

**ANDOVER CITY PLANNING COMMISSION /  
BOARD OF ZONING APPEALS  
February 25, 2008  
Minutes**

The Andover City Planning Commission reconvened Monday, February 25, 2008 at 909 N. Andover Road in the Andover Civic Center. Chairman Quentin Coon called the meeting to order at 12:05 p.m. Commission members present were Lynn Heath, Jan Cox, John Cromwell, 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 Kandace Hunt. Members absent were Dan Beck and Byron Stout.

Call to order

**Review the minutes of the regular January 15, 2008 Planning Commission meeting.**

Review the January 15, 2008 minutes

*Lynn Heath made a motion to approve the minutes with the change of "if" to "is" on page 15. John Cromwell seconded the motion. Motion carried 5/0.*

**Communications:**

Communications

**Review the City Council minutes from the January 8, 2008 and January 29, 2008 meetings.** The minutes were received and filed.

**Review the minutes of the January 3, 2008 Site Plan Review Committee Meeting.** The minutes were received and filed.

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

Z-2008-01

**Z-2008-01 Public hearing on proposed changes of zoning district classifications from the I-1 Industrial District to the B-3 Central Shopping District, and from B-3 Central Shopping District to the B-6 Business District at 106-118 E. 13<sup>th</sup> St.**

**From Les Mangus' Memo:** This application arises from the owner's desire to build a series of mixed use commercial/industrial buildings. The subject parcels are currently zoned commercial and industrial but do not allow mingling of the permitted uses. The proposed changes place the heavier industrial/business uses adjacent on the KTA, and the retail uses on 13<sup>th</sup> Street. Staff supports the application as applied for.

Lynn Heath asked if Les Mangus could explain what the areas current zoning is and what they will be changed to. Les Mangus explained over several months the applicants have assembled the two pieces of property and put together a plan for a mixed retail/service/business/industrial speculative type building. The lot on the right has an existing building that is their construction operation and zoned I-1. The lot on the corner of 13<sup>th</sup> and Andover Road was the -2 zone lot where the restaurant was. Janice Cox asked if the lot was B-2. Les Mangus responded B-3. Janice Cox stated on the application it says B-2. Les Mangus informed the committee the applicant's intention is to use the 13<sup>th</sup> Street frontage for retail purposes and the rear as industrial. The backside adjacent to Andover Road will be B-6 which makes it an office front with industrial use.

Quentin Coon asked if the areas would be replated. Les Mangus responded yes, that is agenda item number seven.

Lynn Heath asked for clarification from Les Mangus that the right side of the area is

I-1 and the applicants wish to make the front part B-3, and the left side is B-3 and they want to make the back portion B-6. Les Mangus informed Lynn Heath he was correct.

Quentin Coon asked if there was an applicant present. Roger Cutsinger of Goedecke Engineering and Kim Quastad of KB Development, LLC represented the application.

Mr. Cutsinger explained to the committee they want to use the area for multiple purposes and have already gone through the platting process. He continued by saying some of the area in B-6 was speculative, and the building on the east lot is already there. Quentin Coon asked if that building was going to be removed. Mr. Quastad said the building removed was the old Walt's Hamburger Stand, the building on the east side will come down with the proposed project.

Quentin Coon asked if there were any other questions. Janice Cox asked Les Mangus if she was wrong in thinking the lot closest to Andover Road is presently B-2 according to the zoning map. Les Mangus responded she was in fact right and apologized for the confusion. He continued by explaining the applicants are asking to change part of the existing B-2 zoning to B-3 and the remaining to B-6.

Quentin Coon asked if there was any other discussion before the committee began its checklist. There was none.

ANDOVER CITY PLANNING COMMISSION

Agenda Item No. 5

REZONING REPORT \*

CASE NUMBER: Z-2008-01

APPLICANT/AGENT: KB Development, LLC

REQUEST: Proposed changes of zoning district classifications from the I-1 Industrial District to the B-3 Central Shopping District, and B-3 Central Shopping District to the B-6 Business District.

CASE HISTORY: Existing business structure on Andover Rd. has been removed and the existing industrial structure will be removed to make this commercial/industrial subdivision.

LOCATION: Northeast corner of Andover Rd. and 13<sup>th</sup> St.

