

(Ordinance published at [www.andoverks.gov](http://www.andoverks.gov) on June 14, 2025)

**ORDINANCE NO. 1965**

**AN ORDINANCE APPROVING THE RECOMMENDATION OF THE ANDOVER CITY PLANNING COMMISSION CHANGING THE ZONING DISTRICT CLASSIFICATION OF CERTAIN LANDS LOCATED IN THE CITY OF ANDOVER, KANSAS, UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY.**

WHEREAS, the Governing Body of the City of Andover, Kansas (the “City”) has received a recommendation from the Andover City Planning Commission on Case No. Z-PUD25-0006; and

WHEREAS, the Governing Body finds proper notice was given and a public hearing was held on Case No. Z-PUD25-0006 on May 20, 2025, all as provided by law and under authority and subject to the provisions of the Zoning Regulations of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS:**

Section 1. The recommendation of the Planning Commission is hereby approved and the Zoning Regulations of the City of Andover, Kansas are hereby amended to modify and amend the Preliminary Planned Unit Development Plan, Tuscan Addition, as depicted in Exhibit A incorporated herein.

Legal Description

Tuscan Addition Planned Unit Development, located in the Southern Half of the Southeast Quarter of Section 31, Township 27 South, Range 03 East, in Butler County, Kansas

General Location

S. Vintage Dr., Andover, Butler County, Kansas

Section 2. Upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map is hereby reincorporated as a part of the Zoning Regulations as amended.

Section 3. This Ordinance shall take effect and be in full force from and after its adoption by the Governing Body of the City, approval by the Mayor and publication once in the official newspaper of the City.

*[Remainder of Page Intentionally Left Blank]*

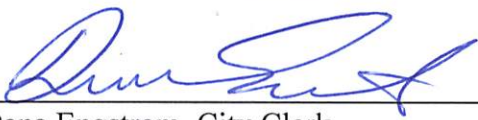
PASSED, ADOPTED AND APPROVED by the Governing Body of the City of Andover,  
Kansas the 10th day of June, 2025.

CITY OF ANDOVER, KANSAS



ATTEST:

  
\_\_\_\_\_  
Ronnie Price, Mayor

  
\_\_\_\_\_  
Dana Engstrom, City Clerk

**EXHIBIT A**

**[see included PUD]**

Z-PUD25-0006 - Tuscany Preliminary PUD Amendment

Menu      Reports      Help

File Date: [03/14/2025](#)

Application Status: [Plan Review](#)

Assigned To:

Description of Work: [Revise lot layout of portion of Preliminary PUD that was proposed to be platted at Tuscany Addition Fourth Phase.](#)

Application Detail: [Detail](#)

Application Type: [Amend Planned Unit Development](#)

Documents:	File Name	Document Group	Category	Description	Type	Docun
	<a href="#">21S04034 Drainage Base...</a>	PLNG_PUD	(Preliminary) D...		application/pdf	Uploac
	<a href="#">21S04034 Drainage Base...</a>	PLNG_PUD	(Preliminary) G...		application/pdf	Uploac
	<a href="#">3068543 TCMT first ame...</a>	PLNG_PUD	Title Report		application/pdf	Uploac
	<a href="#">Mortgage Release - Boo...</a>	PLNG_PUD	Other Support D...	Mortgage Release	application/pdf	Uploac
	<a href="#">Tuscany 5th Addition F...</a>	PLNG_PUD	Other Plans	Final PUD	application/pdf	Uploac
	<a href="#">Tuscany Addition Revis...</a>	PLNG_PUD	Site Plan	Revised Preliminary...	application/pdf	Uploac
	<a href="#">Tuscany Addition Utili...</a>	PLNG_PUD	Utility Plan		application/pdf	Uploac
	<a href="#">Show all</a>					

Address: [0 N VINTAGE Dr.](#)

Owner Name: [AIR CAPITOL INDUSTRIAL PARK LLC](#)

