

**ANDOVER CITY PLANNING COMMISSION /**  
**BOARD OF ZONING APPEALS**  
**August 21<sup>st</sup>, 2007**  
**Minutes**

The Andover City Planning Commission met for a regular meeting on Tuesday, August 21<sup>st</sup>, 2007 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 Lynn Heath, Jan Cox, John Cromwell, Byron Stout, and Jeff Syrios. Others in attendance were City Council Liaison Member J.R. Jessen, City Administrator Jeff Bridges, Director of Public Works and Community Development Les Mangus, and Administrative Secretary Joan Yunker. Absent-Commission David Martine.

Call to order

**Review the minutes of the regular July 17<sup>th</sup>, 2007 Planning Commission meeting.**

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

*Byron Stout made a motion to approve the minutes as presented. Jeff Syrios seconded the motion. Motion carried 5/0/1. Lynn Heath abstained.*

Communications

**Communications:**

**Review the City Council minutes from the July 10<sup>th</sup>, 2007 and July 31<sup>st</sup>, 2007 meetings.** The minutes were received and filed.

**Review of the Subdivision Committee Minutes from July 10, 2007 and August 14, 2007.** The minutes were received and filed.

**Review the minutes of the July 9<sup>th</sup>, 2007 Site Plan Review Committee Meeting.** The minutes were received and filed.

**Review the Potential Residential Development Lot Report.**

Recommendation on the annexation of the Riverstone Reserve Property, +/- 148 acres generally located at the southeast corner of SW 130<sup>th</sup> Street and Andover Road

Jeff Bridges explained the property owner has requested to annex this parcel, seeking a zoning change. That is your next item on the agenda, as propose residential development.

Chairman Coon asked, I understand or remember correctly the south boundary of this property is the south limits of the planning district.

Jeff Bridges responded correct, you will see some unique items on the PUD that reflect that on connectivity issues and specials.

Lynn Heath made a motion to recommend this to the City Council for an annexation. John Cromwell seconded the motion.

Chairman Coon asked Mr. Bridges what are the plus and minus of the annexation.

Jeff Bridges explained, pluses are that it is proposed for development, it is within the Andover Planning Area, it is adjacent to existing utilities and

existing city properties, and existing developed areas, so it is a further extension of projects that is in the area.

Chairman Coon asked if there are any other questions from the bench or from the public.

Chairman Coon stated the southeast corner of 130<sup>th</sup> and Andover Road is the parcel of land (148 acres) that we are discussing for annexation at this time. We are aware and have been working on land directly west of this property on the other side of Andover Road, which is under development. We are not considering southwest corner parcel at this time.

Nancy Herring, 15889 Southwest 130<sup>th</sup>, When the Flint Hills addition was developed we were told this was all that Andover was going to develop and that they would not annex anything else for a long time. This was just a few years ago. I do not agree with this annexation and my concerns are:

- Neighbor complaints about animal odors
- Urban housing density
- Change rural lifestyle
- Road conditions
- Increased traffic

Chairman Coon replies we appreciate those comments.

Dana Herring, 15889 Southwest 130<sup>th</sup>, I have the same comments and want to noted on the record as being of the same concerns:

- Neighbor complaints about animal odors
- Urban housing density
- Change rural lifestyle
- Road conditions
- Increased traffic

David Aronstein, 16620 Southwest 130<sup>th</sup>, I would like to echo the concerns about the roads and say that I was concerned about the road with the Ami Lane addition and more concerned about it with is development going in. I disagree with this annexation.

- Increased traffic
- Poor road conditions

Chairman Coon stated that your comments are appreciated. Mr. Bridges would you like to address the roads.

Jeff Bridges responded on the issue of 130<sup>th</sup> Street. 10 years ago when the Flint Hills project was annex they provided a half street petition for 130<sup>th</sup> street and 120<sup>th</sup> street and with the annexation to this particular project the Riverstone Reserve will pave the other half of the streets. Once it goes in that road 130<sup>th</sup> street to the boundaries of these projects. The traffic issue on 130<sup>th</sup> street regarding the paving has already been resolved.

