

ANDOVER CITY PLANNING COMMISSION /  
BOARD OF ZONING APPEALS

April 17, 2007

**Minutes**

The Andover City Planning Commission met for a regular meeting on Tuesday, April 17, 2007 located at 909 N. Andover Road in the Andover Civic Center. Chairman Quentin Coon called the meeting to order at 7:00 p.m. Commission members present were Jan Cox, Byron Stout, David Martine, Lynn Heath, and Jeff Syrios. Others in attendance were City Council Liaison Member Caroline Hale, Director of Public Works and Community Development Les Mangus, Administrative Secretary Deborah Carroll and Clerk/Administrator Jeff Bridges.

Call to order

**Review the minutes of the regular March 20, 2007 Planning Commission meeting.**

Review the minutes of the regular Mar. 20, 2007 PC mtg.

*Byron Stout made a motion to approve the minutes as presented. Lynn Heath seconded the motion. Motion carried 5/0 with Jeff Syrios abstaining.*

**Communications:**

Communications

**Review the City Council minutes from the March 13, 2007 and March 27, 2007 meetings.** The minutes were received and filed. Chairman Coon mentioned the City Council saw the issue differently than the Planning Commission did in the issue about apartments. Byron Stout said he was disappointed in the Council for their decision on the multi-family zoning case at 21<sup>st</sup> Street and Andover Road.

**Review the minutes of the April 3, 2007 Site Plan Review Committee Meeting.** The minutes were received and filed. Chairman Coon said he would like to discuss the issue of electronic signs at the end of this meeting.

**Review the minutes of the April 10, 2007 Subdivision Committee Meeting.** The minutes were received and filed.

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

**Z-2007-04:** Public Hearing on the proposed amendment #3 to the Amended Cedar Park Preliminary Planned Unit Development Plan. Chairman Coon stated this case has been withdrawn by the applicant and will not be heard.

Z-2007-04  
Cedar Park  
Public Hearing  
**WITHDRAWN**

**VA-2007-02: Public Hearing for recommendation of Vacation of the front yard utility easement located at 635 N. Woodstone Drive.**

VA-2007-02:  
Public Hearing  
for  
recommendation  
of Vacation of the  
front yard utility  
easement located  
at 635 N.  
Woodstone  
Drive.

From Les Mangus memo: This application arises from the applicant's desire to vacate the 25' front yard utility easement in order to place a water well in the front yard of the property at 635 N. Woodstone. All utilities were notified and no conflicts were identified. Staff recommends approval.

Chairman Coon asked the applicant to present his application.

Christopher E. Axtell of 635 N. Woodstone Drive explained he is trying to install an irrigation well. The back yard has already been fenced leaving the only option of the front. They are asking for the entire easement vacated to dig the well in a location that will not interfere with the main sewer line which runs under the street in front of lots 2-4 across the street from his property.

Quentin Coon asked how the well head would be exposed. Christopher said his plan is to put the well head near the existing tree in the front yard and for additional landscape to screen it.

*David Martine made a motion to recommend approval for the vacation of the front yard utility easement. Jeff Syrios seconded the motion. Motion carried 6/0.*

Les Mangus said this case will be heard by the City Council for final approval on April 24<sup>th</sup>. Jeff Bridges explained the Council accepts and releases public dedications.

**Recommendation on the annexation petition of Ami Lane Addition.**

Recommendation  
on the annexation  
petition of Ami  
Lane Addition.

From Les Mangus memo: The developer of the property included in the Ami Lane Sketch Plan has petitioned for annexation in order to begin the zoning and platting of the area. Because the property is not contiguous to the City, the Butler County Commissioners will have to authorize the annexation of the island following the acceptance of the petition for annexation by the Governing Body. Staff supports the acceptance of the petition for annexation.

Les said the developer's engineer has provided a map of the area with the area to be annexed. He said it is about 100 yards to the

corner of Flint Hills National. Les explained there is a water line that runs down Andover Road. The end of the Andover planning jurisdiction would be the south line of the Ami Lane Addition. The sewer line follows the creek through Flint Hills National and has the capacity and depth to be extended and serve this entire tract.

Lynn Heath asked if this property is inside the Rose Hill school district. Les said yes it is.

Quentin Coon asked if there is any reason Butler County might oppose this. Les said they will discuss the City of Andover and the Rose Hill school district and some about the Rose Hill fire district transfer of the property to the Andover Fire Department. Jeff said they might also be concerned about the paving of 130<sup>th</sup> Street which is unimproved at this time.

Byron Stout asked when this will be heard by the Butler County Commission. Jeff explained the City Council will pass a resolution this Tuesday requesting their consideration of the annexation. Since this has been petitioned for, it will not be a huge process, but all issues will be discussed.

