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October 15, 2019

Dan Fernandez  
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City of Olathe  
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**Re: Planning waiver for KOMA Olathe PR19-0023**

Waiver request for Façade Expression - transparent glazing and pedestrian orientation at north elevation. North elevation currently has 13% glazing as opposed to the required 20% at primary elevations.

Comment: For this building, all elevations are considered primary. All design requirements must be met for all elevations

*The request arises from a condition unique to the property in question, is not ordinarily found in the same zoning district and is not created by an action or actions of the landowner or the applicant.*

The existing lot is located approximately 7' lower than the intersection of College Blvd. and Noble Drive and will require a retaining wall that will obscure a good deal of the North elevation. Conformance to the design requirements could only be accomplished the addition of over 100 SF of non-vision spandrel glazing on the north elevation located in storage closets in an area that is barely visible from the street and sidewalk.

*Granting the request will not adversely affect the rights of adjacent landowners or residents.*

Granting the request will in no way adversely affect the right of adjacent landowners or residents. The new building will enhance the development for adjacent businesses and landowners by increased patron traffic.

*The strict application of the provisions of the ordinance would constitute unnecessary hardship on the landowner or applicant.*

Strict applications of the ordinance would constitute unnecessary financial hardship on the applicant. Adding spandrel (non-vision) glazing to purely meet the design category % without a benefit to the building or development is not reasonable.

*Granting the request will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.*

Granting the request would in no way adversely affect public health, safety, morals, order, convince, prosperity or general welfare. The development of the vacant land with the addition of vibrant martial arts studio committed to building character to youth will improve the general welfare of the area.

*Granting the request will oppose the general spirit and intent of the Composite building standards.*

Granting the request would not oppose the general spirit of the building standards. The topography of the site and building design meet and uphold as much as is possible for the building to function and operate without features and glazing providing not benefit to the users or development.

Sincerely,  
Chris Jimenez  
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