Owner Address: [5841 N PROSPECT RD, PARK CITY, KS 67204 200](#)

Application Name: [Tuscany Preliminary PUD Amendment](#)

Parcel No: [3093104010025000](#)

Contact Info:	Name	Organization Name	Contact Type	Status
	<a href="#">Eric Gilbert</a>	<a href="#">Air Capitol Ind...</a>	Applicant	Active
	<a href="#">Lou Robelli</a>	<a href="#">Air Capitol Ind...</a>	Applicant	Active
	<a href="#">William Clevenger</a>	<a href="#">Garver</a>	Surveyor	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #
	Yes	<a href="#">15373</a>	Engineer	Kenneth Lee	Garver	

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$0.00](#)

Total Fee Invoiced: [\\$0.00](#)

Balance: [\\$0.00](#)

Custom Fields:

ESTABLISH PUD DETAILS

Development Type of PUD

[Residential](#)

Amendment to the zoning is requested for the following reasons

[Revise Preliminary PUD to change lot sizes and adjust parcel sizes, i  
g changed.](#)

OFFICE USE ONLY

Number of Prints of the Final Plat received

Final drainage plan, if required, received

Copy of Proposed Restrictive Covenants, If any, Received Including Waiver of Protest to annexation

Methods for financing and guaranteeing i

Topographic drawing, if required, Received for plats for small tract

Original drawing or photographic equival

Office Use Establish/Amendment

This application was received by the Zoning Administrator at Date

This application was received by the Zoning Administrator at tim

Property Dimensions

Feet in depth by

Feet in width

Square feet in area

NEW STREET LINEAL FEET DETAILS

Street Name R/W Width Lineal Feet

Proposed Use Detail

Zoning or Overlay District Proposed # of lots (Number) Proposed min. lot area (Number) Average lot area (Number) Proposed min. lot width (Number) Prop

Existing Permit/Authorization

Type of Permit/Authorization Issued By Issued Date Expiration Date

Public Notification

Name Contact Type Mailing Address Email Address Note

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	<a href="#">Application Intake</a>		Accepted	03/17/2025	Dylan Carroll
	<a href="#">Plans Distribution</a>		Ready for Re...	03/17/2025	Dylan Carroll
	<a href="#">Director</a>	Les Mangus			
	<a href="#">Engineering</a>	PEC Engineer			
	<a href="#">Fire</a>	Mike Roosevelt			
	<a href="#">Public Works</a>	Richard Lanzrath			
	Utility Companies				
	<a href="#">Public Works-Stormwate...</a>	Matthew Perez			
	Transportation Engineer				
	<a href="#">Assistant Director</a>	Connor Boyd			
	Subdivision Committee				
	Review Consolidation				
	City Council				
	Closure				
	Planning Commission				

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
Application Comments:	View ID	Comment		Date		

Initiated by Product: ACA

Scheduled/Pending Inspections: Inspection Type Scheduled Date Inspector Status Comments

Resulted Inspections: Inspection Type Inspection Date Inspector Status Comments

[illegible]

