

Travarse Senior Living / PR18-0056

REQUEST FOR WAIVERS

In accordance with Olathe UDO Section 18.20.100, please see the following request for waiver:

1. Section 18.15.030 (B) – Transparent Glass on Primary Façade for Building Design Category B

Requirement: 25% Transparent glass on primary facades.

Request: North Façade = 20% glass
 South Façade = 18% glass
 East Facade = 20% glass
 West Façade = 10% glass

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:

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

RESPONSE: The developer is providing a higher quality design that exceeds the City's requirement for high quality materials, including use of masonry materials, in most cases exceeding the 70% Category 1 material requirement.

(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.

RESPONSE: There are no adjacent residential properties to be impacted by the requested deviation.

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

RESPONSE: Not applicable.

(d) Significant buffers are providing on adjoining residential properties and those properties will not be negatively impacted by a change in the applicable regulations.

RESPONSE: There are no adjacent residential properties to be impacted by the requested deviation.

(e) The regulation 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:

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

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

RESPONSE: Not applicable.

2. Section 18.15.030 (D) – Residential Finished Floor Elevation for Building Design Category B

Requirement: Residential finished floor elevation above sidewalk – minimum of 18 inches.

Request: Portions of the north and east building facades are more than 18 inches above the sidewalk. See attached exhibit.

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:

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

RESPONSE: Not applicable.

(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.

RESPONSE: There are no adjacent residential properties to be impacted by the requested deviation.

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

RESPONSE: Not applicable.

(d) Significant buffers are providing on adjoining residential properties and those properties will not be negatively impacted by a change in the applicable regulations.

RESPONSE: There are no adjacent residential properties to be impacted by the requested deviation.

(e) The regulation 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:

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

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

RESPONSE: The subject property has existing parking lot and existing building floor elevations that must be matched when constructing the new independent living facility.