home to be built, but it will look better if the house is built further north on the lot which 3 1/2 feet of the front porch would encroach into the setback.

Chairman Coon asked if there were any further comments on this presentation. Hearing none, he began reviewing the Findings of Fact.

G.	In determining whether the evidence supports the conclusions required by Section 1-107(D)(1), the Board shall consider the extent to which the evidence demonstrates that:	Yes/True	No/False
1.	The particular physical surroundings, shape, or	X	

topographical condition of the specific property involved would result in a practical difficulty or unnecessary hardship upon or for the owner, lessee, or occupant, as distinguished from a mere inconvenience, if the provisions of these regulations were literally enforced.		
2.	The request for a variance is not based exclusively upon a desire of the owner, lessee, occupant or applicant to make more money out of the property.	X
3.	The granting of the variance will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, and	X
4.	The proposed variance will not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.	X
Byron Stout said there is a hedgerow behind it.		
F.	The Board shall not grant a variance unless it shall, in each case, make specific written findings of fact directly based upon the particular evidence presented to it which support all the conclusions as required by K.S.A. 12-715 as listed below:	True/ Yes False/ No
1.	The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owners or the applicant;	X
2.	The granting of the variance will not adversely affect the rights of adjacent property owners or residents;	X
3.	The strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application.	X
4.	The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and	X
5.	Granting the variance desired will not be opposed to the general spirit and intent of these regulations.	X

Having considered the evidence at the hearing and determined the findings of facts have been found to

exist that support the five conditions set out in Section 10-107D1 of the Zoning Regulations and K.S.A. 12-759(e) of the state statutes which are necessary for granting of a variance, I Lynn Heath move that the Chairperson be authorized to sign a resolution granting the variance for Case No. BZA-V-2007-02 as requested. Byron Stout seconded the motion. Motion carried 7/0.

Byron Stout made a motion at 9:27 p.m. to adjourn the Board of Zoning Appeals and to reconvene the Planning Commission. David Martine seconded the motion. Motion carried 7/0.

Adjourn BZA

Review of the Sketch Plat of The Estates located at the southeast corner of SW 130th Street and Andover Road.

From Les Mangus Memo: The proposed addition is +/- 148 acres currently zoned RR and platted as 2-3 acre lots many years ago in Butler County. The developer desires to establish a Planned Unit Development with more typical lot sizes from about 12,000 sq. ft. to nearly one acre served by a private gated street system. Staff supports the concept with some adjustments to the street system to lessen the length of some cul-de-sacs by creating a loop street, and shorter cul-de-sacs.

Review of the Sketch Plat of The Estates located at the southeast corner of SW 130th Street and Andover Road.

Phil Meyer of Baughman Company and agent for the applicant presented the sketch plan. He said Tom Mack, Tom Devlin Jr., and Amanda Michel were also present tonight. This is a joint venture between Neis Homes and Devlin Realty.

Phil said the name of this development will probably change as they get further along. He explained the following points of this project:

1. 190 lot development. 92 Small lots 90'x 130' at around 12,000 square feet, and will be south and west of the gas pipeline. 98 Large lots 120'x 150'.
2. Drainage requirements will be met with the detention ponds with amenities will back up to them.
3. Proposing private streets in this gated community.
4. Entry road will be built through the tree row. Trees will be maintained as a private reserve.
5. Proposal not to include sidewalks. Gated community can provide them at a later date at their own expense. Streets will have curb and gutter system.
6. No street stubs to the south since this is the end of the planning area.

Quentin asked how wide the streets will be. Phil said they have planned for 31' back to back standard paving width. Jan asked if this includes the collector street. Phil said yes it would be the same width since it is a private street that does not connect with any other quarter sections.

Quentin asked what will be to the east. Phil said a street stub is shown on the east.

Jan Cox asked what just northwest corner just outside of this development is. Phil Meyer said there are several existing houses.

There was discussion about the water flow which runs from the south then to the west. Phil said this is so preliminary, but the plan is to pipe the water to the pond at the entry feature. There will be an internal storm sewer system.

Quentin asked if any walkways would be built around the ponds. Phil said they are willing to discuss this point.

