

(Ordinance published at 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, Tuscany Addition, as depicted in Exhibit A incorporated herein.

Legal Description

Tuscany 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.

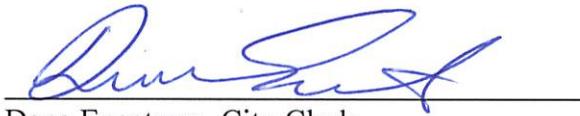
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PASSED, ADOPTED AND APPROVED by the Governing Body of the City of Andover,
Kansas the 10th day of June, 2025.

CITY OF ANDOVER, KANSAS



ATTEST:



Dana Engstrom, City Clerk



Ronnie Price, Mayor

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
	21S04034 Drainage Base...	PLNG_PUD	(Preliminary) D...		application/pdf	Uploac
	21S04034 Drainage Base...	PLNG_PUD	(Preliminary) G...		application/pdf	Uploac
	3068543_TCMT_first_ame...	PLNG_PUD	Title Report		application/pdf	Uploac
	Mortgage_Release - Boo...	PLNG_PUD	Other Support D...	Mortgage Release	application/pdf	Uploac
	Tuscany 5th Addition F...	PLNG_PUD	Other Plans	Final PUD	application/pdf	Uploac
	Tuscany Addition Revis...	PLNG_PUD	Site Plan	Revised Preliminary...	application/pdf	Uploac
	Tuscany Addition Utili...	PLNG_PUD	Utility Plan		application/pdf	Uploac

[Show all](#)

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
	Eric Gilbert	Air Capitol Ind...	Applicant	Active
	Lou Robelli	Air Capitol Ind...	Applicant	Active
	William Clevenger	Garver	Surveyor	Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #
	Yes	15373	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, if 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) Proposed

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
Application Intake		Accepted	03/17/2025	Dylan Carroll
Plans Distribution		Ready for Re...	03/17/2025	Dylan Carroll
Director	Les Mangus			
Engineering	PEC Engineer			
Fire	Mike Roosevelt			
Public Works	Richard Lanzrath			
Utility Companies				
Public Works-Stormwater	Matthew Perez			
Transportation Engineer				
Assistant Director	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

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 Streets:
 - 1. The minimum 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 - 29' 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-edges: All curb-edges shall have a minimum property line diameter of 100 feet. Maximum length for a curb-edge shall not exceed 500 feet or seven times the average lot width. All curb-edges shall have a minimum curb diameter of 70 feet.

C. Drainage: An overall grading and drainage plan shall be provided as a separate instrument 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.

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

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

F. 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 align the similar neighboring lots.

G. Homeowners Associations: 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, pavilions, 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.

6. Planning Schedule:

- A. Utilities to be installed in one phase.
- B. Development of structures in this addition will be developed in one phase.
- C. Only residential uses will be allowed within this PUD. Sidewalks - A 6 foot sidewalk is proposed along the north side of Vintage Drive and a 5 foot sidewalk along the east side of Monticello Place.
- D. No development shall occur on parcels without paved access.
- E. 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 assigns. A Reserve Fund shall be created for the maintenance of these reserves, and such time that a homeowners association is charged with the responsibility.
- F. All streets shall be public. Sanitary sewer, waterlines, storm sewers, detention ponds, and streets are to be paid for by the public financial utilizing assessments if and where bonded indebtedness will permit.
- G. Cross Lot Drainage: Surface stormwater drainage is permitted over and across all parcels. Underground drainage systems are to be located within drainage easements.
- H. 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 granted access to collector street. Access is permitted over all other 15 foot setbacks with the proviso 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 - 9.44/- acres

Open Area - 0.64/- acres

Street ROW - 2.34/- acres

Net parcel area - 7.14/- acres (gross area less street right-of-way)

Driveway access - 1.00/- acres

Net density - 3.65 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 5'

Parking ratio - 2.0 DU/acre

Minimum Lot Width on all other lots - 55 feet measured along building setback line

Minimum Lot Width on all other lots - 49 feet measured along building setback line

Minimum Lot Area - 7,000 square feet

State of Kansas)
SS
Sedgewick 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 plotted "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. Cleverger

State of Kansas)
SS
Sedgewick 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

Mayor

Ronnie Price
ATTEST: _____ City Clerk
Dane Engstrom

Reviewed in accordance with K.S.A. 55-2003 on this ____ day of _____. 2025.

(SEAL) _____ Appointed Surveyor
Gerald E. Dixon, PLS 1516
Butler County, Kansas

Entered on transfer record this ____ day of _____. 2025.