SITE SIZE: +/- 3.7 acres

PROPOSED USE: Commercial/industrial development

ADJACENT ZONING AND EXISTING LAND USE:

North: Kansas Turnpike

South: B-6 Andover Commercial Subdivision vacant lots

East: R-2 Lockhart Addition Existing Single Family Residences

West: R-2 Westar electric substation

Background Information: Site plan for the first 32,000 sq. ft. commercial/industrial bldg. has been reviewed & approved by the Site Plan Review Committee.

\* 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: See adjacent zoning and existing land use above

PLANNING: Turnpike on the north, subdivision to the east, Andover Road on the south and a substation to the west.

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: See adjacent zoning and existing land use above

PLANNING: R-2 on the east and west side, nothing on the north and directly to the south B-6.

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: The site is suitable for the existing zoning

PLANNING:

COUNCIL:

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

YES    NO

STAFF:

PLANNING:

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:

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:        Public water, sewer, and streets are available to the site.

PLANNING:

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:

COUNCIL:

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

YES    NO

STAFF:        Screening and site plan review are required.

PLANNING:    On the east.

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:        Undeveloped commercial and industrial properties are available in the area.

PLANNING:

COUNCIL:

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

YES    NO

X STAFF: More services and employment opportunities could be provided.

X PLANNING:

COUNCIL:

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

YES NO

X STAFF:

X PLANNING: The new zoning will work better.

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 commercial uses allowed by the proposed zoning would cause no more increase in traffic, noise, light, etc.

X PLANNING: .

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 surrounding area is commercial/industrial.

X PLANNING:

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 could be reviewed on a case by case basis for commercial or industrial zoning.

X PLANNING:

COUNCIL:

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

YES NO

STAFF: None at this time

PLANNING: None at this time

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:    Applicant was heard.

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:

COUNCIL:

*Lynn Heath made a motion to recommend the zoning change as requested to the City Council based upon findings 6, 10, 11, 13, 14 and 15. John Cromwell seconded the motion. Motion carried 5/0.*

*Jeff Syrios made a motion at 12:22 p.m. to recess the Planning Commission and convene the Board of Zoning Appeals. Lynn Heath seconded the motion. Motion carried 5/0.*

**BZA V-2008-01 Public hearing on an application for variance to increase the 5% maximum wall signage limitation to 7.3% in the B-3 Central Shopping District at Pergola Place shopping center, 229 N. Andover Rd.**

**From Les Mangus' Memo:** This application arises from the owner's desire to increase the amount of wall signage allowed on the Pergola Place shopping center. The existing wall signage approaches the maximum allowed, and one tenant space remains unoccupied and without signage. The existing +/- 92 sq. ft. monument sign is considerably less than the 150 sq. ft. allowed for the zoning district, but the accumulating of the wall and monument signage maximums is not allowed. Staff supports the application as applied for.

Les Mangus explained to the committee through the Site Plan Review process and permitting, it had been realized the Pergola Place shopping center had used nearly all of its available five percent maximum wall signage for the existing building. The owner/applicant of this was notified and chose to seek a variance of the five percent maximum. He continued by saying staff supported this because it is a sort of trade off situation. The owner has chosen to go with a smaller monument type sign in the landscape beds, but then fell a little short on the wall signage to cover the one last tenant space available.

Quentin Coon asked if there were any applicants present. Cameron Wallace with Places Architects represented the application.

Mr. Wallace explained to the board on the originally application they were asking for 93 additional square feet, but after review have determined they do not need that much additional square footage and are now only asking for only 63 additional square feet. This is 1.62 percent increase on the five percent bringing the total to 6.62 square

Recess Planning  
Commission and convene  
Board of Zoning Appeals.

BZA V-2008-01

foot usage of the frontage of the building. He continued by saying the applicants feel the businesses in the center have been well received within the community and feel the signs have had no hindering effects on the surrounding area.

Quentin Coon asked if this was for the final space on the south side. Mr. Wallace responded yes.

Lynn Heath stated he was glad they had adjusted the increase because close to a 50 percent increase would need justification, and he liked this much better.

Les Mangus explained to the board the sign was adjusted after debate between the sign companies and himself about how we measure the signage faces. He continued by saying we are given site plans that give a box dimension, the sign companies then refine that because they use channel letters where one letter might be tall and the next is short. They have revised that to make it more each individual character instead of a rectangle in general which freed up space and is why the architect representing the owner has asked to downsize the request for variance. Quentin Coon asked if they were only counting the area of the letter itself. Les Mangus responded yes, a box around the letter. He continued by saying there is such a wide variance in the lettering styles, they have a tendency to make the first letter of a word large, it skewed the overall demission for using a rectangle.