At 9:40 p.m. Tom Mack of Devlin Enterprises and represented half of the development team said the buyers of this lower density development would not want the walkways.

Quentin was concerned that there are 190 lots with no place for the people to go. Les said in the discussion with the developer and engineer is this is a private/gated community and whether to legislate the amenities of the people who will own them.

Jeff Syrios asked how this project is different than previous developments. Les said our street policy and comprehensive plan would require an 8' sidewalk on a collector street. In this case, there is no collector street. It would also require 10' sidewalks along the arterial streets, those would come at a later date when there is something to connect those to. There is a power transmission line along the south border of this property, an unplatted meets and bounds subdivision adjacent to the south, several large suburban ranches to the south, and the planning jurisdiction ending on this south line. Discussion continued.

Phil said the streets are being built in reserve areas not dedicated right-of-way so sidewalks can be installed at a later date if the HOA warrants.

David Martine asked the retail price of the houses to be built

here. Tom Mack said the target price range is \$500,000-\$800,000.

Jan Cox was concerned about the length of the cul-de-sacs and asked if this is a topic open for discussion. Phil said they will try to redesign and connect 2 of the streets and to shorten the other problem area. Discussion continued.

Jan Cox asked if screening is an issue in this case. Phil Meyer said this developer will take care of buffer & screening issues.

Quentin asked if this property is requesting annexation. Phil said yes they are. Les said this property is contiguous with the city limits and will make Ami Lane Addition contiguous also.

No action was required on this Sketch Plat.

Final Review at 9:52 p.m. of the Comp Plan.

Final Review
of the Comp
Plan.

From Les Mangus Memo: The recommendations from the Committee, which met and discussed the necessary updates to the Comprehensive Plan in the 2006, have been supplemented by some additional comments from Staff.

Chairman Coon asked if anyone had comments they want included in this review.

John Cromwell asked if there is a development plan for streets. Les said there is no master plan, but policies exist because road improvements are not necessary until there is a need. With an island annexation there is a utility plan which includes details for what happens when the property is annexed. There is an arterial street classification plan which suggests collector streets at or about the half mile lines. John asked if Andover Road will change as more southerly development. Les said there is a plan for improvements to Andover Road south of Harry Street. Les said this project should be let January of 2009.

Jeff Syrios said he has grave concerns about 21st Street and 159th Street and the school. He asked for an update of how the school will open with a dirt road and 21st Street only being 2 lanes. Les said Keystone Street should be paved to the elementary school before it is opened and 159th will follow. Les said he thinks Wichita intends to begin their project in 2008 to improve 21st Street from the county line all the way to K-96 to 5 lanes. We will follow them with a project in 2010 to expand our 3 lanes to 5 between 159th and Andover Road. Les does not expect traffic

counts at the new school to be high enough to cause congestion.

Jeff Bridges explained to widen a 2 lane street to a 4 lane street is \$2,500,000. Sales tax generates 1.3 million dollars per year total which has to include all street rehab and major improvements.

Quentin asked if the philosophy is changing for the industrial park. Byron Stout and Jan Cox said they are members of that workshop committee. Les said that committee seems to be divided in their opinions. Byron said they will be meeting again in a month and they will keep the Planning Commission informed of their progress. Les said this is a several month long process.

Quentin asked the Planning Commission if they wanted so many gated communities in Andover. Consensus was that this is not a problem. Jeff Bridges said private communities as they age find their privateness become a burden on the community. What is done in Andover to prevent any long term negative effects is that the City can take it over, pave it, and bill the residents back for those improvements, but still not own it. He said the policies on the PUD's must be maintained.

General discussion continued about PUD's. David Martine said he feels developers use the PUD's to avoid city zoning regulations. Jeff Bridges stated all applicants do not have to be approved just because they are on the agenda.

There was discussion about whether the housing market is selling smaller vs. larger lots. Les reminded the Commission that all the lots can be platted at whatever size wanted, but someone has to sell them otherwise we are all just wasting our time. The infrastructure is the big ticket on the large lots.