William Phillips, 130<sup>th</sup> street, My concern is when you drive down 130<sup>th</sup> street it is not paved, and the visibility is bad due to the dust. It was 30 mph zone, now it is 40 mph zone; the traffic is to fast which is a safety issue.

Syble Bibb, 13307 Southwest Butler Road, Where are the children going to be going to school?

Chairman Coon stated, that he understands this development is in the Andover School District.

William Phillip asked what is the road fund for taking care of the 130<sup>th</sup> Street?

Jeff Bridges address the question, we maintain all the roads. The road when it is improved will be improved to the same standards as the 120<sup>th</sup> street. It will be rural arterial with open ditches, 2 lanes wide, and it will be maintained as all other paved roads in the city.

Williams Phillip asked, Did Mr. Devlin pay for the 1/2 mile going into his golf course? Mr. Bridges responded, yes. Mr. Phillips wanted to know who maintains that road. Mr. Bridges responded that the City of Andover maintains this road. It is a public street.

Dana Herring, 15889 Southwest 130<sup>th</sup>, The road conditions are very bad, dusty, hazardous, this brings a question that there is dirt roads in the City of Andover which are not paved. I'm not sure why Andover would go five miles south now and pave a dirt road, and maintain it. I feel that there is creditability issue, I don't think the road will be of quality paved road, as well as maintain it. So I think the previous comments are valid that the roads will not be maintained. Base point the City of Andover vs. Rural Butler County the people who live in Rural Butler County choose not to live in the City of Andover. Please consider our input this is rural county, not part of the City of Andover.

Chairman Coon stated that we will now close the public hearing. We have a recommendation of approval and send to the City Council as an approval of the annexation.

Jeff Bridges made one more comment. The Butler County Master Plan calls for growth to be pushed to the cities. That is a goal of the Butler County Master Plan, so if projects are going to develop that is the intention and desire of the county to have them located adjacent to city service. So we are not creating these larger subdivisions with lagoons and insufficient water and insufficient road networks that will leave a long time problem for future growth development of the county.

Byron Stout asked on 120<sup>th</sup> street when Flint Hills was developed was paved and what are the conditions of the roads? And has the City held up to maintaining the road?

Jeff Bridges responded, 120<sup>th</sup> street is a good street, there are not any maintenance problems. It's in 10 years into its 20 years life span.

Jeff Syrios asked a question for Les Mangus; Jeff for an example of how the county works in terms of pushing things towards the city. There is a comment today that it looks like we are not following a comprehensive plan for our development that we are spidering out or hop scotching. Help us understand from a organizing planning perspective your response to that.

Les Mangus explained, The future land use map and you see all these areas that are identified on our plan as potential residential development. Twelve years ago Butler County took a look at the scattered residential development that was going on in their county, because of the exact problems that these

people have voiced. Where small subdivisions were being placed out of the paved roads system, with private water, private sewer and this was a problem with the neighborhood. The people had higher expectations, they didn't realize they were going to have the dust, problems with lagoons and septic and so forth. So when they rewrote their Comprehensive Plan they specifically said they are going to do everything they can do to force scattered rural growth (suburban growth) to the cities. Since that time there has been little or no new residential development in incorporated Butler County. It's all been push towards Rose Hill and Andover, Augusta, and El Dorado which has been very successful. There is a plan, it is not a random act, it is trying to provide those services that the residents expect.

Byron Stout responded this proposed development would be within those boundaries. Will those residents be provided with the services of city water and sewer.

Les Mangus responded sure. A city water line, and a city sewer line are adjacent to it. Its boundaries now abut the city on two sides.

Chairman Coon asked if there is any more questions?

Chairman Coon asked for a vote those in favor of recommending to City Council approval of the annexation of the Riverstone Reserve Property. Vote 6/0.

**Z-2007-08: Proposed change of zoning district classification from the Butler County RR Rural Residential District to the City of Andover R-2 Single Family Residential District, and the establishment of the Riverstone Reserve Planned Unit Development District as an Overlay District and the Preliminary Riverstone Reserve Planned Unit Development Plan.**

Z-2007-08:  
Riverstone Reserve  
Planned Unit  
Development  
District as an  
Overlay District and  
the Preliminary  
Riverstone Reserve  
Planned Unit  
Development Plan.

