

ANDOVER PLANNING COMMISSION  
SUBDIVISION COMMITTEE  
**February 12, 2008**  
**Minutes**

The Andover City Subdivision Committee met for a regular meeting on February 12, 2008 at 909 N. Andover Road in the Andover Civic Center. Chairman Lynn Heath called the meeting to order at 5:33 p.m. Other members present were John Cromwell. Others in attendance were Director of Public Works and Community Development Les Mangus and Administrative Secretary Kandace A. Hunt. Janice Cox was absent.

**Review the minutes of the December 11, 2007 Subdivision Committee.**

*John Cromwell made a motion to approve the minutes as presented. Lynn Heath seconded the motion. Motion carried 2/0.*

Review the minutes of the December 11, 2007 Subdivision Committee.

**Communications:**

**Review the City Council minutes from the November 27, 2007 the December 11, 2007, the December 27, 2007, the January 8, 2008 and the January 12, 2008 meetings.** The minutes were received and filed.

Communications

**Review the minutes of the November 20, 2007 and the December 18, 2007 Planning Commission meeting.** The minutes were received and filed.

**Review the minutes of the December 2, 2007 Site Plan Review Committee meeting.** The minutes were received and filed.

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

Lynn Heath asked if there were any comments from staff members. Les Mangus reported Andover had 220 new family starts in 2007, which is a 37 percent increase from 2006. The only city in the area with more was Wichita.

**Review the Andover Business Center Preliminary and Final Plats**

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**From Les Mangus' Memo:** The developer of the project has purchased two properties with existing buildings at the northeast corner of Andover Road and 13<sup>th</sup> Street with the intention of

demolishing both buildings and creating an office/retail/warehouse center. The land abuts Andover Road on the west, 13<sup>th</sup> Street on the south, the Kansas Turnpike on the north and a residential subdivision on the east. A site plan for the first 32,000 square foot building on the east lot has been reviewed and approved by the Site Plan Review Committee. An application for change in zoning district classification has been filed to accommodate the proposed mixed commercial uses. Public water, sewer and streets are in place and adequate. Existing access at two points on 13<sup>th</sup> Street and one on Andover Road, proposed access controls are placed adequately away from the intersection. A landscaping reserve is proposed at the intersection of the Andover Road and KTA right of way in order to keep buildings away from future road expansions. The applicant has addressed all of the Staff Checklist comments.

Roger Cutsinger with Goedecke Engineering and Bob Molinger, applicant, were present to represent the application.

Lynn Heath asked Les Mangus if he had any comments on the project before the representatives began their briefing. Les Mangus responded no, all staff comments have been addressed.

Lynn Heath commented the preliminary and final plats being presented were not much different than the sketch plat previously presented. Les Mangus stated since that time the applicants had purchased the additional property between the existing building and Andover Road. Lynn Heath wondered if that was why it is considered a preliminary plat again. Les Mangus said yes, the project had been extended.

Lynn Heath said the last time the group had been before the committee they had a sketch of what they planned on putting at the site. Les Mangus responded they had already been before the Site Plan Review Committee with a proposed 32,000 square foot building for the east lot. Mr. Molinger stated they had brought the plans if the committee would like to see them again.

After bringing out the sketches for the building, Mr. Molinger pointed out the lot the group had been speaking of. Lynn Heath asked if the group wanted the lot because of the utilities he thought could not be moved, or would possibly be costly to move. Mr. Molinger responded they were still looking at the possibility of moving the utilities and just incurring the cost because he, Kim Quastad (agent) and Les Mangus thought it would make a better entry. Lynn Heath asked if there were in fact fiber optics in the

poles that will be moved. Mr. Cutsinger said the only fiber optics he knew of were on the Turnpike. Les Mangus said they were on the Turnpike and Andover Road. Lynn Heath asked if Les Mangus was referring to the east side of Andover Road. Les Mangus responded yes.

Mr. Cutsinger stated although there was plenty of room on the Andover Road right-of-way they plan to straighten up the mess on it.

Les Mangus stated he and the developers had a sort of exercise on figuring out what the right-of-way was on Andover Road when it ties into the Turnpike. He said there was an unusual description and integration, and they have now made it a simple 75 feet from 13<sup>th</sup> Street all the way to the Turnpike. This gives room to expand if another lane would need to be added to the bridge. John Cromwell stated that could be a possible item in the future.