Les then explained the "Estates" will use the city's bonding capacity for water, sewer, and storm drainage, but the cost of the street has to be rolled into the lot bringing the infrastructure cost to almost \$500 per month.

Byron Stout stated his dislike of apartment complexes. He wants the Comp Plan to address this issue. Jeff Bridges asked the Commissioners to look at the college and employment development and whether housing would be affordable for those workers who are continually being drawn to this city. Byron Stout questioned whether housing should be provided for them at

all. Jeff Syrios said the job of the Planning Commission is to look at the bigger picture.

Jan Cox asked if Lincoln Street mentioned in Les' memo about the comp plan on page 3 is the same as Lincoln Street in Wichita. Les said Lincoln is the jog in 159th Street south of Kellogg. Wichita and Sedgwick County don't discuss this area much. There is a ¼ mile of road left in-between Wichita responsibility and that of Andover at the low water bridge. Discussion continued how things would change if a traffic light was placed at 159th and Kellogg.

Les said Wichita is currently seeking proposals from engineers to design the freeway all the way out to the county line. There is no funding plan to finance this though. Andover is already working with KDOT Corridor Management to get a grant to do that design through the city all the way out beyond Prairie Creek to a field check plan to acquire right-of-way as it becomes available. Discussion continued.

David Martine said he believes the final review of the Comp. Plan has been completed.

David Martine made a motion to adopt the final review of the Comprehensive Plan as presented. Lynn Heath seconded the motion. Motion carried 7/0.

MEMO

DATE: May 8, 2007

TO: Andover Planning Commission

FROM: Les Mangus, Director of Public Works and Community Development

SUBJECT: Recommendations on the Comprehensive Plan Update

The Kansas statutes which govern planning practices for cities require that a comprehensive plan be reviewed and updated where necessary by the Planning Commission annually to remain effective. Given the persistent growth in Andover, this annual review is very important to provide up to date information for making planning decisions, and to provide accurate information for potential buyers and developers in the Planning area. In the

future the City Staff will try to make this process a little more formal, and provide all those involved with the results of the update as adopted by the Governing Body.

The following recommendations are a combination of the efforts of the Comprehensive Development Plan Update Committee in 2006, and Staff updates in 2007.

Chapter 1

COMPREHENSIVE PLAN AND REGIONAL INFLUENCE

Chapter 1 provides information on the basis and methods for planning, which have seen no real changes since the last Comprehensive Plan was adopted in June of 2004.

Chapter 2

HISTORY OF ANDOVER

Chapter 2 provides information on the history of the Planning Area, which has seen little change since the last Comprehensive Plan was adopted in June of 2004.

Chapter 3

GOALS FOR PLANNING

Chapter 3 establishes several goals to be realized through planning. Many of the goals are on-going efforts, which are never fully realized, but more on-going. Others are one-time or phased activities, to be completed during the term of the plan. One goal that seems to be under achieved is the preservation of natural features including woodlands, creeks, and natural drainage ways. The Committee recognized the 21st Street corridor as creating a third commercial area to concentrate business uses at 21st & Andover Rd., Central Ave. & Andover Rd., and along the US-54 corridor. In an effort to create more of a sense of place, the Staff recommends that all efforts be expended to make the development of Central Park a community center, both functionally and aesthetically.

Chapter 4

ECONOMY

Changes in the economy come very slowly, and data is generally most available from the US Census on a 10 year cycle. A couple of major employers deserve some mention – Butler Community College has expanded its workforce to 344 part-time and 94 full-time employees, and the new Kansas Medical Center opened in 2006, and currently employs 157 full-time and 49 part-time.

Chapter 5

POPULATION

Changes in population are most easily and accurately tracked by

the US Census on a 10 year cycle. The State of Kansas releases population estimates annually in July for the prior year. The July 2005 of 9114 slightly exceeds the population projection included in the Comprehensive Plan, and when coupled with new residential permit activity for 2005-06 would indicate a slightly higher rate of growth than projected. Staff estimates the July 2006 population to be 9500-9600, depending on the method used for estimating.

