



**STAFF REPORT**

**Planning Commission Meeting: June 22, 2026**

<b>Application:</b>	<b><u>SU26-0003</u>: Request for approval of a Special Use Permit for motor vehicle sales for Rivian</b>
<b>Location:</b>	601 N. Lindenwood Drive
<b>Owner:</b>	Brandon Becker; ACE Properties LLC
<b>Applicants:</b>	Samuel Moon; Rivian Matthew Moyano; Geniant LLC
<b>Staff Contact:</b>	Lauren Winter; Planner II

**Site Area:** 2.13 acres                      **Proposed Use:** Motor Vehicles, All Types, Sales/Leasing/Rental

**Building Area:** 18,750 sq.ft.                      **Existing Zoning:** M-2 (General Industrial)

	<b>Elevate Olathe Land Use Category</b>	<b>Existing Use</b>	<b>Existing Zoning</b>
<b>Site</b>	<b>Business Park</b>	<b>Auto Repair</b>	<b>M-2</b>
<b>North</b>	Business Park	Indoor Athletic Facility	M-2
<b>South</b>	Business Park	Specialty School	M-2
<b>East</b>	Business Park	Warehousing and Distribution	M-2
<b>West</b>	Business Park	Manufacturing	M-2

**1. Introduction**

This is a request for a special use permit (SUP) to allow motor vehicle sales at 601 N. Lindenwood Drive for Rivian Automotive. The subject property is currently zoned M-2 (General Industrial), which requires approval of a SUP for motor vehicle sales, all types, per the Unified Development Ordinance (UDO) 18.20.500. For the past three years, Rivian has operated a service center at the subject property, where vehicle servicing, repairs, and pre-delivery inspections are conducted. Rivian is proposing two designated parking stalls along Lindenwood for display and sales purposes.

## 2. History and Existing Conditions

The subject property was zoned to the M-2 (General Industrial) District in 1970 and platted in 2018 as part of the Builders Stone, First Plat. The existing building and parking lot were later constructed in 2019 along with two other sites within the Builder's Stone Development. No changes to the building or site are necessary or being proposed with this application.



*View of subject property looking west from N. Lindenwood Dr.*



*Subject property outlined in yellow.*

### 3. Zoning Standards

- a. **Land Use** – The existing site is zoned to the M-2 (General Industrial) District. Per UDO 18.20.1500, a special use permit is required for the sale of motor vehicles, all types, within this zoning district.
- b. **Setbacks/Open Space** – The existing building is proposed to remain as it exists today. The building and paved areas comply with the setbacks of the M-2 District, as provided in UDO 18.20.150, including the minimum 30-foot building and paving setback from street right-of-way, and 10-foot setback from side and rear property lines.

### 4. Development Standards

- a. **Access/Streets** – The property has existing access to N. Lindenwood Drive. With this application, no changes are proposed to access.
- b. **Parking** – All parking and paved areas are existing, and no changes are proposed. The site contains a total of 78 parking spaces, including two (2) ADA spaces, and 44 total are required. The motor vehicle sales use on this site requires 1 parking space based on a rate of 1 stall per 4,500 square feet of outdoor sales area. The repair use on this site requires 29 parking spaces at a rate of 1 stall per 500 square feet, and the office use requires 13 parking spaces at a rate of 3.8 stalls per 1,000 square feet. Overall, the site is exceeding UDO parking requirements. The applicant proposes to dedicate two parking spaces for the purpose of outdoor display and sales.
- c. **Landscaping/Screening** – The site has existing landscaping that is currently in compliance with the 2017 approved landscape plan. The landscaping is to be maintained and, if necessary, replaced by the property owner in perpetuity. No additional landscaping is required or proposed with this project.
- d. **Stormwater/Detention** – The applicant is not proposing changes to impervious surface area on site; therefore, no new stormwater improvements are required.
- e. **Public Utilities** – The site is located within the City of Olathe Sanitary Sewer and Water service areas. No changes to utilities are proposed with this application.

### 5. Building Design Standards

The building is subject to the Industrial Building design standards of UDO 18.15.020.G.7. The building was constructed in 2019 and primarily consists of stucco, stone veneer, and metal siding. Clear glass windows are located along the eastern primary façade, and two overhead doors are located on the western secondary façade. No changes to the exterior of the building are proposed or required.

### 6. Public Notification and Neighborhood Meeting

The applicant mailed the required public notification letters to surrounding property owners within 200 feet and posted a sign on the subject property per UDO requirements. Neighborhood notification to property owners within 500 feet of the site was provided, as required by the UDO. A neighborhood meeting was held on June 1, 2026, with no residents in attendance. Neither staff nor the applicant have received any additional correspondence regarding the proposed project.

