

# THE VILLAS OF ASBURY

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March 19, 2019

RE: Comments on RZ 19-0002

Zoning Amendment, Lots 15-16, Villas of Asbury

This letter submits comments on the above rezoning matter scheduled for hearing with the Olathe City Planning Commission on Monday, March 25, 2019.

The Villas of Asbury Homeowners Association Board (HOA) supports the proposed rezoning allowing an extension west of the originally platted building setback line that falls within the west portion of Lots 15 and 16. This extension west will allow the construction of the last two buildings under the plat originally approved in 2001 and consistent with other buildings in the community

As it relates to any preliminary approval of a development site plan, we would request the following conditions:

1. Gaps in the present historic preservation tree line to the west of these two lots should be filled with suitably sized evergreens to allow year round buffering from the industrial area to the west.
2. The asphalt walking trail on the west side of lots 15 and 16 shall be preserved and any damage to the trail due to construction shall be repaired by the developer/property owner.
3. The prior plats approved have included the following provision:  
“All above ground electrical and/or telephone cabinets shall be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials.”
4. Asphalt driveways installed to allow access to the units would meet the requirements of the fire department for access.

The HOA has expressed concern about appropriate drainage for the new buildings given issues with prior buildings at lots 18, 19, 20, 21 and the general flatness of the terrain in the area. However, in the open session at the Neighborhood Meeting on March 4, 2019, the property owner/developer agreed to cooperate in drainage plans for the new buildings, to include financial participation with the HOA. Therefore, the HOA feels that issue can be resolved through written agreement between the property owner/developer and the HOA.

Respectfully submitted:

William H. Seiler, Jr., President  
15554 South Hillside St., Unit 3903  
Olathe, KS 66062