

## City of Andover, Kansas

### **Instructions To Establish A Planned Unit Development District**

Application Fee \$500 plus \$5 per acre over 20 acres

1. An application form to establish a PUD—Planned Unit Development District must be completed, signed by all the property owners or by their authorized agent(s) and filed with the Zoning Administrator. Contract purchasers or other persons having enforceable proprietary interests shall be deemed to be property owners. (ZE Section 4-113(B) 1(a) (5).)
2. The application shall identify whether the proposed PUD is being established for “residential development” or “general development.” (ZR Section 4-113 (A) 2.)
3. The application must be accompanied by a current ownership list as shown on the latest tax assessment roll of the names, mailing address and zip codes of the property owners within 200 feet of the boundary of the property for which the zone change is requested whether the property is inside or outside the City Limits. The Zoning Administrator as required by State law will mail to all property owners on the ownership list a notice 20 days prior to the public hearing on the PUD by the City Planning Commission.
4. The application must be accompanied by a fee to the City of \$500.00 plus \$5.00/acre over 20 acres to defray the cost of notices, legal advertisements, inspection and administration of the zone case. This fee is not refundable and does not include recording documents, engineering costs, etc., as noted in Section 3-107(C) of the City Subdivision Regulations.
5. The City Planning Commission meets monthly to consider zoning applications. In order that an application be heard, it must be filed with the Zoning Administrator at least 30 days before the next regular Commission meeting. This time is needed to notify nearby property owners, legally advertise in the official city newspaper so that 20 days elapse prior to the hearing, and assemble information on the case for the planning Commission.
6. It is the policy of the Planning Commission that any requests for a deferral of this case before the hearing shall be submitted to the Zoning Administrator at least five days preceding the advertised hearing date. If, at the discretion of the Chairman of the Planning Commission, such deferral is granted, notices of such deferral and of the next hearing date will be mailed to those who received original notice of the hearing. Applicants requesting deferrals will be charged with the cost of preparing and mailing new notices.
7. After the Planning Commission hearing on the case, their recommendation will be forwarded to the City Council who will meet to consider the matter after a 14-day waiting period to provide for the legal time within which protest petitions, if any, may be submitted. If the City Council approved the Preliminary PUD Plan upon the recommendation of the Planning Commission, an ordinance effectuating the district will be published in the official city newspaper. If the City Council desires to revise or amend the recommendation of the Planning Commission, whether it be for approval or disapproval, the matter must be returned to the Planning Commission for its reconsideration for at least 10 days and after such reconsideration, the Council may proceed to a final determination in the case.
8. It is the policy of the Planning Commission that nothing shall prohibit submission of information relating to the appropriateness for the case. Any material, however, such as

renderings, sketches, or pictures of the existing area, submitted at the hearing shall become the property of the Commission and a part of the case file.

9. An application shall be accompanied by a Preliminary PUD Plan according to Section 4-113(C) 1-11 of the City Zoning Regulations. The plan shall meet the standards and criteria of Section 4-113(B) and consist of the following information and documents which may be presented in a format which best conveys the data for review purposes: (References are pertinent sections of the Zoning Regulations (ZR) and the Subdivision Regulations (SR).)
  - A. Site plan showing the location and arrangement of existing and proposed structures, traffic circulation, parking, access, lots and open space. (ZR Section 4-113(C) 1 and (B) 1(a) (11).)
  - B. Applicable information required for a preliminary plat. (SR Section 5-100.) Of particular importance, are the provisions to be made for storm water drainage, such plat information including drainage may be combined with the site plan or be presented separately depending upon the complexity of the information. (ZR Section 4-113(B) 1(a) (6) and (12).)
  - C. Statement of the proposed residential densities, gross floor area and percentage of total property covered by structures (ZR Section 4-113(C) 3 and (B) 2(a) and (d).)
  - D. Preliminary sketches and/or description of screening and landscaping features. (ZR Section 4-113(C) 4; (B) 1(a) (9) and (10).)
  - E. Schedule for construction in phases, where desired, and data on residential density and percentage of common open space by phases. (ZR Section 4-113(C) 5; (B) 1(a) (1) and (B) 1(a) (7).)
  - F. Statement of the ownership and beneficial interests. (ZR Section 4-113(C) 6 and (B) 1(a) (5).)
  - G. The Planning Commission may require a traffic survey, if deemed necessary, to be paid by the applicant. (ZR Section 4-113(C) 7.)
  - H. Statement describing the relationship of the PUD to the elements of the Comprehensive Plan. (ZR Section 4-113(C) 8.)
  - I. Statement identifying whether the Plan will be limited to the business and industrial uses permitted in the underlying zoning districts or whether certain uses will be deleted or added. Special conditional uses designated in a district may be listed as permitted uses for the Plan if specific reference is made to them. (ZR Section 4-113(C) 9 and (B) 1(a) (8) and (B) 2(f). Also see, Section 4-113 (B) 2(e).)
  - J. Statement describing the ownership and maintenance provisions for any common open space and/or recreational facilities including incorporation and bylaws for any operating entity if other than a governmental authority. (ZR Section 4-113(C) 10 and (B) 2(a) and (b).)
  - K. Copies of any restrictive covenants proposed for recording. (ZR Section 4-113(C) 11 and (B) 1(a) (6).)
10. When the applicant desires to utilize an underlying district to the overlay PUD zone which is different than the present zoning, the application form shall contain a concurrent request to rezone a legally described portion or all of the property for one or more districts. Factors upon which the recommendation of the Planning Commission is based are listed in Section 11-100(I)