There was discussion about the odd piece of property not included in the annexation along Butler Road. Les said these properties are in numerous ownerships. The developer has tried to purchase some of the tracts but is unsuccessful at this time. A paved street, water, and sewer will make these remaining properties more valuable and appealing to sell.

Quentin Coon asked when this development would be built. Les said the current development calendar due to financing considerations on the City's part would be 2008- 2009 depending on how other projects line up.

There was discussion about the planning jurisdiction boundary. Les said the south end of the Ami Lane Addition is the extent of the extraterritorial jurisdiction. Rose Hill has one subdivision that is an island that is a mile and a half south of this line. To change the planning boundary would take action of the Butler County Commission.

*Byron Stout made a motion to recommend approval by the City Council for the petition of annexation of the Ami Lane Addition. David Martine seconded the motion. Motion carried 6/0.*

**Review the Final PUD Plan for the Reflection Lake 3rd Addition of the Cloud City General Planned Unit Development.**

Review the Final PUD Plan for the Reflection Lake 3rd Addition of the Cloud City General Planned Unit Development

From Les Mangus memo: This Final PUD is the final phase of the residential development of Cloud City. The developer desires to complete the remainder with single family dwellings, in lieu of the two & three family dwellings allowed by the PUD. The street layout has been modified so as not to create another connection to the Marketplace Commercial area at Yorktown Rd. as agreed upon earlier. Staff supports the plan with the satisfaction of the items still remaining on the checklist.

Chairman Coon asked the applicant to present this PUD plan.

Kirk Miller of K.E. Miller Engineering and agent for the applicant explained this is the remaining 80 lots of this property. He said the comments about a reserve/park area and the change of street names will be corrected. He offered to answer any questions of the Commissioners.

Lynn Heath explained the park area is planned for Lot 1 at Frisco and Sierra.

David Martine asked if all the sidewalks are in place. Kirk Miller said the requirement is for a sidewalk along one side of Reflection Lake and there is an existing one along Minneha.

Jan Cox said in Subdivision Committee, it was discussed about the zoning of this property. Lynn Heath said the north part of this area was zoned multiple family. There is text in the PUD to only allow construction of single-family houses.

General discussion continued about the screening to the north. Les said screening would be the responsibility of the commercial parcel, not the residential.

Jan Cox was concerned about a builder not reading the General Provisions of the PUD. Les said this subdivision is owned and developed by the same person so this should not be a problem. Staff will also be aware of this single-family development.

David Martine asked if all comments on the checklist have been satisfied. Les said no, but the changes will be simple.

*David Martine made a motion to approve this Final PUD Plan for the Reflection Lake 3rd Addition of the Cloud City General Planned Unit Development upon completion of all staff comments. Lynn Heath seconded the motion. Motion carried 6/0.*

**Review the Sketch Plat of the Business Center Addition located at 118 E. 13<sup>th</sup> Street.**

Review the Sketch Plat of the Business Center Addition located at 118 E. 13<sup>th</sup> Street.

From Les Mangus memo: The proposed addition is +/- 2 acres currently zoned I-1 Industrial at 118 E. 13<sup>th</sup> St. The property is currently used for a contractor's shop and storage yard. The owner desires to create a Planned Unit Development with mixed business and industrial uses, with a common access easement. The layout could possibly accommodate 4 separate users. Staff supports the concept.

Chairman Coon asked for the applicant to present his plans.

Kim Quastad residing at 1607 N. Singletree Circle, Andover and owner of the subject property on 13<sup>th</sup> Street submitted 2 additional drawings to the Commissioners and staff. He said this is currently 1 lot with industrial zoning. He asked for comments and suggestions from the board.

The following items were discussed:

- ⇒ The driveway on the west side vs. all the way around the buildings.
- ⇒ 2 access drives onto 13<sup>th</sup> Street instead of the existing single driveway which will help with the traffic flow. Drive must be designed around the existing utility boxes/lines.
- ⇒ Surrounding zoning of subject property.
- ⇒ 6' wooden fence against the residential property.
- ⇒ Existing building removed to construct a new one for the owner's general construction company.
- ⇒ Location of trash enclosure as the site is developed and a 10 foot easement is not enough room for the trash truck to access.
- ⇒ How this proposed mixed use business park would compare to the one on North Rock in Wichita.
- ⇒ Traffic and noise effect on the adjoining neighbors.
- ⇒ The front of the building will be more aesthetically pleasing to the residential neighbors, but the traffic and parking lot lighting would have to be worked out.
- ⇒ Tenant uses will dictate the size of the lots and parking requirements.
- ⇒ If the property to the west is able to be purchased in the

future by Kim, how the 2 properties can function together.