Lynn Heath asked if there were plans for the west side of the project. Mr. Cutsinger said as of now it is all tentative. Lynn Heath asked if the area was zoned B-3. Mr. Cutsinger responded it was B-2, and he thought they were taking it to B-3. Les Mangus stated the lot where they are building is I-1 and on the agenda for next week's Planning Commission/Board of Zoning Appeals meeting they have an application to zone a portion of the frontage B-3. The other lot, where a hamburger stand once stood, was B-2 and they are changing a portion of it to B-6, leaving the frontage on 13<sup>th</sup> Street as retail. Lynn Heath asked what B-6's classification was. Les Mangus responded B-6 was the industrial uses only, hidden behind an office or a retail front.

Lynn Heath asked what it was the committee needed to be looking at. Les Mangus responded they just needed to look at the preliminary and final plats. He also said the applicants have complied with all of the staff comments. Lynn Heath asked if they had sidewalks, the needed setbacks and additional right-of-way. Les Mangus responded yes.

Lynn Heath asked if they were still going to have parking along 13<sup>th</sup> Street. Les Mangus explained the parking will not be in the right-of-way, it will be in the building setback.

Lynn Heath noted the plan was different based on the fact that this building plan was set back further. He asked if there was going to be access to go around the building. Mr. Cutsinger responded yes.

Lynn Heath made a motion to recommend the preliminary and final plats to the Planning Commission as presented. John Cromwell seconded the motion. Motion carried 2/0.

**Review the Sketch Plat of the Andover Farm at Cedar Park Addition**

Review the Sketch Plat of the Andover Farm at Cedar Park Addition

**From Les Mangus Memo:** The developer has purchased the remaining undeveloped lots in the Cedar Park Addition adjacent to his 160 acre property. Both properties are separated from properties adjacent to his 160 acre property. Both owned by Butler County. The plan reflects the collector street connection of Lakeside Drive to the north as shown in the original Cedar Park PUD, and adds a very functional street system on the new 160 acres with large lots facing through streets. Staff's only comment back to the developer is that the through street at the northwest corner of the plan, which connects to 159<sup>th</sup> Street, could be reconfigured to utilize fewer lots facing the through street by using more north-south cul-de-sacs.

Phil Meyer of Baughman Company along with developer Hal McCoy and realtor Dave Neil represented the application.

Mr. Meyer explained to the committee the sketch plat they had in their packet was the one originally turned in, but he had brought a new one for review. The change made was the addition of four lots to the plat, bringing the total number of platted lots to 273. Mr. Meyer continued by saying they were going to replat a portion of the Cedar Park area and the portions they will finish are the 90 by 130 foot lots which there are only 60 of. Lynn Heath asked what the square footage came to. Mr. Meyer responded in the 12,000 range.

Mr. Meyer continued explaining the sketch plat by telling the committee to the west of the area spoken of above there will be 213 - 95 foot to 105 foot by 145 foot lots, but basically 130 feet is their intention for lot depths in the area. They have a main collector street that comes in off of 13<sup>th</sup> Street that will roll back to the northeast. Mr. Meyer said there are a few lots on this collector and two of the four lots added to the sketch are in this area. He continued by explaining they hope to create little pockets within this development. In Southeast corner they want to put a community building for anyone who lives in the subdivision. The community building will be tied into the reserve. The applicants are trying to create a lot of open space along with the ability to walk through the reserves and have a

really pedestrian friendly development. Mr. Meyer explained they plan to develop 60 to 90 lots at a time.

Mr. Meyer next walked the Subdivision committee through the sketch plat. He informed them there was a KG&E transmission line which bisects the site. Mr. Meyer explained although the transmission line looks like it will stand out, they are going to take advantage of it and use the line as a chance to have more green space and connectivity throughout the subdivision. They also plan to have a series of lakes and ponds in the reserves. Mr. Meyer continued by saying they had platted a reserve along 13<sup>th</sup> Street and along 159<sup>th</sup> Street where they would like to come in and construct a berm. Lynn Heath asked if that was to cut down on the noise. Mr. Meyer responded it would help to cut down on the noise as well as give privacy to the lots along the arterial. He continued by saying they had really tried to create a nice special entrance, so there are no houses on the entry. Mr. Meyer informed the committee they had saved an area almost the size of a lot to have a reserve, keep some of the trees and create a nice monument area. He also said the developers are trying to do something a little special, and, at this moment in time, have entry islands created to just about every subdivision entry. They hope to create monuments for each of these that will have a constant theme throughout the entire development.