Chapter 6 **HOUSING**

Based on the 2000 US Census count of 2456 dwelling units and new residential building permits through December 2006, the dwelling unit estimate is 3602.

Chapter 7 **PHYSICAL DEVELOPMENT INFLUENCES**

No real changes to this section are noted

Chapter 8 **LAND USE PLAN**

Existing Land Use

The total land area of the City grew to 5715 acres as of January 1, 2007. Many existing residential and commercial developments are utilizing lands already annexed and planned in phases. The on-going amendments to the Cornerstone PUD (formerly Decker/Kiser) have created a rather sizable commercial area north of 21st Street between Andover Road and 159th Street, with the opening of the Kansas Medical Center, and construction underway on a new elementary school to be open in the Fall of 2007.

Future Land Use

The commercial development of the Cornerstone PUD along 21st Street creates another commercial center to add to the regional shopping area around US-54 & Andover Rd., and the central business district at Central Ave. & Andover Rd. The recent improvements to 21st St. east to Augusta, and the continuing growth along 21st St. in Sedgwick County have made the 21st corridor very attractive for commercial development. The construction of the first new elementary schools at 21st St. & 159th St., and another on 21st St. between 143rd St. & 159th St. are expected to accelerate development in the area. The City of Wichita now abuts the Andover City limits at 21st St. on the Sedgwick/Butler County Line.

Recent announcements of major commercial projects east of

Andover Rd. along US-54 prove the regional attractiveness for businesses which draw customers not only from Andover, but the surrounding communities. The construction of the third new elementary school and the YMCA south of US-54 & east of Andover Rd. are expected to accelerate commercial development along the highway corridor.

The mostly residential development of 180 acres at 13th St. & Prairie Creek Rd. will probably have the effect of drawing more urban development east of the current City limits.

Chapter 9

TRANSPORTATION

As a result of the 2000 US Census, the City of Andover, and a portion of the Planning Area have been included in the Wichita Urbanized Area. The membership in the Wichita Area Metropolitan Planning Organization (WAMPO) has provided for federal funding of several major transportation improvements including the 13th St./Kansas Turnpike Bridge, 13th Street Paving from 159th St. to the current City limits. Andover Rd. from Cloud Ave. to Harry St., and 159th St. from US-54 to Lincoln St. and from the KTA Bridge to Basswood St. These improvements will not only facilitate traffic movement around the Planning Area, but make travel to and from Wichita safer and easier. Five-lane improvements to 21st Street from Andover Road to 159th St. are proposed to be added to the 2008 WAMPO Transportation Improvement Program for construction in 2010.

Future developments in the area necessitate the construction of the Yorktown Road collector street intersection at US-54 to access the new elementary school. Future developments will require construction of Yorktown Road through the west side of Central Park and the adjoining USD385 Central Campus, and Prairie Creek Rd., an arterial street, between US-54 and Central Ave in the future. The new roads would provide some relief to the intersections at Andover Rd. and US-54, and Andover Rd. and Central Ave. by providing additional routes north connecting US-54 and Central Ave.

The City of Andover, Butler County, and the City of Rose Hill have commissioned a study of the Andover Rd. corridor from Harry St. to 170th St. in Rose Hill to determine the improvements necessary for the growing traffic volume. This study may have recommendations for access control to be implemented to preserve the traffic carrying capabilities of this important corridor.

The City of Andover is also in the process of securing funding from the Kansas Department of Transportation Corridor Management group for the study and development of Field Check Plans for freeway improvements to the US-54 corridor from 159th Street through Prairie Creek Rd. The study will correspond with similar engineering currently being solicited by the City of Wichita for the segment of US-54 from 127th St. to 159th St.

Chapter 10

UTILITIES & STORMWATER SYSTEM

Sewer System

The Wastewater Utility now serves 4269 residential equivalencies. Average daily flow into the treatment facility has exceeded 800,000 gallons per day, and with current new developments coming on line is expected to necessitate the design and construction of treatment facility expansion within the next 3 years. The Kansas Department of Health and Environment dictates the design of wastewater treatment improvements when 80% of the facility capacity is reached. Flow studies were conducted to evaluate capacity of the wastewater collection system, which carries wastewater from the City to the treatment facility. The results of the study revealed the need for expansion of the collection system near the plant to relieve existing interceptor lines and to facilitate future developments in the City.

