

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

The Andover City Subdivision Committee met for a regular meeting on August 12, 2008 at 909 N. Andover Road in the Andover Civic Center. Chairman Lynn Heath called the meeting to order at 5:32 p.m. Other members present were John Cromwell and Jan Cox. Others in attendance were Director of Public Works and Community Development Les Mangus, Interim City Administrator Sasha Stiles, and Administrative Secretary Kandace Hunt.

Review the minutes of the June 10, 2008 Subdivision Committee.

Call to order

Review the minutes of the June 10, 2008 Subdivision Committee.

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

Communications:

Communications

Review the minutes of the May 27, 2008, June 10, 2008 and June 24, 2008 City Council meetings. The minutes were received and filed.

Review the minutes of the May 20, 2008 and June 17, 2008 Planning Commission meeting. The minutes were received and filed.

Review the minutes of the June 3, 2008 and July 1, 2008 Site Plan Review Committee meeting. The minutes were received and filed.

Review the Potential Residential Development Lot Report.

Review the Final Plat of the Andover Industrial Park Second Addition.

Review the Final Plat of the Andover Industrial Park Second Addition

From Les Mangus' Memo: The proposed final plat is a matter of platting a +/- 4 acre parcel of land adjacent to the existing transportation facility that USD 385 bought with metes and bounds description from Promote Andover Inc. just before the City assumed ownership of the Industrial Park. The transaction was exempt from platting at that time because it was considered a boundary shift between owners. USD 385 has proposed making improvements to the property for additional bus

parking, which triggers the requirement for platting. The plat represents the boundaries of that metes and bounds property.

The issues at hand with this plat are not about the lines on the plat, but rather the dedications and improvements required with platting. The parcel sold by PAI represented the next lot area to be platted with expansion of the Industrial Park, which did not include the logical extension of King Street Right of Way. The Subdivision Regulations require any new to be platted to provide direct access to a public street, public water source and public sewer. This requirement would engage the need for guarantees for the extension of a water line and paving across the property, and any necessary storm sewer.

The expansion of the Industrial Park is on the City Council agenda, and really needs to be decided before the plat is finalized because if the required improvements were to have to stand alone to support this lot only the costs would probably be prohibitive.

Staff has no opposition to the plat, but feels that the improvements issue needs to be resolved at the City Council level.

Phil Meyer of Baughman Company, P.A. was present to represent the application.

Les Mangus explained to the committee the plat was an odd situation. The school district made a deal with PAI, who at that time was the owner of the Industrial Park, to buy the four acres adjacent to their transportation center. The four acres was reflective of a lot in the next phase of the Industrial Park. Les Mangus continued by explaining the City's Subdivision Regulations do make an exception for this case by what is called a boundary shift between owners. Les Mangus informed the committee the City needs to have rights-of way, easements and dedications. When the school district came before the Site Plan Review Committee to proceed with improvements on the new property the opportunity for platting arose. The problem is the transaction between PAI and the school district did not include the extending the street right-of-way for King Street to be continued.

The City now owns the remainder of the Industrial Park and can dedicate the segment of right-of-way needed, but the school district has to comply with all of the improvement requirements

to plat a lot. The improvements will be close to six figures for this one lot. Les Mangus informed the committee it would not be a major issue for them or the Planning Commission because the applicant will have to work through the issues with the City Council.

Mr. Meyer said he did not believe the school district would need access to King Street. Les Mangus said that is true at this point, but what happens when the school district comes to Site Plan with another project. Mr. Meyer suggested not allowing the school district access to King Street until it is paved. Les Mangus said it would be hard to regulate after the City Council dedicates the right-of-way. Sasha Stiles asked Mr. Meyer if he felt the school district should be exempt from participating in the cost of the street. Mr. Meyer said no, he was suggesting the school district not be allowed access to King Street until they had it paved.

Les Mangus stated that who will be responsible for what will all come down to negotiations between the school district and the City Council. The improvements need to be done at sometime and the school district needs to handle a portion of the cost, but not the entire cost.

Sasha Stiles asked why the school district could not participate in the cost at the time the improvements were made. Les Mangus explained in order to do so the school district will need to put up guarantees to that effect such as a letter of credit.

Sasha Stiles asked if the box culvert effects what the school district wants to do with property at this time. Les Mangus said no.

Les Mangus explained to the committee the City Council is considering the next phase of the Industrial Park, but unfortunately could not get it ready in time to include the school district in the final plat.

Mr. Meyer asked if the City had the ability to put future requirements to join the benefit district in a developer's agreement. Les Mangus said the typical way to do so is with letters of credit but the City attorney may be able to draft a covenant the school district would sign stating they would not protest being in the future benefit district. But such covenants are a little sketchy and the City's former bond council said the covenants cannot be relied on for more than four or five years.

Chairman Heath asked what the Subdivision Committee and Planning Commission could do at this point. Les Mangus said the committee could recommend approval of the plat contingent on the satisfaction of all the improvement requirements from the Subdivision Regulations.

John Cromwell made a motion to recommend approval of the plat by the Planning Commission contingent on the satisfaction of all the improvement requirements from the Subdivision Regulations. Jan Cox seconded the motion. Chairman Heath asked if there was any further discussion. Jan Cox asked why the box culvert was not applicable at this time. Les Mangus explained it will fall in line with the drainage easements that will be done at a latter date. The pavement today ends at the corner of the new plat and the box culvert will be at the center of the drainage easement. Chairman Heath asked how the school district will get across the lot. Mr. Meyer said it will cross at the north end with a series of culverts. Jan Cox asked if all utility comments had been addressed. Les Mangus said the wording on the plat needed to be changed to say the City Council will accept not approve the plat, then all corrections will be complete. Chairman Heath asked if there was any further discussion. There was none. Motion carried 3/0.

Member items: There were no member items.

Chairman Heath adjourned the meeting at 5:49 pm.

Adjourn

Kandace Hunt
Administrative Secretary

Approved this 9th day of December 2008 by the Andover City Subdivision Committee, City of Andover.