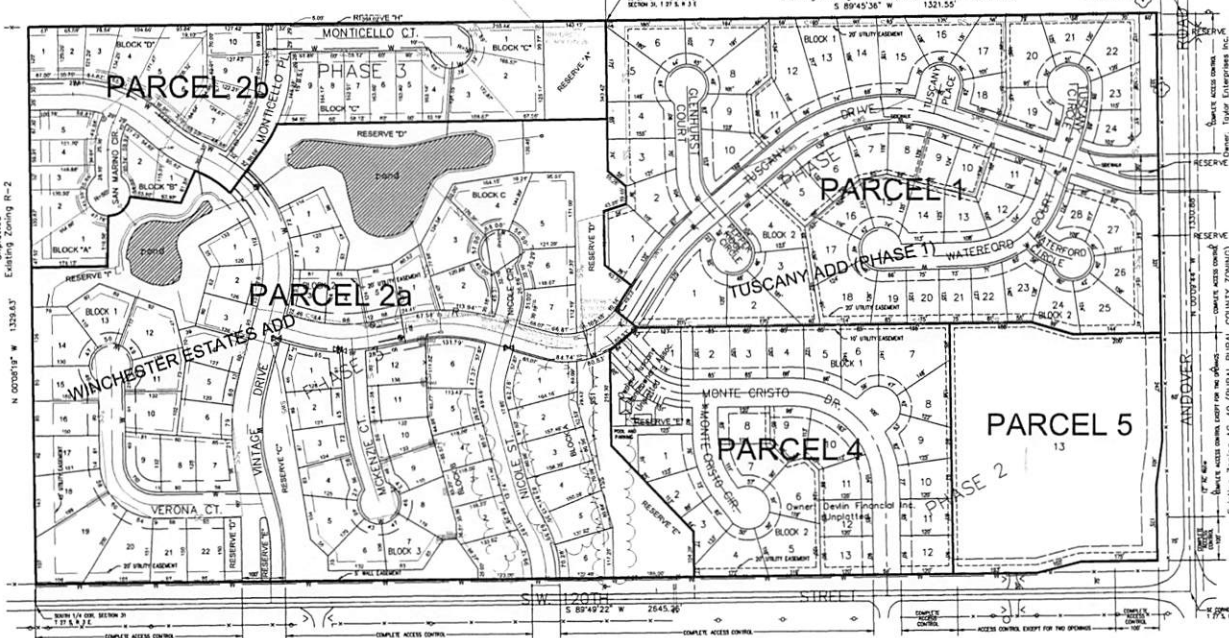
1. Total gross area is 1.6 +/- acres. (3.0 acres for Andrew Road and SR 1200 Street are included in the 3.3 +/- acres total.)
2. Gross parcel areas are bounded by the nearest berth of an acre.
3. Gross parcel gross includes other parcel descriptions include gross for open space and green right-of-way as outlined within respective boundaries for each parcel.
4. 0.2 +/- acres are reserved for common open space with constitute 12.5% of the total gross area.
5. The development is proposed to contain a 3-2 (Step-Down) Residential District, a 3-3 Multiple-Family Residential District and a 3-1 Neighbourhood Business District.
6. Minimum single-family lot size for Parcel 2b shall be 5,000 +/- S.F.  
Minimum single-family lot size for all other areas shall be 4,000 +/- S.F.
7. Typical single-family lot sizes vary as shown.



- FENCE  
 SANITARY SEWER (CITY OF ANDOVER)  
 PROPOSED SANITARY SEWER  
 UNDERGROUND CABLE TELEVISION (COMMUNICATIONS)  
 UNDERGROUND TELEPHONE (AT&T)  
 STORM WATER SEWER (CITY OF ANDOVER)  
 PROPOSED STORM WATER DRAIN  
 GAS LINE (KANSAS GAS SERVICE)  
 WATER MAIN (CITY OF WICHITA)  
 PROPOSED WATER MAIN

- [illegible]

Owner: Marshall William Murphy Living Trust  
Unplatted  
Existing Zoning AG-40 (RURAL COUNTY)



See Ownership List for Properties  
South of S.W. 120th Street  
Existing Zoning RURAL RESIDENTIAL DISTRICT (RURAL COUNTY ZONING)

Winchester Developers LLC  
9515 E. Harry St., Ste 406  
Wichita, Kansas 67207

REMARKS  
CHIEFLY ON NW COR OF CONC. MOUNT AT SE COR, ADDISON RD. & PARKER. ELEV. 1316.73

CHISELED SQUARE ON THE TOP OF CURB ON THE  
SOUTH SIDE OF TUSCANY DR., 111' E. OF THE  
CENTERLINE OF MAINTENANCE CT.  
ELEVATION = 1.304.67 (NAVD83, GDS)

