



## STAFF REPORT

Planning Commission Meeting: August 10, 2026

|                       |                                                                                                                     |
|-----------------------|---------------------------------------------------------------------------------------------------------------------|
| <b>Application:</b>   | <b><u>SU26-0005: Special Use Permit for Motor Vehicle Sales (Golf and Utility Carts) for McCoy Custom Carts</u></b> |
| <b>Location:</b>      | 25149 & 25229 W. 151st Street                                                                                       |
| <b>Owner:</b>         | Ron Mather, Ronald A. Mather Properties LLC                                                                         |
| <b>Applicant:</b>     | Bryan McCoy; McCoy Custom Carts                                                                                     |
| <b>Staff Contact:</b> | Lauren Winter; Planner II                                                                                           |

|                         |                                 |                                                                            |
|-------------------------|---------------------------------|----------------------------------------------------------------------------|
| <b>Site Area:</b>       | <u>3.11 acres</u>               | <b>Proposed Use:</b> <u>Motor Vehicles, All Types Sales/Leasing/Rental</u> |
| <b>Building Area:</b>   | <u>4,839 sq.ft.</u>             | <b>Plat:</b> <u>New Century Business Park</u>                              |
| <b>Existing Zoning:</b> | <u>M-2 (General Industrial)</u> |                                                                            |

|              | <b>Elevate Olathe<br/>Land Use Category</b> | <b>Existing Use</b>               | <b>Existing Zoning</b> |
|--------------|---------------------------------------------|-----------------------------------|------------------------|
| <b>Site</b>  | <b>Industrial</b>                           | <b>Vacant Flex Space Building</b> | <b>M-2</b>             |
| <b>North</b> | Single-Family Residential                   | Single-Family Detached            | R-1                    |
| <b>South</b> | Industrial                                  | Distribution Warehousing          | M-2                    |
| <b>East</b>  | Neighborhood Commercial                     | Vacant                            | C-2                    |
| <b>West</b>  | Public and Semi-Public                      | Vacant                            | Unannexed              |

### 1. Introduction

This is a request for a special use permit (SUP) to allow motor vehicle sales, specifically golf carts and utility carts, southwest of 151st Street and Old 56 Highway for McCoy Custom Carts. McCoy Custom Carts sells and customizes electric golf carts with an average of 20-30 carts stored inside the existing flex warehouse building. This use is classified as the *motor vehicle sales, all types* land use in the Unified Development Ordinance, which requires approval of a SUP in the M-2 District.

The applicant began utilizing Building 3 (25149 W. 151st St) of New Century Business Park, Lot 3, prior to filing an application for a special use permit but has since worked closely with staff through the SUP process to bring the use of the property into compliance. The applicant will relocate and occupy the west half of Building 5 (25229 W. 151st St) once construction is complete later this year. Both tenant spaces are on the subject property and reviewed under this application.

## 2. History & Existing Conditions

The subject property was annexed into the City and zoned to the M-2 (General Industrial) District in 1988 (RZ-31-88). With the rezoning, a preliminary site development plan was approved; however, it was never constructed and eventually expired. The site remained undeveloped until a new preliminary site development plan was approved in 2023 (PR22-0020), which consisted of three lots with a total of 24 buildings for a variety of industrial uses. Within the subject property (Lot 3), three of the four buildings were constructed in early 2026, and the fourth building will be completed later this year.



*Aerial map of subject property highlighted in yellow. Buildings 3 and 5 outlined in red.*



*View of Building 5 looking south from 151st Street*

### 3. Zoning Standards

- a. **Land Use** – The existing site is zoned to the M-2 (General Industrial) District. Per UDO 18.20.500, a SUP is required for the *motor vehicle sales, all types* land use within this District.
- b. **Dimensional Standards** – The buildings and paved areas within Lot 3 of New Century Business Park comply with the dimensional standards 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 a 10-foot setback from side and rear property lines.

