

**ANDOVER PLANNING COMMISSION
SUBDIVISION COMMITTEE
May 13, 2008
Minutes**

The Andover City Subdivision Committee met for a regular meeting on May 13, 2008 at 909 N. Andover Road in the Andover Civic Center. Chairman Lynn Heath called the meeting to order at 5:31 p.m. Other members present were John Cromwell and Jan Cox. Others in attendance were Director of Public Works and Community Development Les Mangus and Administrative Secretary Kandace Hunt.

Review the minutes of the April 8, 2008 Subdivision Committee.

Jan Cox made a motion to approve the minutes as presented. John Cromwell seconded the motion. Motion carried 3/0.

Call to order
Review the minutes of the April 8, 2008 Subdivision Committee.

Communications

Review the minutes of the March 25, 2008 and April 8, 2008 City Council meetings. The minutes were received and filed.

Review the minutes of the March 18, 2008 and March 27, 2008 Planning Commission meeting. The minutes were received and filed.

Review the minutes of the April 1, 2008 Site Plan Review Committee meeting. The minutes were received and filed.

Review the Potential Residential Development Lot Report.

Review the Final Planned Unit Development Plan of Marketplace Commercial Second Addition.

From Les Mangus' Memo: This final PUD reflects a portion of the remainder of the Marketplace Commercial Addition. This phase makes connection to the right-in-right-out access to US-54. The plan reflects the recent amendments to the preliminary PUD, and other than a few technical items has Staff approval.

Review the Final Planned Unit Development Plan of Marketplace Commercial Second Addition.

Mark Buckingham of MKEC Engineering Consultants was present to represent the application.

Mr. Buckingham explained staff comments had been addressed, but since utility comments had been received the same day as

the Subdivision meeting they had not yet been handled. Les Mangus said he had received the corrected plans but had not had the opportunity to review them. He continued by saying the only real issue was the diameter of the roundabout. The developers are showing a 30 foot inside radius and a 90 foot outside radius, for trucks to go around and stay on the pavement it needs to be larger. Mr. Buckingham asked if Les Mangus was speaking of keeping vehicles off the apron. Les Mangus said yes, the area is designed for a 50 foot wheel-based truck to pass around the circle, but the semi trucks will encroach on the transition area. Staff feels a 50 foot wheel-based truck should be able to pass around the circle with out encroaching on the transition area. Mr. Buckingham said the developers would comply.

Jan Cox stated Reserve E was not mentioned in the PUD text. Mr. Buckingham said the purpose of Reserve E would be added to the PUD text.

Jan Cox noted the building setback text states the front is 35 foot, the rear is 20 and the side is 10, but the drawing does not show that situation. Les Mangus said there is a 35 foot building setback/utility easement along Cloud Avenue and the side and rear setbacks do not need to be put on the plat.

John Cromwell asked Mr. Buckingham if he had any concerns with the staff or utility comments he had received. Mr. Buckingham said no.

Jan Cox asked why the PUD did not comply with the Comprehensive Development Plan. Les Mangus explained it was because the commercial area goes back more than 600 feet from the highway.

Mr. Buckingham informed the committee the developers were working with KDOT on an accelerate/decelerate lane. Les Mangus explained KDOT was asking for a 1,000 foot accelerate/decelerate lane and the City's Corridor Management Agreement with them says the right-in-right-out areas will be allowed at quarter mile intervals which only leaves 300 feet between each. Chairman Heath asked if Yorktown would be the first opportunity to turn left. Les Mangus said yes. John Cromwell asked how Cloud Avenue and Andover Road would be handled. Les Mangus said there will be a traffic signal at that intersection.

Jan Cox noted under the Certificate of Survey the last line reads, "All reserves, streets, alleys, utility easements, building setbacks, and access controls within the above described property are hereby vacated and replatted by virtue of K.S.A. 12-512(b).", she was wondering if it should say "All existing reserves" to clarify the statement. Les Mangus asked if all of existing Reserve D was being replatted. Mr. Buckingham said yes, it was widened to the east. Les Mangus asked if Reserve C was being replatted. Mr. Buckingham said yes, it is being slightly reconfigured on the west side. Les Mangus said he would look further into what the appropriate wording would be.