Jeff Syrios asked Les Mangus how this situation was different from O'Reilly's where they did not grant an increase in their sign. Les Mangus responded O'Reilly's wanted the maximum on its pole signage and it seems like it was well over double what the allowable wall signage was. Jeff Syrios asked if that was because it was out on the street. Les Mangus responded yes, O'Reilly's has a monument sign out front, but they wanted to maximize that and double the wall signage.

Quentin Coon asked if there were any other questions for the applicant. There were none. He then asked if there were any comments from the public. There were none.

<b>BOARD OF ZONING APPEALS ACTION</b>	January 24, 2008
<b>VARIANCE</b>	Publication Date
	February 19, 2008
	Hearing Date
	B-3 Central
	Shopping
Case No. BZA-V-2008-01	Zoning District

A. Variances from the provisions of the zoning regulations shall be granted by the Board only in accordance with the standards in Section 10-1077(d), and only in the following instances and NO others: (A through G).

1. To vary the applicable lot area, lot width, and lot depth requirements, subject to the following limitations
  - a. The minimum lot width and lot depth requirements shall not be reduced more than 25%.
  - b. The minimum lot area for a single or two-family dwelling shall not be reduced more than 20%.

c. The minimum lot area per dwelling unit requirements for multiple-family dwellings shall not be reduced more than 10%.

Dimension of lot \_\_\_\_\_ Variance requested \_\_\_\_\_

\_\_\_\_\_ N.A. \_\_\_\_\_

B. To vary the applicable bulk regulations, including maximum height, lot coverage and minimum yard requirements:

1. The bulk regulations for this district are: 5% of the wall area maximum allowed for wall signage
2. Variance would change bulk regulations as follows: 6.62% of the wall surface area for wall signage

C. To vary the applicable off-street parking and off-street loading requirements. (Must establish time schedule for compliance) N.A.

D. To vary the sign provisions of Section 7-102 regarding general standards and Section 7-104 regarding nonresidential district regulations: from the required 10 foot maximum height limitation to allow an 18 foot high monument sign.

E. To vary certain provisions of the FP Flood Plain District as provided for in Section 4-114(L): N.A.

F. The Board shall not grant a variance unless it shall, True/ Yes False/ No  
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:

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;	True X
2. The granting of the variance will not adversely affect the rights of adjacent property owners or residents;	True 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.	True X
4. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and	True X
5. Granting the variance desired will not be opposed	True

to the general spirit and intent of these regulations. X

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:

1. The particular physical surroundings, shape, or 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.  
True  
X
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.  
True  
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  
True  
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.  
True  
X

H. Restrictions imposed by the Board of Zoning Appeals as per Zoning Regulations Section 10-5G:

1. None required.
- 2.
- 3.
- 4.

Date Granted: \_\_\_\_\_

Valid Until (date) \_\_\_\_\_

\_\_\_\_\_ (180 days Sec. 10-107G)

\_\_\_\_\_  
Quentin Coon, Chairman

\_\_\_\_\_  
Janice Cox, Secretary

Certified to the Zoning Administrator on this date  
of:  
\_\_\_\_\_

*Jeff Syrios made a motion to grant the application for a variance to increase the size from five percent maximum wall signage to 6.62 percent. Lynn Heath seconded the motion. Motion carried 5/0.*

*Lynn Heath made a motion at 12:34 p.m. to adjourn the Board of Zoning Appeals and reconvene the Planning Commission. Janice Cox seconded the motion. Motion carried 5/0.*

**Review the Preliminary and Final Plats of the Andover Business Center Addition located at 106-118 E. 13<sup>th</sup> Street.**

**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 intentions 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 sq. ft. 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 is at two points on the 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.

Les Mangus explained to the committee this application is merely the clean-up of old dedications over the last 50 years on the two properties the committee heard about in the meeting's first zoning case. He continued by saying the Subdivision Committee has reviewed both plats and recommend approval, and the staff feels they are appropriate and meet requirements.