Lynn Heath stated that this was looked at the Subdivision Committee. All items of concern from Foster Bickley's review and Les Mangus review, were discussed, the committee was to be updated at the Planning Commission Meeting.

Chairman Coon asked for comments from the Zoning Administrator, and then if the developer would like to present any comments.

Les Mangus explained, from his memorandum his comments. The subject property is 148 acres adjacent to the city on two sides, and has water and sewer adjacent to the property. One thing unusual about it is this property is currently platted for single family residential lots and has been for something like 30 years, but was never developed. The developer has answered a lot of our staff concerns; we are comfortable with what the developer is offering the Planning Commission tonight.

Phil Meyer with Baughman Company, P.A., agent for the applicant, Cliff Nies and Tom Mack are also representing the developers of this property. They will answer any questions that the Planning Commission may have for

them. What we are presenting to you is the Preliminary PUD of the Riverstone Reserve, 192 lots total, there are two sizes of lots. Smaller lots are 90' x 130' we have 91 lots total, the larger lots 120' x 150' we have 101 lots. All the lots in this subdivision meet the minimum lot standard for residential development. The applicant has to do a PUD, rather than to follow your subregs, two reasons. The main one is we are proposing private streets in the subdivision, the street reserve is at 70' wide, which exceeds your subdivision regulations of 64', we did that because we wanted a bigger setback for the houses. I have gone thru and have made all the revisions from Subdivision Committee Meeting and, Foster Bickley's comments. I was missing four comments per Les Mangus, I will be making the changes. It is basically some wording and street names. The applicant is willing to work with the city on the street names and will match whatever Les would like us to match. If you want to go thru the comments, we can do so but I feel the developer has agreed to the recommendations.

Chairman Coon stated that we do not need to go thru the comments.

Phil Meyer responded, I have presented to you our Phasing Plan. What we have in front of you tonight for approval is the Preliminary PUD on the future plat to the Riverstone Reserve. The applicant will be bringing back to you the final plat on Phase I. The first phase will have access off 130<sup>th</sup> street, during the final plat we will work with the staff on the paving requirement for 130<sup>th</sup> street. Phase II will give us connection to Andover Road, we will then have two entrances in and out of the subdivision by the time we move to Phase II. Phase III, has a reserve on Andover Road, which we intend to build a screening berm. A larger reserve at the northwest corner of the property has a lot of trees and we are planning on keeping those trees, this is going to be a private reserve walking area for the residents. One of the cul-de-sacs extends to the east boundary of the property, which would allow the opportunity for a street connection to occur if needed in the future. We will have a Homeowners Association, with one master Homeowners Association with multiple subdivision associates, but the one master homeowners association will control the whole subdivision. The hedgerow will stay, the hedgerow is important to the developer and the developer will assure that the hedgerow will stay there.

Chairman Coon asked what the diagonal line thru Phase I, Phase II and Phase III was.

Phil Meyer explained that there is a pipeline that runs through. That is one of my outstanding issues that I need to resolve with staff between now and before the project being completed. We are in contact with the pipeline company, today there is a 40' wide easement that covers that pipeline. There is no additional building setback within that pipeline. One of Les's concerns was to verify that the pipeline company did not want additional building setback there. We are in communication with that pipeline company, we sent them the plat, original easement, and we have not yet received a response back from the pipeline company. That is an issue that I'm going to continue to resolve with staff.

Bryon Stout asked to verify if the pavement is going to be Andover Road clear east of the boundary not to just the drive way?

Phil Meyer responded, First Phase will be going from Andover Road to the entrance, and at a later date we will go to the east property line. We are going

to guaranty pavement to the east line of this property.

Jan Cox asked, Is this going to be a two lane arterial road with the ditches.

Phil Meyer responded, This will be two lane paved, whether it is going to be curb and gutter or open ditch it is something that we will work out with Les. We are supplying Les with a traffic study to verify.

Chairman Coon asked if the Reserve C and D are presently a water way?

Phil Meyer explained that Reserve C has a pond in it today. Reserve D will have a water way so the drainage goes thru will turn it into detention pond and will expand Reserve C.