Les explained no action is required on this sketch plat. The next time the Planning Commission hear this will be for the Preliminary PUD which will establish the zones and maybe refine the lot configuration. Les suggested the owner plat the lots as needed because of the lot sizes being so small in the business zones, he could either plat several small lots or bring a Final PUD Plan Plat to the Commission as needed to construct a building.

David Martine said Kim has done a good job presenting several options for the use of this property. Discussion continued about which plan might be more workable considering the semi-truck traffic that will be delivering materials to the owner's building.

Kim asked if the Commission had any preferences about the zoning of the property. They are looking at B-3 on the front of the building and either B-3 or B-6 for the spaces to the rear from the existing I-1 zone. General discussion continued about the height restrictions between the B-3 and B-6 zones. Quentin Coon said B-3 is 45 feet maximum structure height and B-6 is only 35 feet. Applicant left at 7:45 p.m.

**Review the Final PUD Plan for the Cornerstone 2<sup>nd</sup> Addition.**

Review the Final PUD Plan for the Cornerstone 2<sup>nd</sup> Addition

From Les Mangus memo: The proposed final PUD is 34 lots north of Cornerstone Parkway between Fieldstone St. and Andover Rd. The engineer has satisfied all of the Staff Checklist comments except for the title report and revised drainage plan, which he plans to bring to the meeting. Staff supports the revised final PUD.

Chairman Coon asked for the applicant to make his presentation.

Jason Gish from MKEC Engineering Consultants represented the applicant. Jason said after some minor corrections, he thinks this plan meets all City regulations.

Les said he has not had time to study the revised plans that were delivered just in time to be included in the Planning Commission agenda packets. Lynn Heath said 3 of the checklist comments from Les have been corrected on this revised plan.

Les said he just received the drainage plan at 4:30 p.m. today and the title report was received yesterday. He noted they have

corrected the parcel description to be specific to the area being platted tonight.

Lynn Heath asked about street names. Les said there are no conflicts with them.

Jason said this layout reflects what the original Preliminary PUD had indicated. Lynn Heath said he likes the cul-de-sacs being longer so there are no “pie shaped” lots.

Les had no additional staff comments.

*Lynn Heath made a motion to approve the Final PUD Plan for the Cornerstone 2<sup>nd</sup> Addition as presented. Byron Stout seconded the motion. Motion carried 6/0.*

**Recommendation of the annexation of tracts adjacent to the Prairie Creek Addition.**

Recommendation of the annexation of tracts adjacent to the Prairie Creek Addition.

From Les Mangus memo: The City Council has asked the Staff to prepare the necessary paperwork, including a recommendation from the Planning Commission, for the annexation of the properties adjacent to the water, sewer, and street improvements to serve the area in and around the Prairie Creek Addition for inclusion in the special benefit districts. Some of the properties do not meet the requirements for unilateral annexation, since the tracts are larger than 21 acres and currently used for agriculture. The Butler County Commissioners will have to authorize the annexation of only those tracts; all others will follow the traditional unilateral annexation procedure.

David Martine stepped down from the discussion about this item due to conflict of interest.

Chairman Coon asked if this annexation is by petition by the property owners. Jeff Bridges explained this is a unilateral annexation of the City and will need the permission of the Butler County Commissioners for the 3 larger agricultural lots. The rest can be annexed unilaterally by the City after a public hearing of the property owners. Jan Cox asked if the owners have been notified of this pending annexation already. Jeff said the public hearing is before the City Council as well.

Quentin Coon asked if Easter Street and Capital Road will be included in this annexation. Jeff said that is undetermined at this time. The Easter Addition is currently served by City sewer

service but they are not a subject of this annexation.

Byron Stout asked how this annexation was decided necessary. Jeff Bridges explained the function of the improvements (water, sewer, streets) that will be provided to the area. All the lots as shown will benefit from the improvements of the Prairie Creek Addition. Prairie Creek Road will be paved. These lots will be in the benefit districts for those improvements.

Quentin asked if the sewer line would extend down 13<sup>th</sup>. Les stated the engineer has just started to work on the design of all the improvements. The sewer will be extended from the creek crossing at the 13<sup>th</sup> Street Sports Park down 13<sup>th</sup> up Prairie Creek Road into the first collector street running into the Prairie Creek Addition to serve all the lots. It will have service depth and capacity to serve the tracts to the east and south. Water would be extended along 13<sup>th</sup> Street for the full length of 13<sup>th</sup> Street, and up Prairie Creek to the ½ mile line which is the full extent of the developer's property.