CHESELY SOLAR ON THE TOP OF CLIFF ON THE  
EAST SIDE OF MONTAGE DR., 200' N. OF THE  
CENTERLINE OF TUSCANY DR.  
ELEVATION = 1,004.49 (NAD83, STATE)

DWG FILE: PRELIM.PUD.REV  
PROJECT NO: 141-2402756  
MAY 14, 2025



POE & ASSOCIATES OF KANSAS, INC.  
CONSULTING ENGINEERS  
5940 E. Central, Suite 200 Wichita KS 67208 316/685-4114 Fax 316/685-4444

# TUSCANY ADDITION

## Fifth Phase Final Planned Unit Development Plan, A Replat of Tuscan Addition Fourth Phase, an Addition to Andover, Butler County, Kansas.

Lying in a portion of the SE1/4 of Section 31, Township 27 South, Range 3 East of the 6th  
Principal Meridian, Andover, Butler County, Kansas, and being part of the Tuscan Addition  
Preliminary Planned Unit Development Plan.

### GENERAL PROVISIONS & PARCEL PROVISIONS

1. All utilities shall be installed underground. Easements shall be determined on the  
final PUD plat & plan. Utilities are permitted to cross well easements underground.

### 2. Street Requirements:

- A. Public Street:
  1. The pavement section for public streets shall meet the City of Andover Standards.
  2. Right of way and pavement widths for public street are as follows:
    - 70' right of way - 37' roadway width (back of curb to back of curb) with curb and gutter.
    - 64' right of way - 35' roadway width (back of curb to back of curb) with curb and gutter.
    - 58' right of way - 28' roadway width (back of curb to back of curb) with curb and gutter.
  3. There shall not be gated access on public streets.

B. Curb-to-de-sacs: All curb-to-de-sacs shall have a minimum property line diameter of 100 feet. Maximum length for a curb-to-de-sac shall not exceed 500 feet or seven times the average lot width. All curb-to-de-sacs shall have a minimum curb diameter of 70 feet.

3. **Drainage:** An overall grading and drainage plan shall be provided as a separate instrument based on a hydrology study. This plan shall be general in character but establish the overall grading and drainage requirements. A final lot grading plan shall be submitted with each final PUD plat & plan which shall include a minimum foundation opening elevation for each lot and elevations of any grading for drainage purposes and/or curb elevations.

4. **Signs:** Signs for all residential parcels designating the name of the development shall be permitted in reserves at the entrance to the overall project and to the proposed parcels. The maximum size shall be as per zoning regulations.

5. **Restrictive Covenants:** Shall be filed with the final PUD plat & plan for each parcel.

6. **Relationship to Comprehensive Plan:** The PUD is in keeping with Andover's Comprehensive Development Plan for this Area. Appropriate city zoning and subdivision regulations have been utilized as a basis for design of the PUD. The proposed development is located in a vacant urban area along an arterial street. The proposed single-family lots adjoin the similar neighboring lots.

7. **Homeowners Association:** A Homeowner's Association will be created for this Addition and will be responsible for the maintenance of open space, reserves, parking areas, signs, logos, berms, landscaping, buffer areas, drainage channels, swales, hedge rows within adjacent arterial street right of ways. Failure to properly maintain the areas listed above shall give the City of Andover the right to properly maintain the areas listed and to assess the cost of maintenance to the property owner.

### 8. Phasing Schedule:

- A. Utilities to be installed in one phase.
- B. Development of structures in this addition will be developed in one phase.

9. Only residential uses will be allowed within this PUD.  
Sidewalk: An 8 foot sidewalk is proposed along the north side of Vintage Drive and a 6 foot sidewalk along the east side of Monticello Place.

10. No development shall occur on parcels without paved access.

11. The reserve uses shall be as listed in the Owner's Certificate on this sheet. The Reserves are to be owned and maintained by Winchester Developers, LLC. Their successors and/or assigns, until such time that a homeowners association is charged with the responsibility.

12. All streets shall be public. Sanitary sewer, waterlines, storm sewers, detention ponds, and streets are to be public financed utilizing easements if and where bonded indebtedness will permit.

