



July 17, 2026

Planning Commission
City of Olathe
100 East Santa Fe Street
Olathe, KS 66061

RE: Request for Waiver/ UDO 18.40.240 D/ Utilization of Box Truck

Olathe Planning Commission:

Starfish Project Foundation requests a waiver for the use of a box truck at 16175 W Santa Fe, required by UDO 18.40.240 D of the Olathe Municipal Code

Starfish Project Foundation is seeking consideration for approval of a waiver requesting an exemption to Olathe City Ordinance 18.32.060 *Development and Performance Standards for CP-1 Developments*.

Section "F" of this ordinance states, *No merchandise shall be stored or displayed outside the building, and no equipment or vehicles other than passenger vehicles shall be stored outside a building. A business may have no more than two (2) delivery vehicles, provided that the delivery vehicles shall be customary passenger automobiles or small pickup trucks or vans.*

Our current operating model utilizes a standard sixteen-foot box truck. This truck, including the driver/passenger cab, will measure approximately twenty feet in length overall. This truck is used to pick up food and/or merchandise donated by commercial businesses in the community. These businesses are familiar with our operating model, repurposing resources to those people in need in our community, and have established a working relationship with Starfish Project Foundation.

Our truck will make pickups, primarily on an "on-call" basis. That is, a business will call us and request that we pick up their donation. Starfish Project will then notify one of our volunteer drivers and arrange for the pick-up to be completed. When a pick-up is made, that merchandise/product is transported back to the Starfish Project location and immediately offloaded into the facility.

Along with the "on call" pick-ups, Starfish Project Foundation has a few businesses that have arranged for weekly donation pick-ups. On average, the truck will make approximately 2 to 3 donation pickups per week. Our current schedule is one commercial pickup every Monday morning and two bi-weekly commercial pickups. The vast majority of Starfish Project Foundation's commercial pick-ups utilizing the truck are made in the morning between 10:00 AM and 11:00 AM. We have one on-call account that asks us to pick up at 1:00 PM and 1:30 PM.

City of Olathe Ordinance 18.40.240 Waivers Section "D" Approval Criteria, paragraph 2 states: *The approving Authority may approve a waiver 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:*

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913-839-8567
www.starfishproject21.org

Joni Moreland –President
LaVern Fields, VP
Angie Johnston –Treasurer
Barbara Walk –Secretary
Phyllis Mills –Board Member
Michelle O' Brien –Board Member



e. *The regulations impose 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:*

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

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

The Starfish Project Foundation truck is certainly vital to the overall business. The pick-ups made by the truck represent approximately 95% of the donations, primarily food, that we redistribute to our clients. If the Starfish Project Foundation were not provided this waiver, we would certainly lose those commercial businesses that donate to us. Pallet and high-volume loading capability are a requisite to maintaining those relationships.

Not only would Starfish Project Foundation lose those corporate donor relationships, we would no longer be in a position to offer services at or near our current rate. Many families that have become dependent upon our services would then have to find another resource or simply go hungry. Some organizations would likely be forced to revert back to their previous operating models of throwing perfectly good food in the trash and into landfills. Starfish Project Foundation has become the welcome stopgap in that previous process.

Included in this waiver approval request is our hope that we could also park our truck on our property. We cannot park a commercial vehicle in a residential area. Most Homeowners' Associations (HOA's) will not allow it. There are also City of Olathe ordinances that prohibit it. Therefore, we would be forced to seek permission to park our truck on an adjacent business's property. The certainty of garnering that permission, we feel, is questionable at best. This simply places our "problem" with a neighbor.

The vehicle entrance of the dock's approach is approximately 230+ feet from the nearest residential property. That equates to approximately 77 yards or three-quarters of the length of a football field. It should be noted that the approach to the dock is structurally guarded on three sides. It is guarded by the building itself on the north side and brick walls on the east and south sides. The dock is open to the west, facing the Autozone commercial property.

-We at Starfish Project Foundation wish to thank you for your consideration of this waiver request. It is our hope that we will be provided an opportunity to illustrate our sincere and committed desire to comply with any and all stipulations of the CP-1 zoning requirements and those of the pending Special Use Permit.

Sincerely,

A handwritten signature in blue ink that reads "Joni Moreland".

Joni Moreland
President, Starfish Project Foundation

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