

# WAIVERS REQUESTED LETTER

May 27<sup>th</sup>, 2025

RE: Olathe C-Store PDP Application  
PR24-0025

To Whom It May Concern,

Per the city's request, this letter shall serve as an official request for modifications for the PDP Application PR24-0025. Waivers requested with justifications are:

1. UDO 18.15.115.C, which requires buildings to be constructed a maximum of 150 feet as measured from the property line. This applicant is requesting a waiver to allow for the construction of the building to setback approximately 168-feet from the north property line along Santa FE Street.
  - a. The proposed development is proposing a building outside of the maximum setback of 150ft per city code. Requesting modification for no maximum setback on the site.
  - b. Justification: This development has included placement of masonry retaining wall at 15-ft setting street edge and aligning with adjacent development (Hyper Energy) to the west. This development has added EV charging stations and enhanced landscaping to justify (Refer to Plan Set). The gas canopy is to be placed approximately 51.6-ft from the north/front property line as noted on Sheet C-101.
2. UDO 18.15.115.D, which requires The façade width within the frontage area of a site must be a minimum of thirty (30) percent of the lot width.
  - a. Due to the building location, the proposed development will not have 30% building façade in the street frontage area. Additionally, there is landscaping and a screening wall in the street frontage area. Requesting modification for exemption from street frontage area requirements.
  - b. Justification: This development has included placement of masonry retaining wall at 15-ft setting street edge and aligning with adjacent development (Hyper Energy) to the west. This development has added EV charging stations and enhanced landscaping to justify (Refer to Plan Set).
3. 18.15.020. G.7.b(1a) which requires buildings must use either three (3) materials from Class 1 or a combination of three (3) materials from Class 1 and Class 2 on no less than eighty (80) percent of the façade with a minimum of twenty-five (25) percent clear

glass on the first floor and thirty (30) percent clear glass on the upper floors. This applicant is requesting a waiver to not meet this on the sides of the buildings only.

- a. Due to the nature of the building, location and spaces internal to the building as well as loss prevention, we cannot have the extent of glazing on the sides and the rear. We request a modification to the glazing requirement of 25% to the numbers indicated on the elevations.
- b. Justification: On the front we have provided additional glazing beyond the 25% required, up to 36%.

If additional information is required, contact me at any time.

Sincerely,

Patrick J. Joyce, P.E.  
Senior Project Manager | Kimley-Horn and Associates, Inc.