

WAIVER REQUEST
Park 169, Olathe, KS
July 9th, 2024

18.40.240 D 2. The Approving Authority may approve the 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:

WAIVER REQUEST #1:

Requirement (UDO Section Table 18.15.020): Minimum 15% glass material on Primary facades.

Request: Reduce minimum glass material to 13% on sides required to be primary facades, buildings 1, 2,3,4,5,8,12

Reduce minimum glass material to 11% on sides required to be primary facades, building 6,7,10,11

Approval Criteria (18.40.240.D.2):

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

The waiver request is accompanied by a higher level design for the development as listed:

- *None of the facades requested are entry sides of the buildings. Primary entry facades all exceed requirements ranging from 17% to 21%*

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.

There are no adjacent residential properties.

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

The request predominantly includes facades facing other industrial buildings within the project that includes significant landscaping on those sides.

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

Not applicable. No adjacent residential properties.

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.

These buildings will have a large portion dedicated for warehousing, storage and manufacturing. The side areas of the buildings beyond the corner tower area will not be typically finished conditioned space. Having glass within these areas is not feasible as the glass is constantly subject to being broke by maneuvering objects. That's why glass is only shown in the upper limits of this section of the building. The requirement for additional glass puts a hardship on the owner for this type of use in the building, because of the danger of it breaking during daily operations. Granting of this variance would not cause any loss or inconvenience to the public or infringe on any neighbors' rights.