### 4. Development Standards

- a. **Phasing** – Building 3 was constructed earlier this year and will serve as a temporary location for McCoy Custom Carts. Building 5 is expected to be fully constructed by the end of this year and will be the permanent location of the subject business. Only one tenant space will be occupied by this SUP at any given time on the property.
- b. **Access/Streets** – The property has two existing access points off W. 151<sup>st</sup> Street. No changes to access are proposed with this application.
- c. **Parking** – All parking and paved areas are existing, and no changes are proposed. Both Buildings 3 and 5 provide parking at a rate of 2.5 stalls per 1,000 square feet of building area, exceeding the minimum requirement for the motor vehicle sales use which is 2 stalls per 1,000 feet of indoor sales area.

The permanent outdoor storage and display of golf carts or any other merchandise is not proposed with this application, as the golf carts will be stored inside the building for security purposes.

- d. **Landscaping/Screening** – The site has existing landscaping meeting requirements for street trees and parking lot screening facing W 151<sup>st</sup> Street. Additionally, foundational landscaping exists around Building 3 and will be installed around the north and west facades of Building 5 upon construction completion. No additional landscaping is required or proposed with this project.
- e. **Stormwater/Detention** – The applicant is not proposing changes to the impervious surface area on site; therefore, no new stormwater improvements are required.
- f. **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 buildings within Lot 3 are subject to the Industrial Building design standards of UDO 18.15.020.G.7. The buildings primarily consist of Class 1 Timber Ledge stone veneer, glass, and Brownstone insulated architectural metal panels. The subject buildings are not proposed to be altered, expanded, or enlarged at this time due to this application.

## 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 July 20, 2026, with no residents in attendance; therefore, no neighborhood meeting minutes are attached. 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 requested an approval period of ten (10) years. Staff recommends approval of this SUP for ten (10) years, as this land use is compatible with the surrounding industrially zoned area and the golf cart vehicles will be stored inside and will not have a visual impact on the site or the area.

## 8. UDO Special Use Criteria

The future land use map of the Comprehensive Plan identifies the subject property as Industrial. Staff is supportive of the proposed use of "Motor Vehicles, All Types, Sales/Leasing/Rental", as the surrounding industrial and commercial area supports a variety of businesses of similar uses. The application was reviewed against the UDO criteria for considering special use applications listed in UDO Section 18.40.100.F 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 'Industrial.' The property is zoned M-2, which allows for a variety of commercial and industrial uses in addition to Motor Vehicle Sales with a special use permit. In addition, the proposed special use request meets the following policy element 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 primarily of industrial uses and buildings. The surrounding buildings are primarily one story in height and primarily constructed between 2025 and early 2026.

### ***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 the site is zoned industrial and commercial and consists of other industrial uses such as vehicle repair and restoration, vehicle services, distribution, and

warehousing. Approval of the SUP within this area will be in harmony with surrounding districts and land 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 property is no longer vacant, as the subject buildings on the property were constructed between 2025 and early 2026, with the final building expected to finish construction later this year. The applicant will be the first occupant of both Building 5 and Building 3 tenant spaces.

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

The proposed special use permit will not have a detrimental impact on noise, traffic, or lighting, and no changes to the site or building are proposed. The property is located adjacent to other small-scale industrial and commercial properties, and the proposed business operations are compatible with the surrounding businesses.

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

The proposed use will not substantially harm the surrounding property values as the use is of similar intensity to other existing uses in the area.

***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 W. 151<sup>st</sup> Street, which has adequate capacity to support this small business, and the required parking is provided on site.

***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 for unlawful levels of air, water, or noise pollution with the proposed development. The proposed use will comply with all local, state, and federal environmental regulations.

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

This project will support a small commercial business, create employment opportunities, and increase the sales tax base without harming adjacent properties.

***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.***

Denial of the proposed special use would not improve public health, safety, or welfare as presented. If the application were denied, the applicant could not sell golf carts and utility carts at this location; however, other M-2 District land uses would be permitted.

**9. Staff Recommendation**

A. Staff recommends approval of SU26-0005 with conditions, 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 with the following stipulations:

1. The special use permit allows motor vehicle sales for golf and utility carts only to be stored and sold indoors only and is valid for a period of ten (10) years following the date of the approved resolution. The sale of any other type of motor vehicle is prohibited.
2. The scope of the special use permit must only be contained within the lease space within New Century Business Park, Lot 3.
3. No outdoor display area of golf carts and utility carts is permitted.
4. Wind signs, including pennants, streamers, balloons, whirligigs, or similar temporary signs, are prohibited in accordance with UDO 18.50.190.