13. **Cross Lot Drainage:** Surface stormwater drainage is permitted over and across all parcels. Underground drainage systems are to be located within drainage easements.

14. Setbacks are as indicated in parcel descriptions. For all lots the front yards are 25 ft. Corner lots at street intersections shall have one 25 foot front yard setback and a 15 foot front yard setback on the other street as shown. Lots with 15 foot setbacks abutting the right-of-way of collector street, Vintage Drive, shall not be permitted access to collector street. Access is permitted over all other 15 foot setbacks with the provision that a garage fronting the 15 foot setback shall have a 25 foot setback. For all lots the side yards are 5 ft.

### PARCEL NO. 2b

#### PART OF PRELIMINARY P.U.D. PARCEL NO. 2b

Proposed Zoning - R-2 Single-Family Residential District  
Proposed Uses - Single-family dwellings, open space and all uses permitted in proposed reserves  
Gross parcel area - 8.41+/- acres  
Open Area - 0.21+/- acres  
Street ROW - 2.31+/- acres  
Net parcel area - 7.11+/- acres (gross area less street right-of-way)  
Dwelling units - 28  
Net density - 3.88 DU/Acre  
Gross density - 2.77 DU/Acre  
Maximum bldg. coverage - 3500 S.F. or 35% of lot area  
Maximum bldg. height - 35 ft.  
Minimum Setbacks - Front 25' and 15' as shown, Rear 25', Side 8'  
Parking ratio - 2.0 D.U./S.F.  
Minimum Lot Width on curb-to-de-sac bulb - 49 feet measured along building setback line  
Minimum Lot Width on all other lots - 55 feet measured along building setback line  
Minimum Lot Area - 7,000 square feet

State of Kansas)  
SS  
Sedgwick County)

We, Garver, LLC, Land Surveyors in aforesaid county and state, do hereby certify that, under the supervision of the undersigned, we have surveyed and platted "TUSCANY ADDITION", Fifth Phase Final Planned Unit Development Plan, a Replat of Tuscan Addition Fourth Phase, an Addition to Andover, Butler County, Kansas, that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief and that the accompanying plat is a true and correct exhibit of the property surveyed, described as follows:

Tuscan Addition Fourth Phase, an Addition to Andover, Butler County, Kansas.

All public easements and dedications are hereby vacated by virtue of K.S.A. 12-512b, as amended.

(SEAL)

Garver, LLC.

Professional Surveyor  
William K. Clevenger

Know all men by these presents that we, the undersigned, have caused the land described in the surveyor's certificate to be platted into Lots, Blocks, Reserves and Streets, to be known as "TUSCANY ADDITION", Fifth Phase Final Planned Unit Development Plan, a Replat of Tuscan Addition Fourth Phase, an Addition to Andover, Butler County, Kansas. The drainage & utility easements are hereby granted to the public for drainage purposes and for public and franchised utilities. The utility easements are hereby granted for public and franchised utilities. Reserve "A" is hereby reserved for open space, irrigation, walls, signage, logos, benches, picnic tables, gazebos, recreation facilities, playground equipment, walkways, lighting, landscaping, ponds, drainage, drainage structures, and utilities confined to easements. Reserve "B" is hereby reserved for open space, irrigation, walls, landscaping and utilities. The Reserve are to be owned and maintained by Air Capital Industrial Park, LLC, their successors and/or assigns. A homeowner's association shall be created for this Final Planned Unit Development plan and plat for the maintenance of open space, reserves, signs, logos, berms, landscaping, buffer areas, drainage, channels, and swales. Said document shall be received by the City and recorded with the Butler County Register of Deeds. Failure of the Homeowner's Association(s) to properly maintain the areas listed above shall give the City the right to properly maintain the areas listed and to assess the cost of maintenance to the property owners. A drainage plan has been developed for this plat and all drainage easements, rights-of-way, or reserves shall remain at established grades, or as modified with the approval of the City Engineer, and unobstructed to allow for the conveyance of stormwater.