Chairman Coon asked if there is a dam currently.

Phil Meyer respond yes, there is an earth and dam, we will be tearing it out and rebuilding it to a more aesthetic structure for the subdivisions.

Phil Meyer repeated question from the audience is how big is that pond? Reserve C the existing pond is 3 acres I'm guessing.

Chairman Coon asked if all the pedestrian movement is on the streets?

Phil Meyer responded this is a gated community, with the size of lots we would not be putting sidewalks in. The home purchaser will be clearly informed that there will be no sidewalks, and their walking system is the road system.

Byron Stout asked, about the Phase II entrance on the north boundary of the development, are their other houses on the other side of that?

Phil Meyer responded, Yes, the PUD we did not pick up any of this, but we did show structures that existed on the three or four parcels, we down loaded an aerial.

Byron Stout asked what are you going to do with the landscape to separate that?

Phil Meyer responded we will be doing some cleanup and berthing. Evergreen and deciduous trees are our intention for the berthing to be 4' to 8' tall varying. The landscaping will be putting in pine trees and evergreen trees on the side and on top of the berm.

Jeff Syrios asked Les do you have any concern about any thing that was discussed? Are you totally satisfied with all the elements, comments that have been met?

Les Mangus responded, I have no concerns with what was discussed. Yes, all the corrections and comments have been addressed.

Chairman Coon asked if anyone from the public would like to make a comment on the presentation?

Dana Herring, 15889 Southwest 130<sup>th</sup>, Rose Hill, Kansas 67113. Who is paying for this new paved road?

Mr. Bridges we can only assess those properties within the city.

Dana Herring who is building the road? Mr. Bridges responded that the developer is going to petition the city to build the road. With a new petition from this subdivision and prior petition from the Flint Hills subdivision the city will build a road and it will be special assess to the properties on either side that are in the city. Dana Herring responded, so not being in the city, even though I'm on the road I will not be assessed, that is your current understanding? Mr. Bridges responded yes, that is my current understanding. Dana Herring asked if will there be a turn lane added to the road? Mr. Bridges responded that will be contemplated by the traffic engineering study. Dana Herring responded my other concern is 130<sup>th</sup> road, I see this being a traffic issue with the volume of increased traffic.

Jeff Bridges explained the City of Andover, Butler County and Rose Hill are currently under going a study of the Andover/Butler Road corridor from Harry Street all the way to the south end of Rose Hill. We will be looking for that study sometime this fall to see what improvements that are necessary.

Byron Stout asked if these studies are the projected?

Jeff Bridges responded the consultant is looking at all the zoning, land use, and regulations for all 3 jurisdictions for a mile of property on either side of the road. It will look at potential traffic volumes as well as existing traffic volumes and whether or not phased or immediate improvements are necessary. This subdivision would be included in that study.

Phil Meyer stated that the traffic consultant doing that study has met with each developer individually. So they are aware of these subdivisions and their study.

Chairman Coon asked if any one else would like to come the podium.

Nancy Herring, 15889 Southwest 130<sup>th</sup>, Two issues that I have concerns:

- Drainage and how it is going affect the adjacent property?
- I was told that there probably not to many people having children in this subdivision.
- I still feel having to walk on the road is being the only alternative to walking on peoples nice lawns is not a good idea.

Phil Meyer responded, We have turned in a drainage plan to the city engineer. Which we will meet all the requirements, we will not be increasing run off on any adjacent owner. Is there going to be children in a subdivision? Certainly, if not children, grandchildren, we are not going to say that there are no children in the subdivision. We are perfectly comfortable with the marketing with no sidewalks. There are two thoughts on that, sometimes narrower right of ways and no sidewalks are actually what you will refer to as "traffic calming" methods. Everybody that comes in the subdivision knows that the residents will be on the street, they slow down. This does work and this is traffic calming.

Chairman Coon asked if there is any more comments? I will close the Public Hearing.

## ANDOVER CITY PLANNING COMMISSION

Agenda Item  
No. 6REZONING REPORT \*

CASE NUMBER: Z-2007-08

APPLICANT/AGENT: Riverstone Reserve Development Co./Phil Meyer, Baughman Co.