*Byron Stout made a motion to recommend approval of the annexation of these tracts into the City of Andover. Lynn Heath seconded the motion. Motion carried 5/0.*

David Martine rejoined the Planning Commission.

**Begin the annual review of the Andover Comprehensive Development Plan.**

Begin the annual review of the Andover Comprehensive Development Plan.

Les Mangus explained the Planning Commission began this process in April of 2006 but did not complete it. Les submitted copies of the previous year of meeting minutes and a detailed memo. Les said he will revise the memo and he asked the Commissioners for suggestions and/or amendments to the plan.

Quentin asked if this will be an agenda item next month. Les said yes it will.

David Martine said his goal is to obtain from staff the amount of buildable area for existing multiple-family zoned properties in the City of Andover. He would like to make more informed decisions on multiple-family cases. He said the Comp Plan suggests providing a variety of housing for the community. Discussion continued about the report included in the packets and about other community planning decisions. Les said Rick Lanzrath could add to the report the properties that are already



developed. The Commissioners said that would be appreciated.

Byron Stout was concerned about the need for multiple-family housing in Andover. He said he is disappointed the City Council over-rode the Planning Commission decision on the 21<sup>st</sup> and Andover Road case considering there is already going to be apartments on Keystone. Byron asked if there have been any traffic/ crime studies done to see if there are more reports of problems in densely populated areas. Les said the Andover Police Chief has reported on this matter several times and he has always shown there is no significant difference in the rate of crime in multi-family, manufactured housing, or single-family neighborhoods. The Andover Police Department is now converting over to GIS base dispatching which will make it easier to track these things. Caroline Hale said the Chief told her there is more crime in her neighborhood than there is at Village Crossing. Les said there needs to be a balance of housing options in the community.

Byron Stout was also concerned about the impact of high density areas on the schools. Jeff Bridges said it depends on the unit mix. Les said according to the studies he has seen show the amount of traffic and people generated by multi-family dwellings is much less than with single-family homes on a per dwelling unit basis.

David Martine asked if this report shows there is 103 acres of multi-family property available for construction that would hold up to 600 units. Les said today Andover is at 175 apartments existing today. There is no data yet on the number of 2 and 3 family dwellings. Les said he will have Rick work on it. David Martine said he appreciated the information supplied by staff tonight and liked the map made by Rick.

Jeff Syrios asked for as much educational materials as staff could supply. He also wanted information on what affects property values. Les said a mixed housing stock will hold the best value with no concentrations of either.

Quentin Coon said the homework of the Planning Commission for the next meeting is to review the Comp Plan and bring suggestions and comments.

**Member Items:**

Member  
Items:

**David Martine** said the 13<sup>th</sup> Street Bridge is open now. Les said the balance of 13<sup>th</sup> will be done within 90- 120 days. Storm

sewer has already been laid and some trees have been cleared from the hedgerows.

**David Martine** has been in contact with the Andover Chamber of Commerce in reference to the monument sign. Les said the sign is still in a box in the park. This is a “Welcome to Andover” sign. Caroline Hale said the Park Committee has also been working to get this sign installed.

**Lynn Heath** brought a co-worker, John Cromwell, who is interested in joining the Planning Commission.

Quentin Coon said he is against turning Andover Road into Las Vegas with electronic signs. Les said our sign regulations do not allow moving picture signs in a residential area. What it does not restrict is signage that is wholly surrounded by business, then that sign may move or flash. Les explained the control options available by the store managers on these new LED type signs. Quentin said the electronic sign in Rose Hill is obnoxious. Jan Cox said there is one in El Dorado also.

**Jeff Syrios** asked about the new school at 21<sup>st</sup> and Andover Road and the progress on road improvements.

**Caroline Hale** said that due to the recent election changes, this will be her last meeting as City Council Liaison. She wanted to thank the Planning Commission for their service and she appreciated their professionalism.

She also spoke on behalf of the City Council concerning the apartment issue. She understood the diverse opinions of the Planning Commission members. The City Council had the advantage of the developer being present at their meeting which explained the intention of George Laham. Caroline said there was no disrespect intended towards the Planning Commission members in the decision that was made. She said it saved the time of the Commission by the City Council decision instead of sending it back to be reviewed. Byron Stout said no disrespect was taken and that he would vote against any other apartment complex application.

*David Martine made a motion to adjourn the meeting at 8:24 p.m. Adjourn  
Byron Stout seconded the motion. Motion carried 6/0.*

Respectfully Submitted by

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Deborah Carroll  
Administrative Secretary

Approved this 15<sup>th</sup> day of May 2007 by the Andover City  
Planning Commission/ Board of Zoning Appeals, City of  
Andover.