Air Capital Industrial Park, LLC

Member  
Louis Robell

State of Kansas)  
SS  
Sedgwick County)

The foregoing instrument acknowledged before me, this \_\_\_\_ day of

\_\_\_\_\_, 2025, by Louis Robell, Member of Air Capital Industrial Park, LLC, on behalf of the company.

(SEAL)

Notary Public

My appointment expires \_\_\_\_.

We the undersigned, holders of a mortgage on a portion of the above described property, do hereby consent to this plat of "TUSCANY ADDITION", Fifth Phase Final Planned Unit Development Plan, a Replat of Tuscan Addition Fourth Phase, an Addition to Andover, Butler County, Kansas.

Legacy Bank, N.A.

Executive Vice President  
Rex Reynolds

State of Kansas)  
SS  
Sedgwick County)

The foregoing instrument acknowledged before me this \_\_\_\_ day of \_\_\_\_\_.

2025, by Rex Reynolds, Executive Vice President of Legacy Bank, N.A., on behalf of the Bank.  
\_\_\_\_\_, Notary Public

My appointment expires \_\_\_\_.

State of Kansas)  
SS  
City of Andover)

This plat of "TUSCANY ADDITION", Fifth Phase Final Planned Unit Development Plan, a Replat of Tuscan Addition Fourth Phase, an Addition to Andover, Butler County, Kansas, has been submitted to and approved by the Andover City Planning Commission.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2025.

Andover City Planning Commission

Chair  
Vance Garwood

ATTEST:  
Secretary  
Gary Israel

State of Kansas)  
SS  
City of Andover)

All dedications shown on this plat are accepted by the City Council

of the City of Andover, Kansas, this \_\_\_\_ day of \_\_\_\_\_, 2025.

At the Direction of the City Council

Meyer  
Ronnie Price

ATTEST:  
City Clerk  
Diane Engstrom

Reviewed in accordance with K.S.A. 50-2005 on this \_\_\_\_ day of \_\_\_\_\_, 2025.

(SEAL)

Appointed Surveyor  
Butler County, Kansas  
Gerald E. Dixon, PLS 1516

Entered on transfer record this \_\_\_\_ day of \_\_\_\_\_, 2025.

County Clerk  
Tatum Stafford

State of Kansas)  
SS  
Butler County)

This is to certify that this plan and plat has been filed for record in the office of the

Register of Deeds, this \_\_\_\_ day of \_\_\_\_\_, 2025, at \_\_\_\_ o'clock \_\_\_\_ M., and is duly recorded.

Book \_\_\_\_ Page \_\_\_\_.