Mr. Meyer explained when they begin the project they will come in on the existing Cedar Park area and do one phase north of 13<sup>th</sup> Street, and the remainder of the existing Cedar Park PUD in another phase.

Lynn Heath asked if just the new area will be called Andover Farm at Cedar Park. Mr. Meyer responded the whole area will be called Andover Farm at Cedar Park. He continued by saying they are going to bring the committee a preliminary plat that covers everything seen in this sketch, including the replat of Cedar Park. Mr. Meyer explained Cedar Park is part of a PUD, but they plan on taking it out of PUD because all of the lots will meet Subdivision Regulations. So instead of a PUD they are going to plat existing lots.

Mr. Meyer informed the committee the park they plan on creating does not meet the five acre requirement as it is only 4.1 acres, but they think it fits best in the area it has been placed. They also think the 4.1 acres is more than sufficient and links in with the pedestrian circulation they plan to create.

Mr. McCoy explained to the committee he had owned this land for 20 to 30 years and over the years had been approached multiple times for development. He continued by saying he had two requirements when it came to developing the property. The first was to build a community. Mr. McCoy said he did not want some sections to be high priced houses with great big cement walls dividing them from lower priced houses. He told the committee he lives near the Savannah development and in the evening you will see people who live in \$800,000 houses walking their dogs by \$300,000 houses and there is a sense of community there. Mr. McCoy said he did not feel other developer's ideas were wrong, but he did not want million dollar houses, then great big brick walls, then lower houses that, in a way, separated people. He wants more of a gathering.

Mr. McCoy then spoke of his second criteria, not having a community made up solely of starter homes. He continued by saying, in his opinion, over the last several years the City of Andover has had enough of the starter houses and needs a community housing area. So when the deal was formed he set a requirement that it had to be as good as, or better than the Savannah development with nice open areas and big lots. Mr. McCoy said he had the opportunity to buy the 34 acres of the existing Cedar Park PUD, which he thought would help manage the transition between areas. So upon the advice of Dave Neil, it was decided to form a partnership with builders. Mr. McCoy explained to the committee they had gotten three of what they fill are the best builders in this part of the country that are, in effect, partners with the developers and have an equity position in the land. So if times get tough their builders will have an incentive to build on this land as opposed to building on a lot they have no ownership in. He continued by saying their agreement with the builders is they will always have model homes and at least two spec homes available so the development will never look like an abandoned project. Mr. McCoy said they have been working on this project for a year now and feel confident it will be a nice neighborhood.

Mr. Neil added their vision for this project runs consistent with Savannah and Hawthorne, and is exactly what they plan to bring to Andover. He continued by saying if you have had any exposure to those developments you can tell by a quick drive through they are nice projects that have resulted in an overwhelming positive acceptance in the community. Mr. Neil said they plan to take this project to the next level by creating high performance housing with new technologies and energy

fields, since energy prices keep getting higher. He continued by saying they are going to have certain minimum standards, so every house in the development will have to meet those standards.

Lynn Heath commented that he liked the reserve between two cul-de-sacs. Mr. Meyer said they had gone through several revisions, but the intent has always been to create something a little special. He said whether the central feature is a gazebo, a bench area or something else, it will be a draw for the neighbors, as well as being a visual feature.

Lynn Heath asked what the access to the community center will be. Mr. Meyer responded it will be a private community center for the subdivision; the access will be off and internal street. Lynn Heath asked if there would be access to the road from 13<sup>th</sup> Street or 159th. Mr. Meyer responded no, it will all be internal. They also hope to have a walking system so residents would be able to walk to the community building. Mr. Meyer said although most of the time a community building would be put in the center of a development, they really liked the corner location and the opportunity it presented to create more green space.

Mr. McCoy informed the committee he had been working with a wildlife consultant and throughout the development with various plantings, use of water and the types of trees they will plant, certain areas will produce a nice habitat and continue the theme of the project.

Lynn Heath asked if they planned to keep most of the trees where they are. Mr. McCoy responded yes, and they will require, as part of the building covenants, each owner of any lot that backs up to another to plant a certain number of trees along the property line.

John Cromwell asked if there were going to be walking paths or sidewalks. Mr. Meyer responded they are going to put a sidewalk system throughout the community. John Cromwell asked if they were putting in sidewalks, would there not be any walking paths. Mr. Meyer responded they are planning for most of it to be a sidewalk system. John Cromwell stated he was referring to a paved walking path, not an all natural one. He continued by saying the sidewalks not along the street were what he considered to be a walking path because they connect the community.

