

ANDOVER CITY PLANNING COMMISSION /
BOARD OF ZONING APPEALS
August 18, 2009
Minutes

The Andover City Planning Commission met for a regular meeting on Tuesday, August 18, 2009 at 909 N. Andover Road in the Andover Civic Center. Chairman Quentin Coon called the meeting to order at 7:03 p.m. Commission members present were Lynn Heath, Jan Cox, John Cromwell, Byron Stout and Ken Boone. Others in attendance were City Council Liaison member Dave Tingley, City Administrator Sasha Stiles, Director of Public Works and Community Development Les Mangus, and Administrative Secretary Kandace Hunt. Member Dan Beck was absent.

Call to order

Review the minutes of the June 16, 2009 Planning Commission meeting.

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Byron Stout made a motion to approve the minutes as presented. Jan Cox seconded the motion. Motion carried 6/0.

Communications

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Review the minutes of the July 14, 2009 and July 28, 2009 City Council meetings. The minutes were received and filed.

Review the minutes of the June 2, 2009 Site Plan Review Committee meeting. The minutes were received and filed.

Review the Potential Residential Development Lot Report.

VA-2009-04– A public hearing on a request of a vacation of Lot 1, Block E, Prairie Creek Addition.

VA-2009-04

From Les Mangus' Memo: This petition for vacation is the result of the long struggle for water service to the Prairie Creek Addition. The result is that the residential portion of the plat on the east side of Prairie Creek Road will be served by Rural Water District #5, which leaves the subject commercial lot on the west side of Prairie Creek Road to be served by the Andover water system. Since none of the remaining land in the PUD on the west side of Prairie Creek Road was platted the developer has chosen to vacate the platted commercial lot to avoid the burden of extending Andover water service to the subject property at this time. The subject commercial property could then be platted with the remainder of the PUD on the west side of Prairie Creek Road in the future in order to spread the burden of the cost of extending the water line almost half mile from 13th Street Sports Park. Staff supports the vacation of the platted lot with the platted street right-of-way remaining intact, in order to accommodate the planned street improvements and existing utilities.

Les Mangus explained the Prairie Creek Addition was held up for some time over a boundary issue with Rural Water District #5. Through the agreement Rural Water District #5 will serve the Prairie Creek single-family Addition which is east of Prairie Creek Road, but anything west of Prairie Creek Road will remain in the Andover/Wichita service area. When the developer platted the first addition of single-family residential lots he also platted a commercial lot at the northwest corner of Prairie Creek Road and 13th Street to house an

office for the developer's real estate and construction company. With the economy the way it is the developer has decided to not build the office at this time. If the developer was held to the platting conditions for the lot he would be required to extend the waterline from 13th Street Sports Park. The City Council has agreed to release him from the requirement if the platted commercial lot is vacated.

Lynn Health asked if vacating the lot would revert the zoning to its original state. Les Mangus said zoning stays in place; the only items vacated are the boundaries of the lot.

Chairman Coon asked if a new plat will be issued to reflect the vacated lot. Les Mangus said no, the county engineer will write on the official recorded plat that this lot has been vacated.

Chairman Coon opened the public hearing at 7:10 p.m. With no public input Chairman Coon closed the public hearing at 7:10 p.m.

Lynn Heath made a motion to approve VA-2009-04 as requested. Byron Stout seconded the motion. Chairman Coon asked if there was any further discussion. There was none. Motion carried 6/0.

VA-2009-05- A public hearing on a request of a vacation of Lots 1 through 10, Block 1, Lots 1 through 14, Block 2 and Lots 1 through 17, Block 3, Farhaven Estates.

VA-2009-05

From Les Mangus' Memo: This petition for vacation of the Farhaven Estates plat is an effort to clear up confusion of the conflicts of rights-of-way and easements in the Village at Flint Hills, which is a replat of a portion of the old Farhaven plat. Staff supports the vacation.

Les Mangus explained the Riverstone Reserve PUD heard a few months ago is a replat of an area platted as the Farhaven Estates but never developed. The lot lines, rights-of-way and utility easements are still on the record today. Through the platting process, when a new plat is filed the old plat beneath is wiped clear, but in the area surrounding the first phase of the new plat the old plat would still be effective, creating a new plat with one set of lines and an old plat with another. Nothing would line up, and the old plat would still be effective. The developer is proposing to vacate the old plat to eliminate the conflicting lot lines, rights-of-way and easements.

Jan Cox asked Les Mangus to address Planning Consultant Bickley Foster's comments. Les Mangus said Mr. Foster commented that the street rights-of-way would remain dedicated as this vacation is applied for. To satisfy this issue the Commission can add the condition of this approval to include street rights-of-way.

Chairman Coon asked if the pipeline right-of-way would remain. Les Mangus said yes because it is a dedicated to a company, not the public.

Chairman Coon opened the public hearing at 7:17 p.m.