Janice Cox said she understood that on the east lot there will be I-1 zoning in the back and B-3 in the front and they will be tearing down the existing building, what she does not understand is the access from the front to the back. She continued by saying if there were going to be two different zonings, there will be two different types of operations and she wants to know how they are going to get to the back lot. Les Mangus responded there will be access all the way around the building that will be on the lot. He continued by saying this project had already been before the Site Plan Committee and through a lot of changes and accommodations. The buildings were moved west on the site to allow some space between the single family residences on the east and also allow some traffic circulation because they do expect some truck traffic. They intend for the buildings to be a single ownership, as they are one lot, but there will be different tenant spaces within the ownership. Janice Cox asked if there will be internal access. Les Mangus responded yes.

Quentin Coon asked if there was an applicant present. Kim Quastad of KB Development, LLC represented the application.

Mr. Quastad explained to the committee they will be putting in two roads. One road

Adjourn Board of Zoning Appeals and reconvene Planning Commission.

Review the Preliminary and Final Plats of the Andover Business Center Addition.

will go all the way back and have a turn around spot; another road will come over in between the two lots and also serve the corner lot. Quentin Coon asked if there would be no road on lot one. Mr. Quastad explained it would be served by this road "here."

Les Mangus explained that on the plats there is a common ingress/egress allowed in the area along the dividing line between lot one and two. This allows for a common driveway to service both lots all the way to the north end. Quentin Coon stated it looked like that drive was more to the west. Mr. Quastad explained to the committee this drive splits the property line. Quentin Coon stated the map the committee had did not show what Mr. Quastad was speaking of. Les Mangus explained the preliminary plat showed two existing driveways. He continued by saying the applicants intention is to build a common driveway that centers on the property line. Lynn Heath asked if they were going to keep the driveway off of Andover Road. Les Mangus said the final plat allows for a driveway, but it will have to be relocated further north to give clearance to the intersection.

Quentin Coon asked if there was an existing sidewalk. Les Mangus stated there is a 10 foot sidewalk on 13<sup>th</sup> Street and a five foot sidewalk on Andover Road. He continued by saying they anticipate a 10 foot sidewalk on the Andover Road side in the future. Lynn Heath asked if that was only until the bridge. Les Mangus said it is debatable as to what would become of the bridge to accommodate the bike path that should eventually connect to the schools.

Lynn Heath told the committee during the Subdivision Committee meeting, Les Mangus had informed the members all staff comments had been addressed.

*Lynn Heath made a motion to approve the preliminary and final plats for the Andover Business Center at the corner of Andover Road and 13<sup>th</sup> Street on the northeast corner as presented with all the corrections that have been made by the applicant. John Cromwell seconded the motion. Motion carried 5/0.*

#### **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 the north by the railroad right-of-way now 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 and few 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 Dave Neal and Susan Tamplin, consultants, represented the application.

Mr. Meyer explained to the committee this project has qualified for funding for the 2008 season, so a preliminary plat will be turned in by the next available submittal. He continued by saying they are proposing a 273 lot development with part of it being a plat of the existing Cedar Park. He explained that Cedar Park is currently a PUD but they plan to remove the remaining property from the PUD, include it in the overall replat of Andover Farms at Cedar Park. PUD and made into the first phase of the plat. The 60 lots in the Cedar Park area will average 90' x 130' in size. The 213 lots to the west of the existing Cedar Park area will be 95-105 X 145. All proposed lots meet or

Review the Sketch Plat of the Andover Farm and Cedar Park Addition.

exceed the minimum lots size in the City's Subdivision Regulations. Since all lots meet the regulations, the applicants will be bringing a plat instead of a PUD.

Mr. Meyer continued by explaining they are trying to create an upscale "green" development with this piece of property. They plan to put a lot of amenities in the development specifically for the residents. He continued by saying in the southeast corner they will develop a club house/recreational facility solely for the development; it will not have access from 13<sup>th</sup> Street or 159<sup>th</sup> Street. The development will have a major entrance off of 13<sup>th</sup> Street where there will be a reserve the size of a lot. Mr. Meyer informed the committee they plan to keep the existing hedge rows throughout the development. He pointed out they had tried to create little internal developments, which will all be different markets, within the overall development. He informed the committee they will create an overall theme which will be carried out throughout the development.

Mr. Meyer explained to the committee the developers do have the challenge of the overhead power lines, which run through the development, but they have reserves all around it and will use landscaping to soften the look of the line. They plan to work with KG&E to get permission to put a sidewalk system through the area as well as a sidewalk along the collector street to connect to the reserves.