Register of Deeds  
Jacque Roberts

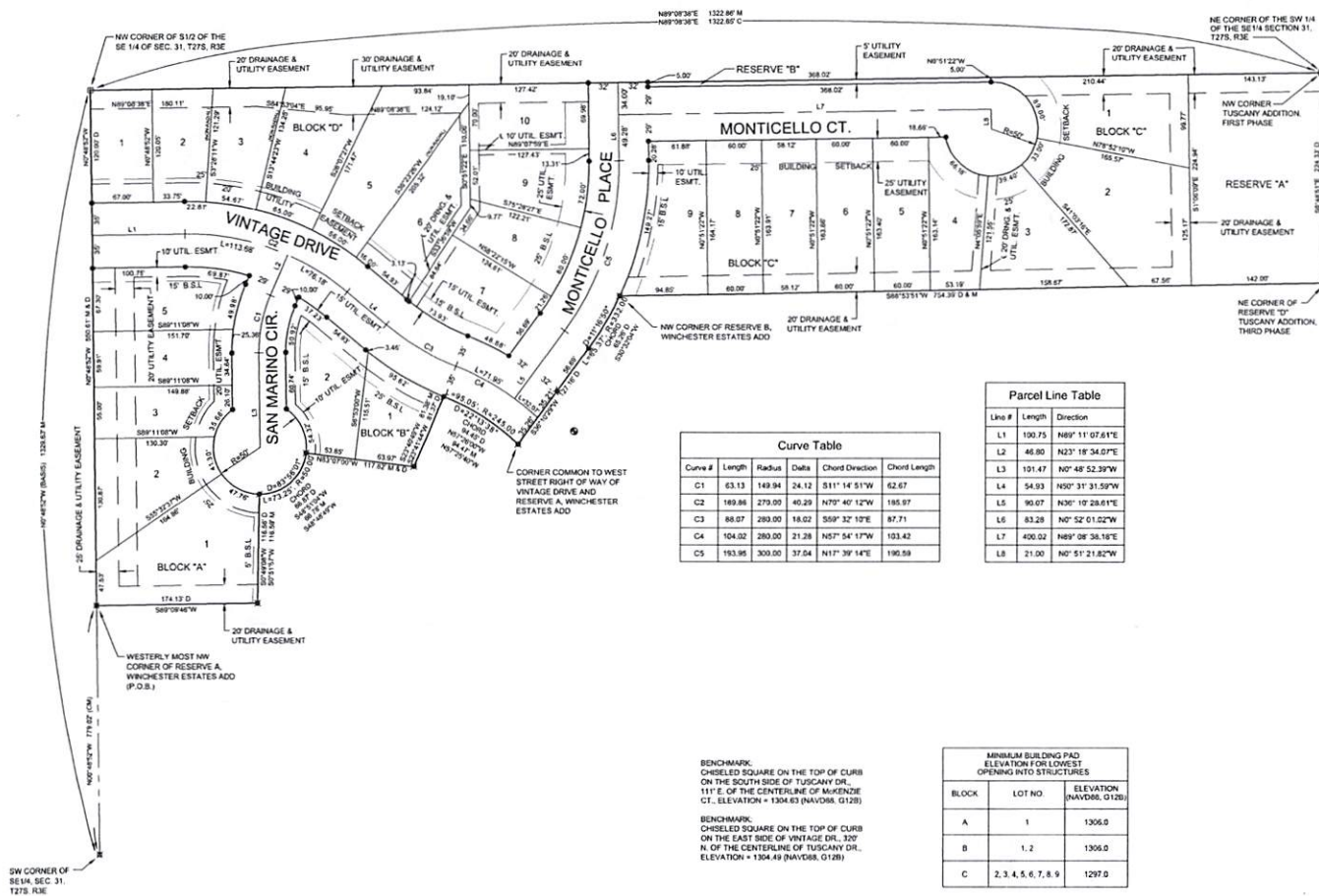
(SEAL)



# TUSCANY ADDITION

Fifth Phase Final Planned Unit Development Plan,  
A Replat of Tuscany Addition Fourth Phase,  
an Addition to Andover, Butler County, Kansas.

Lying in a portion of the SE 1/4 of Section 31, Township 27 South, Range 3 East of the 6th  
Principal Meridian, Andover, Butler County, Kansas, and being part of the Tuscany Addition  
Preliminary Planned Unit Development Plan.



SHEET 2 OF 2



(BASED) = Kansas Coordinate System of 1983,  
South Zone Grid Bearing.  
M = Measured  
L = Locality  
B.S.L. = Building Setback Line

## SURVEY MARKER LEGEND

- CONCRETE MONUMENT (FOUND - ORIGIN UNKNOWN)
- 5" P REBAR W/WHIPER CAP (FOUND)
- 5" P REBAR W/POE CAP (FOUND)
- STANDARD BUTLER COUNTY ALUMINUM CAP (FOUND)
- 5" P REBAR (FOUND - ORIGIN UNKNOWN)
- 5" P REBAR W/WHIPER CAP (SET)
- MONUMENT TO BE SET WITH STREET CONSTRUCTION PROJECT BY THE STREET DESIGNER
- BENCHMARK