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May 18, 2026

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BY E-MAIL TO: NWJurey@OLATHEKS.ORG

Nathan Jurey
Senior Planner
City of Olathe
100 E Santa Fe St
Olathe, KS 66061

Re: Application Number RZ25-0009 (the “**Application**”) – New Bedford Land Development Company (the “**Applicant**”) – Parcel ID # DF231314-2003

Dear Nathan:

On behalf of the Applicant in the above-referenced case, please see attached Letter of Understanding (“LOU”), dated May 4, 2026, entered into by and among The Retreat at Foxfield Village Homeowner’s Association (“HOA”), New Bedford Land Development Company (“Land Seller”), and M3, LLC (“Buyer/Developer”). The LOU represents the terms and conditions under which the HOA has agreed to support the pending Application for Rezoning and Concept Plan in connection with the development of a new townhome project at the NE corner of 119th Street and Lone Elm Road (“Property”). The LOU is the culmination of significant discussion and compromise among the parties which began with a meeting attended by the parties on March 3, 2026, at the urging of the City Council during its meeting on January 6, 2026. Also attached are a copy of the March 3 Meeting Attendee List and Meeting Minutes.

During the January 6 City Council meeting, there was a request by two Councilmembers to consider adding retail uses to the townhome project. The addition of retail uses was re-evaluated and determined not to be viable for several reasons. There are many factors that help determine success, or in this case, lack of success, for retail development at a particular location. This includes, among other things, zoning, location, property size, market demand, traffic volume, ease of access (curb cuts and driveway restrictions), and constructability.

The Property has been zoned NC (Neighborhood Center) for 20+ years with no interest expressed for commercial development on the Property. It is only 7 acres and does not have great access or traffic volume needed to attract retailers.

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Although the City is now constructing and new bridge at 119th east of Woodlan Road, which should help drive traffic volumes, the number of estimated trips per day are not nearly sufficient to attract retail development to the Property. Per Planning Staff's own admission, estimated trips will be approximately 9,000 vehicles per day, and only 13,000 by 2045. That is not nearly enough vehicles to attract a sustainable retail business. Most retail businesses need a minimum of 15,000 to 20,000 vehicles per day before taking the risk of building a new site.

By comparison, the estimated trips per day at 119th and Ridgeview are 20,000 – 25,000 per day. The trips at K-10 & Ridgeview Rd. are 25,000-35,000 per day. The trips at K-10 & Woodland are 20,000-30,00 per day. The trips at 119th & Renner are 24,000 per day. The trips at 119th & Strang Line are 53,000 per day. There simply isn't enough traffic at 119th & Lone Elm Rd. to warrant any retail demand, even for a small coffee shop or sandwich shop.

In addition to the concern with low traffic volume, there are much better locations in the area that are already zoned for retail and that are available for development. For example, 119th Street & K-7 Highway, College Blvd & Lone Elm Rd., College Blvd. and K-7 Highway. There is also land to the immediate west that has C-2 zoning, which is much better situated and available for development.

Another major issue is access to the site. The close-proximity to 119th and Lone Elm Rd. limits access to right-in/right-out only, which is very limiting to most retailers who want full access.

For these reasons, there are no real opportunities to develop retail at this location. Especially when there is a very viable townhome option which is now supported by the adjacent neighbors' Land Committee and HOA.

Thanks for your consideration.

Sincerely,



Curtis M. Holland