Chairman Heath noted that Poe & Associates recommended access control on Plaza Street to mitigate backups slowing or stopping the through traffic. Jan Cox said she thought that was already happening Mr. Buckingham explained as of now the developers do not call for complete access control on Plaza. Chairman Heath asked if there would be no access from Plaza Street to Lot 7. Les Mangus said yes, but how far back the access control will be placed would have to be discussed.

John Cromwell made a motion to recommend the Final Planned Unit Development Plan of Marketplace Commercial Second Addition to the Planning Commission with the condition of the recommendations of Poe & Associates and Foster & Associates being addressed for Planning Commission along with staff and Subdivision comments. Jan Cox seconded the motion. Motion carried 3/0.

Review the Final Planned Unit Development Plan of Andover Farm at Cedar Park-Third Phase.

The Subdivision Committee reviewed the Final Planned Unit Development Plan for the Andover Farm at Cedar Park Third and Fourth Phases together.

From Les Mangus Memo: This final PUD reflects a portion of the remainder of the original Cedar Park PUD. This phase reflects the additional access point to 13th Street shown in the recent PUD amendment, which is on the City Council Agenda for approval. The proposed 4.1 acre public park has yet to be addressed by the City Council. Notwithstanding the approval by the City Council the remainder of the comments from the Checklist are easily resolved.

Review the Final Planned Unit Development Plan of Andover Farm at Cedar Park-Third Phase.

Review the Final Planned Unit Development Plan of Andover Farm at Cedar Park-Fourth Phase.

From Les Mangus' Memo: This final PUD reflects a portion of the property added to the original Cedar Park PUD in the recent PUD amendment, which is on the City Council Agenda for approval. The grading and drainage plan needs some attention to meet the latest policy, but notwithstanding the approval by the City Council the remainder of the comments from the Checklist are easily resolved.

Agent for the applicant Phil Meyer of Baughman Company along with applicant Hal McCoy and consultants Hal McCoy Jr. and Susan Kaplan were present to represent the application.

Les Mangus noted that Westar Energy had requested a 20 foot easement across the existing 100 foot KGE easement. Mr. Meyer informed the committee one easement is for the transmission line and that department will not allow the service department in the easement without special permission. Mr. Meyer continued by saying since the transmission line is already in place, anytime the developers cross it with a street, a utility, etc. they have to get permission.

Chairman Heath asked if the street names presented were final. Les Mangus said no, staff is still working on cross-referencing with existing street names in the area. Mr. Meyer said the developers would like to continue to work with staff on the names. Les Mangus informed the committee he has an alphabetical list of street names in Butler and Sedgwick County to compare the requested street names to. Hal McCoy asked if the street names could not duplicate any in Sedgwick or Butler County. Les Mangus said not within close proximity for the benefit of emergency responders and delivery services. Mr. Meyer asked if they were only considering the eastern portions of Sedgwick County. Les Mangus said yes, only those in close proximity.

Chairman Heath asked if Cedar Park Street would stay Cedar Park Street when it meets Andover Farm Lane. Les Mangus explained that street was Lakeside Drive and would stay Lakeside Drive because it is named from that point north.

Jan Cox noted errors throughout the text on both PUDs. On number 8 under Drainage the word "submitted" should be "submittal". In the seventh line of number 10 "property" should

Review the Final Planned Unit Development Plan of Andover Farm at Cedar Park-Fourth Phase.

be "properly". On the Fourth Phase PUD only, the fourth line of number 12 should say "rights-of-way" instead of "right-of-ways". On the fourth line of number 14 "and" should be "an" and on the fifth line "sold" should be "said". Under the note section "approval" needs an "a". On the Fourth Phase only the Certificate of Survey says October 4, 2008, a date that has yet to occur, the Third Phase says February 4, 2008 and she was wondering if the Fourth Phase should be the same. Mr. Meyer said the developers would correct each of the mistakes.

