



## STAFF REPORT

Planning Commission Meeting: June 22, 2026

<b>Application:</b>	<b>SU26-0002: Request for a Special Use Permit renewal for motor vehicle sales for Car City</b>
<b>Location:</b>	1501 E. Santa Fe Street & 142 N. Burch Street
<b>Owner:</b>	Robert Ramm, Robert Ramm Trust
<b>Applicant:</b>	Anthony Oddo, Car City Olathe KIA
<b>Staff Contact:</b>	Taylor Vande Velde; Planner II

**Site Area:** 1.0 acres                      **Proposed Use:** Motor Vehicles, All Types, Sales/Leasing/Rental

**Building Area:** 18,750 sq.ft.                      **Existing Zoning:** C-3 (Regional Center)

	<b>Elevate Olathe Land Use Category</b>	<b>Existing Use</b>	<b>Existing Zoning</b>
<b>Site</b>	<b>Regional Commercial</b>	<b>Motor Vehicle Sales</b>	<b>C-3</b>
<b>North</b>	Regional Commercial	Motor Vehicle Sales	C-3
<b>South</b>	Regional Commercial	Parking Lot/Office	C-3
<b>East</b>	Regional Commercial	Commercial Retail	C-3/CP-1
<b>West</b>	Regional Commercial	Commercial Retail	C-3

### 1. Introduction

This is a request to renew a special use permit to continue motor vehicle sales at 1501 E. Santa Fe St. and 142 N. Burch St. The site is currently developed and operates as a car dealership for Car City, which is affiliated with Kia. The site has an existing 5,000-square-foot building and accessory structure with surface parking used to operate the business. The subject property is currently zoned C-3, requiring a special use permit allowing motor vehicle sales per UDO 18.20.500.

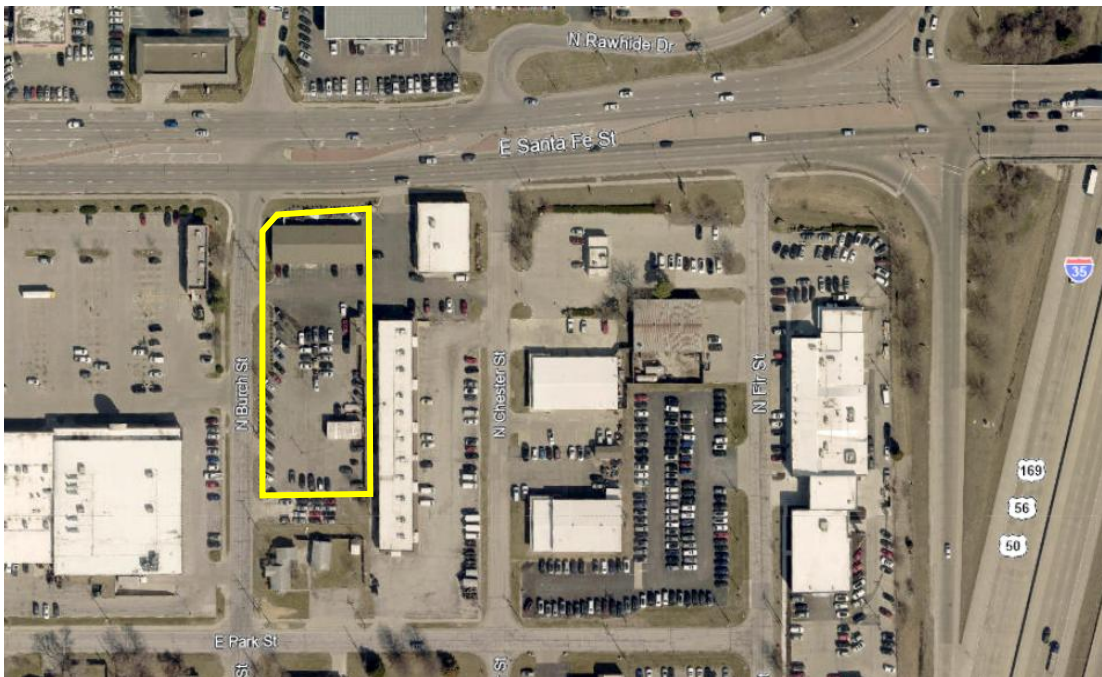
## 2. History

In 2021, Car City relocated from its previous location at 101 S. Fir Street to its current location and received approval for a special use permit to continue motor vehicle sales on the property (SU21-0001).

The site was zoned to the C-3 (Regional Center) District in June 1970 as part of a comprehensive zoning of the City (Ord. 346-C), and the existing building on the site was constructed in 1981. The site was platted in 1886 as part of the Lockwood Heights Plat. The site was previously utilized for vehicle sales from 1987 until it was vacated in July 2020.

## 3. Existing Conditions

The site is paved and developed with one primary building along E. Santa Fe St. used as an office and two (2) existing accessory storage structures. A wooden privacy fence is located along a portion of the eastern property line.



*Aerial view of subject property outline in yellow.*



*Aerial view of subject property looking southeast from E. Santa Fe Street.*

#### 4. Zoning Standards

- a. **Land Use** – The existing site is zoned to the C-3 (Regional Center) District. Per UDO 18.20.500, a Special Use Permit (SUP) is required for the sale/leasing/rental of motor vehicles within this District. The C-3 District permits several auto-oriented uses by right, such as repair services and auto body shops.
- b. **Building Height** – The existing structures meet the maximum building heights within the C-3 District of 40 feet or 3 stories.
- c. **Setbacks** – The C-3 District requires a 40-foot minimum front yard setback for structures from the front property line, and the existing building is located approximately 21 feet from the existing northern property line. However, when the building was originally constructed, it complied with the 15-foot front yard setback in place for the C-3 district at that time.