11. After approval of the Preliminary PUD Plan by the City Council, the applicant shall submit the draft of an ordinance establishing the PUD District with all the conditions attached and the extent to which existing districts have been modified. The Zoning Administrator shall provide a sample ordinance for this purpose. (ZR Section 4-113(D) 4.)
12. Within 15 days after being notified of the approval of the Preliminary PUD Plan by the City Council, the applicant shall prepare a statement to be filed with the County Recorder of Deeds Specifying pertinent information as described in Section 4-113(E) 2. Before recording the statement, the applicant shall submit the draft to the City Clerk to determine the sufficiency of the information.

APPLICATION TO ESTABLISH A  
PUD—PLANNED UNIT DEVELOPMENT DISTRICT

This is an application to accompany the submittal of a Preliminary PUD Plan in order to establish a PUD—Planned Unit Development District. The form must be completed and filed with the Zoning Administrator at the Andover City Hall, 1609 E. Central Ave., Andover, Kansas 67002, in accordance with directions on the accompanying instruction sheet.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

1. Name of applicant(s) and/or their agents(s). The owners of all property and proprietary interests requesting the PUD must be listed.

a. Applicant \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Agent, if any \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

b. Applicant \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Agent, if any \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

(Use separate sheet if necessary for names of additional applicants.)

2. This is an application for a residential ( ) general ( ) development type of PUD. (Check one.)

3. (Select appropriate request.)

a. The applicant hereby requests that a PUD be established as an overlay district to the existing \_\_\_\_\_ District.  
(Attach legal description for this property within the above district and for any other district which may be a part of the PUD boundary).

b. The applicant hereby requests a zone change from the \_\_\_\_\_ District to the \_\_\_\_\_ District and the \_\_\_\_\_ District with a PUD—Planned Unit Development District overlay zone. (Attach legal description for this property and for each district requested therein.)

*E-mail address of anyone wanting a meeting agenda.*

4. The dimensions of the property are \_\_\_\_\_ ft. by \_\_\_\_\_ ft. and \_\_\_\_\_ acres (round to the nearest tenth) or \_\_\_\_\_ square feet in area.

5. This property is located at (address) \_\_\_\_\_.

The general location is (use the appropriate section).

a. At the \_\_\_\_\_ corner of \_\_\_\_\_ Street and \_\_\_\_\_ Street, or

b. On the \_\_\_\_\_ side of \_\_\_\_\_ Street between \_\_\_\_\_ Street and \_\_\_\_\_ Street.

6. Is this property part of a recorded plat? \_\_\_\_\_ Yes \_\_\_\_\_ No

7. The property is presented used for \_\_\_\_\_ and this amendment to the zoning is requested for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. I (We) the applicant(s), acknowledge receipt of the instruction sheet and further state that I (We) have read the material. If an agent, I further state that I have or will provide the owner(s) of the property for which the PUD (and zone change(s) is requested, an explanation of or copy of this material. I (We) realize that this application cannot be processed unless it is complete and is accompanied by a current ownership list, the appropriate fee and the contents for a Preliminary PUD Plan.

\_\_\_\_\_  
Applicant Date

\_\_\_\_\_  
Applicant Date

\_\_\_\_\_  
Agent (if any) Date

\_\_\_\_\_  
Applicant Date

OFFICE USE ONLY.

This application was received by the Zoning Administrator at \_\_\_\_\_:\_\_\_\_\_ (a.m./ p.m.) on \_\_\_\_\_, 20\_\_\_\_. It has been checked and found to be complete and accompanied by the required ownership list, the application fee of \$\_\_\_\_\_ and the contents of a Preliminary PUD Plan.

Cc: Applicant

\_\_\_\_\_  
Leslie E. Mangus, Zoning Administrator