REQUEST: Proposed change of zoning district classification from the Butler County RR Rural Residential District to the City of Andover R-2 Single - Family Residential District, and the establishment of the Riverstone Reserve Planned Unit Development District as an Overlay District and the Preliminary Riverstone Reserve Planned Unit Development Plan.

CASE HISTORY: Undeveloped Farheaven Estates Large Rural Residential Lots

LOCATION: At the Southeast corner of SW130th Street and Andover Rd.

SITE SIZE: +/- 148 acres

PROPOSED USE: 200 Dwelling Unit Private Gated Single Family Residential Development

**ADJACENT ZONING AND EXISTING LAND USE:**

North: R-2 Flint Hills National Golf Course PUD and RR Butler County Single Family Residences

South: RR Butler County Single Family Residences

East: Butler County AG-40 Agricultural Land

West: R-2 Ami Lane PUD and RR Butler County Residences and Businesses

**Background Information:** The subject property was zoned and platted in 2-4 acre lots many years ago, but never developed.

\* 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	
X		STAFF: See adjacent zoning and existing land use above
X		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	
X		STAFF: The subject property is currently zoned and platted for single family residential development in unincorporated Butler County at the southern edge of the Andover Extraterritorial Subdivision Jurisdiction in an area of scattered rural residences and legal non-conforming business uses.
X		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	
X		STAFF: The property has been zoned and platted in large suburban lots for many without development
X		PLANNING: Concur
		COUNCIL:

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

YES	NO	
X		STAFF:
X		PLANNING: Concur
		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	
X		STAFF: The subject property is contiguous to property annexed to the City with public utilities available.
X		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	
X		STAFF: Public water, sewer, and streets are available to the site and can be extended to adequately serve the permitted uses
X		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	
X		STAFF: The subject property is proposed to be replatted
X		PLANNING: Concur
		COUNCIL:

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

YES	NO	
X		STAFF: Screening of adjacent land uses is not required but the PUD provides buffering with berms and existing hedgerows and trees.
X		PLANNING: Concur
		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	
X		STAFF: N/A
		PLANNING: R-2
		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:

X    PLANNING:    County residential to City residential

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

X    STAFF:    The additional dwelling units allowed by the proposed zoning would slightly increase traffic, noise, light, etc. beyond that which would be created if developed at the currently zoned permitted density.

X    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

X    STAFF:    The proposed use would provide another housing alternative.

X    PLANNING:    Concur

COUNCIL:

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

YES    NO

X    STAFF:    The Comprehensive Plan indicates the subject property future land use is residential development.

X    PLANNING:    Concur

COUNCIL:

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

YES    NO

STAFF:    None at this time

PLANNING: Traffic, make sure the streets are developed. Lynn Health commented: Paving 130<sup>th</sup> maintenance entrance within that 1/4 mile this needs to be consider when the street is paved.

COUNCIL:

16. Are 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:        No detriment to the public is perceived.  
           PLANNING:    Concur  
          COUNCIL:

Lynn Heath made a motion to recommend the approval of the Preliminary PUD for the Riverstone Reserve Plan Unit Development, based on findings #5, #6, #13, and #14.

Jeff Syrios stated that #3 needed to be added.

Lynn Heath responded that the addition of #3 would be accepted.

Chairman Coon stated that a motion of approval was made, John Cromwell second the motion. Motion carried Vote 6/0.

**VA-2007-05: Recommendation on the vacation of the East 20 feet of the 35 foot rear yard utility easement at 1405/1407 N. Glancey Street.**

VA-2007-05:  
Recommendation on  
the vacation of the  
20 foot rear yard  
utility easement at  
1405/1407 N.  
Glancey Street.

From Les Mangus memo: The proposed vacation of the East 20 feet of the

Rear 35' utility easement of Lot 7, Block 3, cedar Park Addition, First Phase. 1405/1407 N. Glancey Street arises from the owner's desire to build a fence along the rear yard hedgerow. The vacation is requested in such a manner as to run around the existing utilities, while leaving clear access for utilities to perform necessary service work. Staff supports the request.