Les Mangus informed everyone that last week he had a conversation with a county commissioner about their position on the railroad. The commissioner informed him they are at the point that they have hired lawyers to do whatever is necessary to turn right-of-way over to the city with no binders it be Rails to Trails, that way the city could use it as a path and not have the fear of the railroad every calling it back. Mr. McCoy asked if the railroad right-of-way was turned over to the city what would happen with it. Les Mangus responded it would be given to the city with no strings attached, unlike the Rails to Trail program where you are allowed to build a trail, but you give some rights away to the program. He continued by saying since Wichita has gone Rails to Trails with the corridor all the way across the City of Wichita, the right move for Andover to make is to respond by having a trail system start at the county line and connect over to 13<sup>th</sup> Street Park. He said it has not been put on the comprehensive plan yet because it is new “news”.

Lynn Heath asked if they have to use the five foot and eight foot sidewalks according to the Subdivision Regulations. Les Mangus responded yes, five foot sidewalks on the through streets and an eight foot sidewalk on what they will call a collector. Mr. Meyer asked if it was possible to negotiate, with the Planning Commission on taking a through street and moving “that” sidewalk to “here”. Les Mangus responded these are the guys you have to negotiate with. Mr. Meyer said he will probably bring a sidewalk plan to the committee to show what they are proposing.

Mr. Meyer explained on the streets there will be an area about 15 feet from the face of the curb to the property line and where all the utility lines will go. He continued by saying the homeowner will still be responsible for mowing to the curb, but there will be a public right-of-way in front of his house.

Les Mangus asked how they plan to accomplish making the transmission line that runs through the community an amenity with all the restrictions Westar will put on them. Mr. Meyer responded typically, Westar will let them landscape as long as they protect the path of the power poles. Les Mangus then asked if Westar would give them a partial release to build a path. Mr. Meyer said no, but they will give him permission to build a path under the line. Mr. McCoy asked what the difference between Westar giving them a release and giving them permission was. Les Mangus responded a partial release would be Westar saying



they have an agreement that a sidewalk could be placed in the power line right-of-way. Mr. Meyer said Westar's biggest issue is going to be making sure the developers don't undermine the structure and any excavation they do has no impact. Les Mangus said Westar will also want them to maintain a path so they can service their facilities. Mr. Meyer explained Westar does not mind small berms, but they do not want large berms because it gets people closer to the power lines. He continued by saying every time they cross the power line with street, sewer and water lines they will submit plans to Westar to get their approval since the easement runs through this site. So they will review everything the developers do as it goes through the engineering process. Mr. Meyer explained Westar's goal was to keep it as close as possible to what it is today. Lynn Heath asked if he put a lake in would they have access coming in from the street. Mr. Meyer said he has to allow Westar a way to jump off of the road and drive all the way along the power line.

Lynn Heath asked if there were any health issues with electromagnetic fields around these lines. Mr. Meyer said he was not sure. Lynn Heath said he was interested in knowing how far away a house along the easement needed to be before it does not have any effect. Mr. Meyer responded Westar will be reviewing the plat. Lynn Heath said if the developers could research the issue he would like to know a little more about it.

Lynn Heath commented on the sidewalk situation by saying normally they do not require sidewalks in cul-de-sacs but since the reserves connect between the cul-de-sacs it would be nice to have one.

Lynn Heath asked if there were any other questions or comments. There were none.

John Cromwell moved to accept the sketch plat and send it on to the Planning Commission. Lynn Heath seconded the motion. Motion carried 2/0.

### **Member items**

John Cromwell asked Les Mangus about the Andover/Butler Road study. Les Mangus said the road study was presented to the city councils and county commissioners a couple weeks ago and their input, along with the shock of the 100 plus millions of dollars price tag, was received. Lynn Heath asked if this was the four lane road going up to Benton. Les Mangus responded, no, to Rose Hill. Les Mangus continued by saying all those bodies are now cogitating and the consultant is finishing his report after the input he received from the meeting. John Cromwell asked if he understood correctly that the road had been approved down to Harry. Les Mangus said yes and it is waiting for a letting date next year.

*Lynn Heath made a motion to adjourn the meeting at 6:18 p.m.  
John Cromwell seconded the motion. Motion carried 2/0.*

Kandace A. Hunt  
Administrative Secretary

Approved this 11<sup>th</sup> day of March 2008 by the Andover City  
Subdivision Committee, City of Andover.