

**From:** [Planning Contact](#)  
**To:** [Dan Fernandez](#)  
**Subject:** FW: Case No. RZ 19-0002  
**Date:** Thursday, March 07, 2019 3:23:06 PM

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**From:** Dave Wallace <wallacejd1@gmail.com>  
**Sent:** Thursday, March 07, 2019 02:36 PM  
**To:** Planning Contact <PlanningContact@OLATHEKS.ORG>  
**Subject:** Case No. RZ 19-0002

In the above reference matter concerning a rezoning request for Lots 15 & 16 of the Villas of Asbury, a subdivision of land in the City of Olathe, with the request brought forward by Asbury Holdings, LLC - Pinnacle Construction, I wish to object.

My name is James Wallace, a trustee of the Wallace Family Trust, which owns a unit on Lot 14 of the subject property (street address 15620 S. Church St. Unit 1403), directly adjacent to the subject properties. We have owned our property for nearly four years, during which time Pinnacle has constructed several units near us, and we have been very disappointed with the way Pinnacle has done business and the way they have treated their customers and our homeowners association (HOA). Our HOA had to absorb a number of costs to fix things that were legitimately Pinnacle's responsibility, particularly in the area of drainage.

We do not believe the Pinnacle has earned the right for rezoning since the problems they are facing are due largely to previous construction errors. We have little faith that Pinnacle would live up to their obligations any better in the future than they have in the past, especially since the rezoning will impact drainage due to reduced setbacks. In this matter, Pinnacle is even trying to reduce their landscaping obligations, which would further aggravate the drainage issue.

Your consideration of denying this rezoning request is greatly appreciated.

Thank you.

Sincerely,

James Wallace  
15620 S. Church St. Unit 1403  
Olathe, KS 66062