Chairman Coon asked the applicant to present application.

Art Huber of Via Christi, Wichita, represented the applicant. The applicant has purchased the other side of the duplex of 1407/1405 N. Glancey. The applicant is asking to put a fence in the back of the property. The existing easement would require us to put the fence in front of the easement, which will make a very small back yard. There is a nice hedgerow, trees at the rear of the property. We do not want to take out the hedgerow and trees to put the fence in.

Lynn Heath asked, Do you want to put the fence in front of the trees?

Art Huber responded, Yes. This is a duplex, we use this for relocating families Executives, Physicians, etc. when they are coming to Andover.

Chairman Coon asked is there any other questions.

Lynn Heath asked if there are any utilities in the back area.

Jeff Bridges responded, we have not received any comments from the gas company. The electric company, The sewer and water are along the street in the front yard has responded with no conflict.

Chairman Coon asked for a motion.

Byron Stout made a motion that we recommend approval of VA-2007-05 to vacate the East 20' of the 35' rear yard utility easement at 1405/1407 N. Glancy Street. Seconded by Jeff Syrios.

Chairman Coon stated a motion was made and seconded to approve the easement vacation.

Motion carried 6/0.

**VA-2007-06: Recommendation on the vacation of the east 5 feet of the 25 foot front yard utility easement at 1402 N. Gambles Ct.**

VA-2007-06:  
Recommendation on  
the vacation of the  
east 5 feet of the 25  
foot front yard  
utility easement at  
1402 N. Gambles  
Ct.

From Les Mangus memo: The proposed vacation of the East 5 feet of the 25 foot front yard utility easement of Lot 5, Block 1, Phase II, Quail Crossing Addition, 1042 N. Gamble Ct., arises from the drilling of a water well in the front yard. All of the utilities are in place and have expressed no conflict with the vacation of the area requested. Staff supports the vacation as applied for.

Chairman Coon asked if any one would like to comment. No comments were made by the applicant.

Lynn Heath asked if the request had any affect on the house set back?

Jeff Bridges responded that the house is there, it is just the matter of the well. It doesn't change the set back; it will change the width of the public utility easement.

Chairman Coon asked, With a lot that large I don't understand why they need to vacate that easement.

Jeff Bridges responded, they have drill already from the street.

Jeff Bridges stated that AT&T has cable, but is in a separate portion of the easement. They are not vacating that portion of the easement. According the Les Mangus memo there are no conflicts with the request.

Byron Stout made a motion that we recommend VA-2007-06 the vacation of the east five feet of the 25 foot front yard utility easement at 1402 N. Gambles Court. Second motion made by Jeff Syrios.

Chairman Coon stated a motion was made and seconded, to recommend the easement vacation of as requested approval. Motion carried 6/0.

Member Items

Member Items

Chairman Coon asked Jeff Bridges, if we can get a copy of the City of Wichita regulations passed on the LED signs. Jeff Bridges responded we will get a copy. Our zoning regulations require signs not to be moving, not to have graphics that flash, so a lot of the LED issues are covered under the existing regulation.

Jeff Syrios asked if we had started a committee on the Industrial Park?

Jeff Bridges responded yes. A group was appointed by the Mayor, and has met several times. This is a good group because those are the voices of the community.

Chairman Coon asked about the Crescent Lakes drainage problem.

Jeff Bridges responded, we have sent our storm water management person to talk to the homeowners and find out what the issues are so it could be resolved.

Jeff Syrios stated that North Meadows has experienced some of the simpler issues. Terra is redoing the lake, and they have done a great job so far, and have made some recommendations. On Lake Side for example, who is responsible for maintaining. The city will be hearing from that group.

Jeff Bridges responded that he would suggest that Terra meet with our storm water management person. If the work is in the street, it is in the public right of way therefore part of the city storm water system.

*Jeff Syrios made a motion to adjourn the meeting at 8:42 p.m. Byron Stout seconded the motion. Motion carried 6/0.*

Respectfully Submitted by

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Joan Yunker  
Administrative Secretary

Approved this 18<sup>th</sup> day of September 2007 by the Andover City Planning  
Commission/ Board of Zoning Appeals, City of Andover.