Dana Herring of 13155 SW 130th Street stated his property is located on the north side of the northwest corner of this plat. He asked if the right-of-way lines that run through his property from the Farhaven Estates Addition would be vacated as well. Les Mangus said this request would not affect Mr.

Herring's property because the developer has called out specific lots and blocks to be vacated, not the entire plat. Agent for the applicant Phil Meyer of Baughman Company explained this request will not affect any of the three ownerships in the northwest corner, everything the developer is applying to vacate is under his ownership.

Chairman Coon closed the public hearing at 7:22 p.m.

Lynn Heath made a motion to approve the requested vacation limited to internal lots, blocks and streets. John Cromwell seconded the motion. Chairman Coon asked if there was any further discussion. There was none. Motion carried 6/0.

Review the Butler Road Corridor Study and Access Management Plan.

From Les Mangus' Memo: Over the past two years Butler County and the cities of Andover and Rose Hill have hired a consultant to study the Andover Road corridor from US-54 through Rose Hill. The plan is now complete, and has no real surprises for the Andover Planning area. Suggested improvements over time are not out of line with staff expectations. The City Council has accepted the study and asked the Planning Commission to review the Access Management Plan for adoption within our jurisdiction. The plan is very detailed and deserves a little time for Planning Commission members to read and absorb. Staff recommends that the Planning Commission accept the document for review and take some time to consider the adoption of the Access Management Plan after careful review.

Les Mangus explained staff is looking for input on the plan from the Commission. He continued by saying he did not find any surprises in the plan as the City has anticipated making improvements to the transportation system as areas grow and develop. The consultant was asked to prepare a plan for the entire corridor for a 30 year build out. In the conclusion the corridor was divided into different phases that would accommodate current needs today and future needs as they come along.

Chairman Coon asked if it would make economical sense to have an intermediate phase such as making Andover/Butler Road a three lane road with a center lane. Les Mangus said the consultant's recommendation is improvements starting with intersections and then as traffic volumes and turn movements require, adding additional lanes.

John Cromwell asked Les Mangus if his recommendation was for the Commission to continue to study the plan. Les Mangus said yes, the majority of the plans recommendations are already being handled by the City, but the final component of the document is an access management plan that is very aggressive. Les Mangus said he does not think the City is ready to adopt it as a policy but it could be used as a guideline. If adopted as a policy the Subdivision Regulations will need to be updated as well.

Accept the minutes of the June 23, 2009 US 54/400 Improvements Workshop Meeting.

Chairman Coon stated one of the major concerns was maintaining Andover's small town quality of life, but how to maintain that and promote continued growth is an issue. Les Mangus said the City's published population is 10,351, if Andover was in the middle of the Flint Hills at this size it would be

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considered a small town, but adjacent to a city of 400,000 you lose the small town status. The key is keeping the small town values, quality of life, and to continue to require the amenities that add to the quality of life in Andover.

Les Mangus explained that this is an ongoing project that will last another 12 to 15 months. There will be more joint meetings between the City Council, Planning Commission and Site Plan Review Committee where the input received will begin to be applied to the engineering of the project. The final document will be a concept plan for the highway corridor that would allow the City to take right-of-way as it comes through platting, and to have a plan that is a step away from construction documents to complete a highway improvement.

Byron Stout asked when the next meeting will be. Les Mangus said the next joint meeting will be held in the spring of 2010, but there will be public meetings between now and then.

Chairman Coon noted a representative from the City of Wichita was present and asked what their interest was. Les Mangus said the City of Wichita's interest is how our improvements and theirs will tie together. The City of Wichita has a completed design to 159th Street which includes the 159th Street interchange. Jan Cox asked what kind of design Wichita has for 159th Street. Les Mangus said Highway 54 will be elevated over 159th Street because of the adjacent creek to the west. Jan Cox asked if KDOT was taking that improvement into consideration before deciding whether or not to put in a stop light at 159th Street. Les Mangus said the City Council hired an engineer to present alternatives for the situation with the 159th intersection because the City does not know when the freeway will be built. The consultant suggested in the interim the best solution would be to close the left turn movements.

Jan Cox made a motion to accept the minutes of the June 23, 2009 US 54/400 Highway Improvements meeting as presented. Lynn Heath seconded the motion. Chairman Coon asked if there was any further discussion. There was none. Motion carried 5/0/1 with Byron Stout abstaining.

Member Items: John Cromwell asked for the status of the South Andover Road to Harry Street project. Les Mangus said it will bid tomorrow morning and begin approximately 60 days later.

Member Items

Lynn Heath made a motion to adjourn the meeting at 7:49 p.m. Byron Stout seconded the motion. Motion carried 6/0.

Respectfully Submitted by

Kandace Hunt
Administrative Secretary

Approved this 15th day of September 2009 by the Andover City Planning Commission/ Board of Zoning Appeals, City of Andover.