Parking and paving areas must be setback at least 15 feet from the street right-of-way and 10 feet from property lines. The existing front parking area adjacent to E. Santa Fe St. does not meet current parking/paving setback requirements, as it is located 7 feet from the existing right-of-way. The existing building and parking are meeting the minimum side and rear setback requirements.

When the UDO was updated in 1992, the setback requirements were increased, resulting in a nonconforming situation on this property. Additionally, a more recent road expansion project of E. Santa Fe St. right-of-way furthered the nonconforming situation on this property. The nonconformities are permitted to remain but may not be expanded in the future, unless in accordance with UDO Section 18.60. No site changes are proposed with this application.

#### 5. Development Standards

- a. **Access/Streets** – The existing site has shared access from E. Santa Fe St. from the north, and two access points are currently provided from N. Burch St. along the west side of the site. No changes to access are proposed with this application; however, the City's I-35 and Santa Fe Corridor Project will remove existing access from E. Santa Fe St.
- b. **Parking** – The subject property currently stocks approximately 60-75 cars for sale on the site at a time, primarily in the rear parking area. Customer parking is located immediately to the south of the primary office building and includes 7 standard and ADA parking spaces meeting parking requirements for motor vehicle sales. Employee parking is provided in a small area along the eastern property line. The northern portion of the property was repaved, and new striping was added in 2021 and remains visible along the street and in customer parking areas. No improvements to the parking area are proposed at this time; however, the applicant is required to maintain the parking in accordance with UDO requirements.
- c. **Landscaping/Screening** – The subject property contains existing landscaping, including parking lot screening, foundational landscaping, and street trees, which will remain and continue to be maintained by the applicant. However, the applicant submitted a landscape plan that includes an alternate street tree species more suitable for the overhead power lines and small landscape spaces along N. Burch St. The existing landscaping in the northwest corner of the site may also be impacted by the City's I-35 and Santa Fe Corridor Project construction but will be replaced by the City as necessary.

- 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 service area and the Olathe Water service area. No changes to utilities are proposed with this application.

## 6. Building Design Standards

The existing building is not proposed to be altered, expanded, or enlarged at this time. However, any future changes or building additions that increase the legal nonconformity will be subject to the requirements found in UDO 18.60.

## 7. Public Notification and Neighborhood Meeting

The applicant notified property owners within 200 feet of the subject property by certified letter, return receipt requested, and posted signs on the subject property as required by UDO. A neighborhood meeting was held on June 1<sup>st</sup>, 2026, with no one in attendance. Neither the applicant nor staff received correspondence related to the project.

## 8. Time Limit

According to UDO Section 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.

## 9. UDO Special Use Criteria

The future land use map of the Comprehensive Plan identifies the subject property as Regional Commercial, which allows similar types of service commercial as *complementary* uses within this category. Staff is supportive of the proposed use of *‘Motor Vehicle Sales’* as the surrounding commercial area supports a variety of businesses of similar uses. The following are criteria for considering special use applications as listed in Unified Development Ordinance (UDO) Section 18.40.100.F:

The proposed special use request meets the following policy elements of the Comprehensive Plan:

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

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 ‘Regional Commercial.’ This land use category is concentrated at major intersections and highways to provide the greatest access to the region. The property is zoned C-3, which allows for a variety of commercial and retail uses in addition to auto-oriented uses such as repair and motor vehicle sales with a special use permit.

***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 use is compatible with the character of the surrounding area as this site has other commercially zoned lots, and several properties near the subject property include auto-oriented uses. The surrounding buildings are primarily one story in height and were constructed between the mid 1970's-1990's and early 2000's. Businesses along E. Santa Fe St. include parking located primarily in front and on the sides of the buildings.

***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 subject property is adjacent to and surrounded by other commercial properties, including car dealerships. Approval of the Special Use Permit will be in harmony with existing zoning and uses in the adjacent area, as this property has been utilized for this same use since 1987.

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

The C-3 District permits a broad range of commercial retail, office, and service-related uses along with certain uses that require a special use permit, including motor vehicle sales. No City zoning district allows this use by right; however, the special use permit ensures that adequate precautions are taken to assure compatibility with surrounding uses.

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

This property has historically been used for motor vehicle sales and became vacant in 2020, until Car City moved in shortly after to pursue their original special use permit.

***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 commercial and industrial properties along E. Santa Fe St., and no changes are proposed to the existing site, building or land use.

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

Renewal of the special use permit will not harm the value of nearby properties which are zoned for similar uses. No changes to the existing site are proposed with this application.

***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 and will generate the same number of trips as it does today. The site is accessed from N. Burch St., a collector street, and E. Santa Fe St., an arterial, and no changes to access are proposed at this time. However, the City's I-35 and Santa Fe Street Interchange Project will remove access from E. Santa Fe St, improving access management in the area.

***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 is subject to all local, state, and federal environmental regulations.

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

The development follows the economic sustainability goals of the Comprehensive Plan by encouraging private investment in the community and reinvestment in an existing commercial property. Automotive sales generate sales tax revenue and provide economic benefits for the City.

***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.***

There is no gain or detriment to the public health, safety, or welfare if the application were denied. The proposed special use does not negatively impact public health, safety, or welfare as presented. If the special use permit were denied, the property owner would not be able to continue their business at this location.

## **10. Staff Recommendation**

A. Staff recommends approval of SU26-0002 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, SU26-0002, and preliminary site development plan with the following stipulations:

1. The Special Use Permit to allow motor vehicle sales is valid for a period of five (5) years following City Council approval.
2. Wind signs, including pennants, streamers, balloons, whirligigs, or similar temporary signs, are prohibited.