Tatum Stafford
County Clerk

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 ____.
Jacque Roberts
Register of Deeds

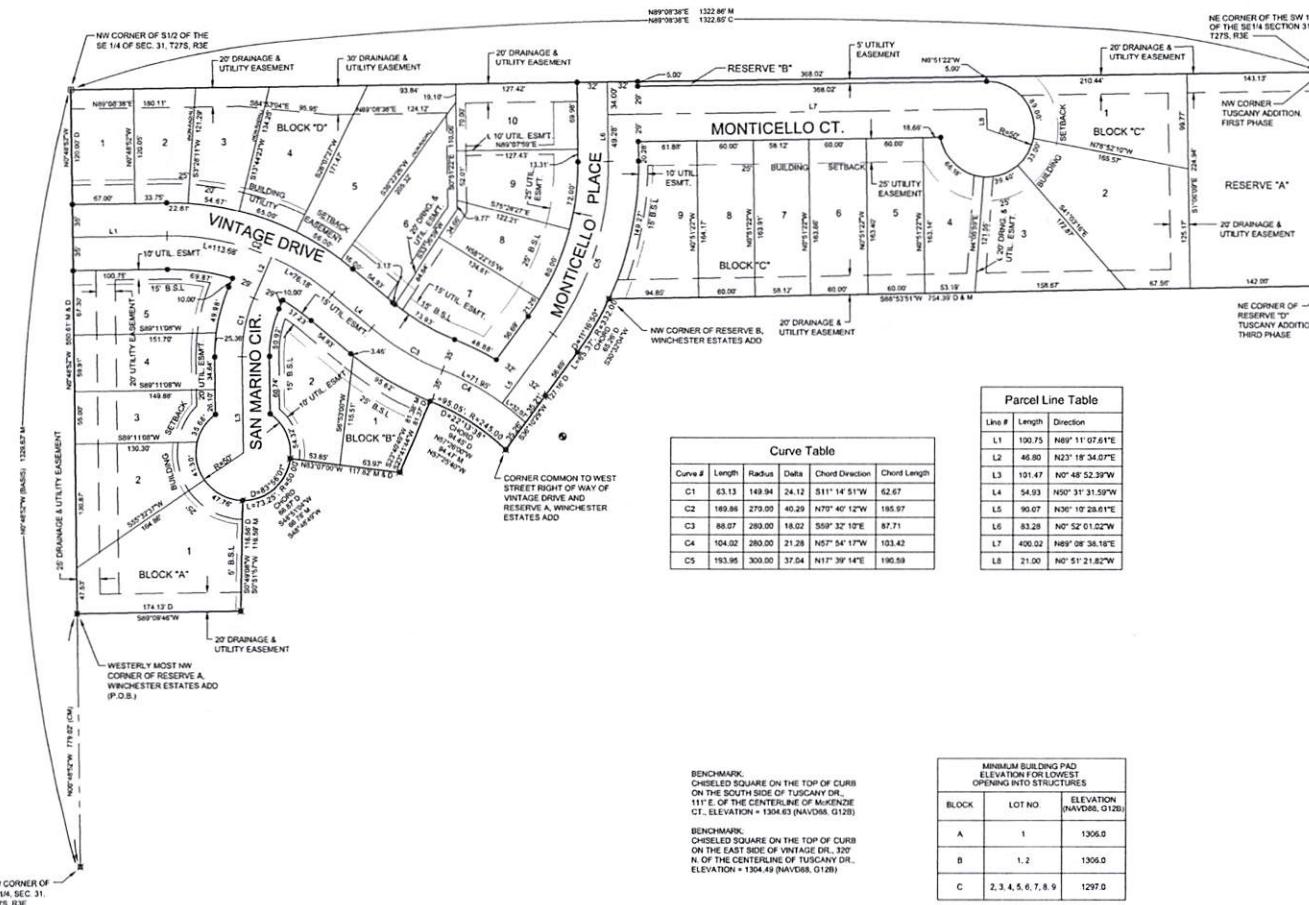


DW FILE T41-3402796 SURVEY BASE
PROJECT NO. T41-3402796
MAY 14, 2025
www.GarverUSA.com

TUSCANY ADDITION

Fifth Phase Final Planned Unit Development Plan,
A Replat of Tuscany Addition Fourth Phase,
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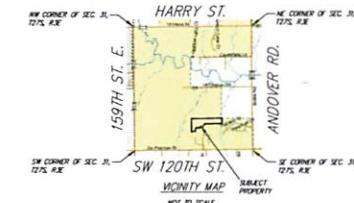


(BASE) = Kansas Coordinate System of 1983.
South Zone Grid Bearing.

M = Measured
D = Described
B.S.L. = Building Setback Line

SURVEY MARKER LEGEND

- CONCRETE MONUMENT (FOUND - ORIGIN UNKNOWN)
- 5/8" REBAR W/ GARVER CAP (FOUND)
- 5/8" REBAR W/ GARVER CAP (FOUND)
- STANDARD BUTTERFIELD ALUMINUM CAP (FOUND)
- 5/8" REBAR (FOUND - ORIGIN UNKNOWN)
- 5/8" REBAR W/ GARVER CAP (SET)
- MONUMENT TO BE SET WITH STREET CONSTRUCTION
PROJECT BY THE STREET DESIGNER
- BENCHMARK



SHEET 2 OF 2

DWG FILE T41-2402756 SURVEY BASE
PROJECT NO. T41-2402756
MAY 14, 2025



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