Stormwater System

The recent formation of a Stormwater Utility for the City charged with the administration and enforcement of the National Pollutant Discharge Elimination System (NPDES) Phase 2 requirements of the Clean Water Act has made the protection of watersheds from pollution a more formal process. Permits and storm water pollution plans are now required for virtually all construction activities.

Chapter 11

COMMUNITY FACILITIES

City Hall

The design and construction of a new City Hall facility at Central park has been identified as a budget priority in 2009 following the completion of the new library.

Library

The design is complete and commencement of construction for the new Library at Central park is expected early in 2007.

Central Park has been planned as a community center, and

suggested that the development of the government campus be designed to be a focal and social gathering point for the community. The arrangement and architecture of the City Hall and Library buildings should create a strong sense of “community place” and tie to the open space of Central Park.

Senior Center

A new 825 square foot addition was recently completed at the Senior Center.

Fire Protection

With the completion of a second remote location in the northeast area of the district for fire fighting apparatus an ISO Rating Study was commissioned, which resulted in the lowering of the fire rating to 4. The lowered rating will have the effect of decreasing fire insurance rates across the district in recognition of the increased abilities of the fire department.

Educational Facilities

A new \$39.58 million bond issue was passed in 2006 for the construction of three new elementary schools in USD385 to accommodate the growth in the student population currently at - 4200 full-time student equivalencies. Three new sites have been identified, and construction is underway for a scheduled opening of the first building in the Fall of 2007. Improvements to the existing Cottonwood and Martin/Meadowlark Elementary School, and athletic facilities are also included in the building program.

Butler Community College has unveiled plans to convert the remainder of the former Raytheon Aircraft building on East 13th St. to classrooms, and possibly build additional buildings on the site to accommodate the current 5,305 students and future growth in enrollment. The Andover BCC locations now total more credit hours and student count than all of the other BCC centers combined including the main campus in El Dorado.

Parks and Recreation

The completion of the Central Park Gazebo in 2005 adds a new gathering place to the 80-acre Central Park location. The Gazebo has become the central location for entertainment attractions during the Greater Andover Days celebration now held annually in Central Park. The Parks and Open Space Master Plan anticipates the construction of an amphitheater and restroom/concession facility to complement the Gazebo and future social gatherings in Central Park.

A new 6,000 square foot park maintenance building was constructed in Central Park. The location of the new library site necessitated the demolition of the existing park maintenance buildings.

The potential construction of Yorktown Road through the western edge of Central Park would facilitate easier access to the west side of the Park, and open up the possibilities for the completion of planned improvements in the area.

The first 5-acre neighborhood park recommended by the Park and Open Space Master Plan is being dedicated in the Cornerstone 1st Addition. Plans for the development of the park have not been made.

The Wichita YMCA has announced plans for the future construction of an Andover branch near the third elementary school location south of US-54 and east of Andover Rd. Preliminary YMCA plans include indoor/outdoor swimming facilities in the complex.

Chapter 12

Plan Implementation

The Plan Implementation section of the Comprehensive Plan needs only be updated as new regulations are adopted or as implementation plans and policies are changed.

Election of Officers.

Chairperson- Quentin Coon

Vice-Chair- Lynn Heath

Secretary- Janice Cox

Jeff Syrios made a motion to leave the same persons in their current offices. Byron Stout seconded the motion. Motion Carried 7/0.

David Martine nominated John Cromwell to serve on the Subdivision Committee along with current members Lynn Heath and Janice Cox. Quentin Coon seconded the motion. John accepted the nomination. Motion carried 7/0.

Member items. none

Member items.

Jeff Syrios made a motion to adjourn the meeting at 10:23 p.m. John Cromwell seconded the motion. Motion carried 7/0.

Respectfully Submitted by

Deborah Carroll
Administrative Secretary

Approved this 19th day of June 2007 by the Andover City
Planning Commission/ Board of Zoning Appeals, City of
Andover.