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CIVIL ENGINEERS & LAND SURVEYORS

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S.H. Brockway, P.E. (1907-1989)
Lee Meireis, R.L.S. (1933-2010)
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Mike Howell, R.L.S. (retired)
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July 23, 2019

BEAR CREEK Waiver

Dan Fernandez, City Planner II
City of Olathe
PO Box 768
Olathe, KS 66061

RE: PP19-0003

Mr. Fernandez:

Please accept this letter as our official request for waiver of landscape tract and minimum landscape area width of twenty-five (25) feet along an arterial roadway set forth in UDO 18.30.130.H.2. The waiver is in accordance with the guidelines set forth in UDO 18.40.240 Waivers.

We understand that the current requirement is a 25ft landscape tract. However, at the time this development was proposed, a 25ft landscape tract wasn't the standard. Developments at that time had landscape easements adjacent to arterials. These landscape easements varied in width from 15ft to 25ft. If this proposed development included a 25ft tract or any tract greater than 14ft, it would result in the elimination of a lot.

We are proposing a 20ft landscape easement, to get as near as possible to the 25ft width without jeopardizing a lot. This width is like the landscape area of the existing lots to the west, see attached exhibit. The landscape area widths to the west were determined from the distances between the rear fence lines and the rear property lines. The widths range from ± 17 ft to ± 22 ft.

Please consider our waiver from the 25ft landscape tract to a 20ft landscape easement for the reasons stated. The developer has indicated that he is willing to plant additional landscaping above the required plantings adjacent to the arterial. The landscape easement will initially be maintained by the developer, until the landscaping has been established. Once established, the owner of Lot 1 will be responsible for the maintenance.

The waiver will not impact the use or value of the surrounding properties. The waiver will not create any undo safety to vehicular or pedestrian traffic. The waiver will not change the concept, intended land use and will be compatible with the surrounding properties.

Thank You,

C. Todd Allenbrand

Cc: Property Owners
File

