

Lone Elm Commerce Park / RZ26-0003
REQUEST FOR WAIVERS

In accordance with Olathe UDO Chapter 18.15 ‘Building and Site Design Standards’, please see the following request for waivers from Section 18.15.020 Building Design Standards Section G.10.:

(1) Transparent Glass on Primary Façade. Section G.10.a (3) requires a minimum of 15% transparent glass on first floor of primary facades. The applicant is providing transparent glass in the amount of 11% on the primary façade (north elevation), and 6% on the primary façade (west elevation) of Building #1. The applicant has also added glass at the primary corner features (implying a second level of office use) on both buildings, including corners not on the primary facades, to help enhance the impact of these areas.

The approving authority may approve waivers for items above if the applicant demonstrates one (1) or more of the following, and if the area proposed for modification is illustrated on the plat or site development plan:

(a) An alternative higher quality development design with no negative impacts to either the residential or nonresidential properties.

RESPONSE: The applicant believes that the proposed building design meets the intent of the Building Design Standards. The building types impose some limitations unique to the use (industrial). The waiver requested above have been addressed in an alternate but complimentary manner, anticipating the functional needs of the building users, while still maintaining the desired exterior design aesthetic. Further, this alternative design will have no negative impact to the adjacent residential or nonresidential properties.

(b) Development restrictions imposed on the property to ensure low impact land uses, low scale buildings and a site design arrangement in which adjoining residential properties will not be negatively impacted by any change in the applicable regulations.

RESPONSE: Not applicable.

(c) Existing topography, hedgerows or natural features provide significant screening and an appropriate buffer for adjoining properties.

RESPONSE: Not applicable

(d) Significant buffers are provided on adjoining residential properties and those properties will not be negatively impacted by a change in the applicable regulations.

RESPONSE: Not applicable.

(e) The regulation imposes an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design, building design and building arrangements are not possible. In such instances, findings shall be prepared that:

(i) No private rights will be injured or endangered by the waiver.

(ii) The public will suffer no loss or inconvenience thereby and that in justice to the applicant or applicants the application should be granted.

RESPONSE: The applicant is proposing an alternative building design that meets the intent of the City's design standards. No private rights will be injured or endangered by the waiver and the public will not suffer a loss or inconvenience thereby and that in justice to the applicant the application should be granted.