## 7. Time Limit

According to UDO 18.40.100.F.4, Special Use Permits are approved for a five (5) year period unless otherwise recommended by the Planning Commission or approved by the City Council. The applicant has not requested an alternative term; therefore, staff recommends approval of the SUP for a five (5) year period, to which the applicant is amenable. Given the industrial nature of the area, limited visibility from major streets, and compatibility with surrounding uses, the proposed use is not anticipated to have adverse impacts on adjacent properties.

## 8. UDO Special Use Criteria

The future land use map of the Comprehensive Plan identifies the subject property as "Business Park." Staff is supportive of the proposed use of Motor Vehicles, All Types, Sales/Leasing/Rental, as it is a light industrial use that is complementary to business park areas. This site has previously been operating as a vehicle-oriented service business and is surrounded by industrial and commercial establishments.

The application was reviewed against the UDO criteria for considering rezoning applications listed in UDO Section 18.40.090.G as detailed below.

### ***A. The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies.***

The future land use map of the Elevate Olathe Comprehensive Plan identifies the subject property as 'Business Park.' The property is zoned M-2, which allows for a variety of commercial and industrial uses in addition to Motor Vehicle Sales with an SUP. The proposed vehicle sales use is consistent with the goals and principles of the Comprehensive Plan.

- **LU 2.8: Compatibility.** Align land use decisions with the comprehensive plan and other adopted city plans.

### ***B. The character of the neighborhood including but not limited to: land use, zoning, density (residential), architectural style, building materials, height, structural mass, siting, open space and floor-to-area ratio (commercial and industrial).***

The area surrounding the site consists of industrial and commercial uses. The surrounding buildings are primarily one story in height and were primarily constructed in the early 80s, with the newest buildings constructed between 2016 and 2019.

### ***C. The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning districts and uses.***

The area surrounding this site is also zoned M-2 and consists of other commercial and industrial uses such as manufacturing, warehousing and distribution, an indoor athletic facility, and a specialty dance school. Approval of the SUP for motor vehicle sales within this area will be in harmony with surrounding uses.

### ***D. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.***

The M-2 District permits a broad range of general industrial and warehousing uses. Several uses, including motor vehicle sales, require a SUP in the M-2 District to ensure compatibility with surrounding uses.

***E. The length of time the property has remained vacant as zoned.***

The building on the subject property was constructed in 2019 and has been occupied by Rivian as a service center since that time.

***F. The extent to which approval of the application would detrimentally affect nearby properties.***

The proposed special use will not have an impact on noise, aesthetics, traffic, lighting, or other characteristics of the surrounding area. The property is located adjacent to other industrial properties east of I-35 and has been operating as an automotive repair center.

***G. The extent to which development under the proposed district would substantially harm the value of nearby properties.***

The proposed special use permit will have no negative impacts on surrounding property values. Only two vehicles are proposed for sale at one time, which will generate minimal additional traffic, and all other business operations will remain as existing.

***H. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property.***

The proposed development will not adversely affect the adjacent road network. The site is accessed from N. Lindenwood Drive, which has adequate capacity to support the proposed use and operations.

***I. The extent to which the proposed use would create air pollution, water pollution, noise pollution or other environmental harm.***

Staff is not aware of any potential or unlawful level of air, water, or noise pollution with the proposed development. The proposed use is subject to all local, state, and federal environmental regulations.

***J. The economic impact of the proposed use on the community.***

The proposed development will contribute to the local economy by generating property and sales tax revenue and creating new employment opportunities for the community.

***K. The gain, if any, to the public health, safety and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.***

The proposed special use does not negatively impact public health, safety, or welfare as presented. If the application were denied, the applicant could not sell vehicles at this location; however, other M-2 District land uses, such as the current use of auto repair, would be permitted.

## **9. Staff Recommendation**

- A. Staff recommends approval of SU26-0003, Rivian Auto Sales, for the following reasons:
  - 1. The proposal conforms to the Goals, Objectives, and Policies of the Comprehensive Plan.
  - 2. The proposal complies with the Unified Development Ordinance (UDO) criteria for considering special use permit requests.
- B. Staff recommends approval of the special use permit, SU26-0003, and preliminary site development plan with the following stipulations:
  - 1. The special use permit allows for the proposed car sales use and is valid for a period of five (5) years following the date of the approved resolution.
  - 2. Wind signs, including pennants, streamers, balloons, whirligigs, or similar temporary signs, are prohibited.