Jan Cox asked if the 1357 number minimum building pad elevation for Block B, Lots 1-9 on the Third Phase PUD, as well as the drainage plan was ok. Les Mangus said he was working with the developers on how the new and old drainage plans would come together. The new drainage plan redirects some water with a different phase, and what effect that has with interim between now and that phase will need to be addressed. There is one house in the area that was either built wrong or had a change in the calculation of the drainage plan because it does not have the one foot of freeboard preferred. Jan Cox asked what freeboard was. Les Mangus explained it was the differences between the water surface and the lowest opening height. He continued by saying the developers have recalculated the freeboard and it is only eight tenths of a foot.

It was noted that the City Council would be holding the Public Hearing for the Andover Farm at Cedar Park zoning change (case number Z-96-07) as well as the annexation of the +/- 140 acres to be developed the Fourth Phase following the Subdivision meeting. The less than five acre park and sidewalk plan would also be discussed.

Jan Cox asked Les Mangus if all his concerns for the Third and Fourth phases had been address. Les Mangus said no. Because of the way the application periods run it is difficult to give applicants enough time to review comments and address them before the Subdivision Committee meets. He continued by saying the issues that had not been addressed were in no way deal breakers. Mr. Meyer said he will work with staff to address all of the concerns.

Hal McCoy asked how the recommendation of constructing a sidewalk to connect Lakeside Drive to Gatewood Lane was worded. It was noted that the Planning Commission had requested negotiations between the developers and the current homeowners association to construct a sidewalk connecting

Lakeside Drive to Gatewood Lane. Mr. McCoy asked who the developers need to speak with to begin negotiations. Les Mangus said the existing homeowners association was probably still under the control of the developer. Ms. Kaplan stated the existing developer has not acknowledged that he operates the homeowners association. The developers have been working with First American Title, who collects the homeowner's dues, to find out where the money is going. The person receiving the payments has been contacted by the developers but has yet to return their call.

Chairman Heath asked if there were any further questions. There were none.

John Cromwell made a motion to recommend the Final Planned Unit Development Plan of Andover Farm at Cedar Park Third and Fourth Phases to the Planning Commission with the condition of utility comments as well as staff and Subdivision comments being addressed and pending the City Council's decision on case number Z-96-07 as well as the annexation of the property. Jan Cox seconded the motion. Motion carried 3/0.

Member Items: Jan Cox asked Les Mangus what the initials NGVD and NAVD on the minimum pad elevations in the PUD text stood for. Les Mangus explained they are the different types of surveys used in determining elevation. Jan Cox asked if the 38 after NGVD and the 88 after NAVD stood for the year the survey was created. Les Mangus said yes. Jan Cox asked if Means Sea Level was no longer used. Les Mangus said the surveys come from established Means Sea Level data.

Chairman Heath asked John Cromwell if the street near his home had been repaired by the Township. John Cromwell said some patchwork had been done. Chairman Heath asked what the latest was on the Township situation. Les Mangus said Bill Osborne and Lisa Quade had both resigned over some financial improprieties.

Jan Cox asked who maintains 159th Street between Kellogg and Central. Les Mangus said Sedgwick County. Chairman Heath asked if that mile belonged to Sedgwick County and the next mile to Butler County. Les Mangus explained it started with six miles where the Townships come together, Bruno took three miles and Minneha took three miles. Sedgwick has been bailing Minneha out of maintenance and Andover is beginning to bail out Bruno.

John Cromwell made a motion to adjourn the meeting at 6:26 p.m. Jan Cox seconded the motion. Motion carried 3/0.

Kandace Hunt
Administrative Secretary

Approved this 10th day of June 2008 by the Andover City Subdivision Committee, City of Andover.