Mr. Meyer informed the committee the area they plan to make a public park is 4.1 acres which is short of the required five. They are asking the Planning Commission to accept the lesser acreage as they feel the size and location seem to be the best fit.

Janice Cox asked if the sidewalks on the collector street will be standard. Lynn Heath responded yes. Mr. Meyer informed the committee he will bring a sidewalk plan with the preliminary plat and may be asking for some variances from the standard sidewalk policy.

Quentin Coon stated lots 34-38 that run under the power line seemed to be odd as they are the only ones facing the collector street. Mr. Meyer explained they added the lots along the collector street because with the overall depth of the development they do not expect much traffic in that area. Quentin Coon asked Mr. Meyer if he felt that was going against the flavor of what they were trying to create. Mr. Meyer responded they were not opposed to it.

Lynn Heath stated he wondered if the community center would get more use if it were more centrally located. Mr. Meyer responded they had thought of that, but they think it says something special about the development to have it in the southeast corner because they feel the visibility of the building sets the tone for the development.

Quentin Coon commented he liked the idea of landscaping to soften the power line access, but wanted to know if they had received approval for it. Mr. Meyer responded they are in the process of getting permission, but has, in other developments, successfully been able to create lakes underneath the power line as well as sidewalks. It is just a matter of going through the approval process. He continued by saying he can't guarantee approval will happen, but in the past has been successful. Jeff Syrios commented he thought it would be a huge challenge to get approval for lakes. Mr. Meyer explained the key is not undermining the structure of the power poles, so the lakes will not come close to the power poles, but they will be allowed to bring the lake out underneath the overhead line as long as they leave workers access to every power pole.

Lynn Heath asked if Mr. Meyer had retrieved any information on the electromagnetic field he had asked about during the Subdivision Committee meeting. Mr. Meyer said

he had not. Janice Cox mentioned other communities have used the power line area as a really nice feature in a long term situation. Mr. Meyer responded it will be one of the major links for their pedestrian system and will allow the entire development access to the public park.

Les Mangus asked Mr. Meyer what they planned to develop in the reserves, particularly those along the collector street. Mr. Meyer responded as the plans stand now, lakes and sidewalk systems, and the reserve with the community center will house the pool and playground.

Les Mangus informed Mr. Meyer by the time the 100 foot public power right-of-way is extracted from the 4.1 acre public park they would only be at about three acres, and he is not sure that will meet the intention of the public park system. He also stated on the latest revised sketch, as the collector street goes north from 21<sup>st</sup> Street lots numbered 1, 18, 34 show a 25 foot setback. He wondered if that would be better served as a reserve, that way the hedge row is maintained by the homeowner's association rather than individual homeowners. He continued by suggesting, as a trade off, rather than having a 25 foot setback from a street it would be an eight foot setback from a reserve. Mr. Meyer responded he did not think there would be any problem with establishing the area as a reserve if they can adjust the setback and stay within the subdivision regulations.

Mr. Meyer informed the committee they plan to protect the existing hedge row and will have a minimum landscaping requirement for each homeowner.

Quentin Coon asked if the two entrances off of 13<sup>th</sup> Street, that are not yet developed would have the same monument. Mr. Meyer responded no, the west entrance off of 13<sup>th</sup> will stand out more than the others.

Mr. Meyer told the committee he had forgotten to mention that along the arterial they have 50 foot reserves so they can put in berming to keep the rear yards from butting right up to the arterial roadway.

Jeff Syrios emphasized the need to practically and visually connect the northeast corner with the community building.

Mr. Meyer explained two different phases will be at the same time. Quentin Coon asked if the first phase to east in the Cedar Park addition would include all the way to the north as well. Mr. Meyer said it goes to a point where they will do two phases in their smaller market. The first phase which will connect off of 13<sup>th</sup> Street, then the last phase will be the remainder of the original Cedar Park. Then they will start in the southeast quadrant so they can get the community center up and running and create the entry. From there they do not know where they will go next.

Quentin Coon asked if there were any other comments, questions or input. There were none.

**Member Items:** No Member items.

Member Items:

*Lynn Heath made a motion to adjourn the meeting at 1:07 p.m. John Cromwell seconded the motion. Motion carried 5/0.*

Respectfully Submitted by

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Kandace Hunt  
Administrative Secretary

Approved this 27<sup>th</sup> day of March 2008 by the Andover City Planning Commission/  
Board of Zoning Appeals, City of Andover.