



STAFF REPORT

Planning Commission Meeting: December 8, 2025

Application:	<u>SU25-0005</u>: Special use permit for motor vehicle sales (golf and utility carts) for McCoy Custom Carts
Location:	19950 W 161st Street
Owner/Applicant:	Bryan McCoy, McCoy Custom Carts
Staff Contact:	Taylor Vande Velde; Planner II

Site Area:	<u>1.3 acres</u>	Proposed Use:	<u>Motor Vehicles, All Types, Sales/Leasing/Rental</u>
Building Area:	<u>8,053 sq.ft.</u>	Existing Zoning:	<u>M-2 (General Industrial)</u>

	Plan Olathe Land Use Category	Existing Use	Existing Zoning
Site	Primary Greenway	Flex Space	M-2 (General Industrial)
North	Primary Greenway/Industrial	Flex Space	M-2 (General Industrial)
South	Primary Greenway/Industrial	Flex Space	M-2 (General Industrial)
East	Industrial Areas	Flex Space	M-2 (General Industrial)
West	Industrial Areas	Warehouse	M-2 (General Industrial)

1. Introduction

This is a request for a special use permit (SUP) to allow motor vehicle sales at 19950 W. 161st Street, specifically for golf carts and utility carts for McCoy Custom Carts. The subject property is currently zoned M-2 (General Industrial), which requires approval of a SUP for motor vehicle sales, all types, per Unified Development Ordinance (UDO) 18.20.500. McCoy Custom Carts sells electric golf carts with an average of 20-30 carts stored inside the existing building. Basic modifications such as seat, wheel, and body replacements are made to the golf carts and then stored and sold inside the existing building.

2. History and Existing Conditions

The subject property was zoned to the M-2 (General Industrial) District and platted in 1988 as a part of the South Olathe Business Park. The existing building and parking lot were later constructed in 1996 and have remained as they are today. No changes to the building or lighting are proposed with this application.



Aerial view of the subject property shaded green.



View of the subject property looking northwest.

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 sale of motor vehicles, all types, within this District.
- b. **Setbacks/Open Space** – The existing building on site 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, 10-foot setback from side and rear property lines.

4. Development Standards

- a. **Access/Streets** – The property has existing access to W. 161st Street. No changes to access are proposed with this application.
- b. **Parking** – All parking and paved areas are existing, and no changes are proposed. The site has a total of 23 parking spaces including two (2) ADA spaces. The motor vehicle sales use on this site requires 16 parking spaces based on a rate of 2 per 1,000 square feet of indoor sales area, therefore, the site is exceeding minimum UDO parking requirements. Outdoor storage and display of merchandise are not proposed with this application, and the golf carts will be stored inside the building.
- c. **Landscaping/Screening** – The site has existing landscaping meeting requirements for street trees and parking lot screening facing W. 161st St. Additionally, the north and east property lines are lined with existing mature trees adjacent to existing industrial development. 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. Site Design Standards

The property is subject to the **Site Design Category 6** based on the *Industrial Area* designation on the PlanOlathe Future Land Use Map, which aligns with the existing M-2 zoning. The following is a summary of the applicable site design requirements:

- a. **Parking Pod Size** – Parking for developments in Site Design Category 6 must be separated into pods no greater than 320 stalls, which this development meets.

6. 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 1996 with stucco on the office portion of the building facing the street and metal paneling surrounding the warehouse portion of the building. Three (3) existing overhead doors face the parking lot, internal to the site, and no changes to the exterior of the building are proposed or required.

7. Public Notification and Neighborhood Meeting

The applicant notified neighbors within 200 feet of the subject property by certified letter, return receipt requested as required by the UDO. General notification to property owners within 500 feet was provided, but no neighborhood meeting was required. Neither the applicant or staff received correspondence related to the project.

8. 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 area is industrial and not visible from any major streets. Additionally, the golf carts will be stored inside and will not have a visual impact on the site or area.

9. UDO Special Use Criteria

The future land use map of the Comprehensive Plan identifies the subject property generally as *Primary Greenway*, but it is surrounded by *Industrial Areas*. Staff is supportive of the proposed use of Motor Vehicles, All Types, Sales/Leasing/Rental, in a limited capacity, as this industrial 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:

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

The future land use map of the Comprehensive Plan identifies the subject property as “Primary Greenway.” The property is zoned M-2, which allows for a variety of commercial and industrial uses in addition to Motor Vehicle Sales with a SUP.

This application complies with the following principle of the *Comprehensive Plan*:

- **LUC-8.2: Compatibility of Adjacent Land Uses.**

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 this site consists of industrial and flex space uses. The surrounding buildings are primarily one-story in height and were constructed between 1988 -1991. The buildings have similar materials and building style as the subject property, consisting of beige stucco, brick, and metal paneling.

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

The area surrounding this site is also zoned M-2 and consists of other commercial and industrial uses such as material sales, supply stores, and warehousing. Approval of the SUP for indoor golf cart 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 1996 and has been occupied by various small-scale industrial users 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, traffic, or lighting and no changes to the site or building are proposed. The property is located adjacent to other small-scale industrial properties and 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.

Automotive sales generate sales tax revenue and provide economic development opportunities for the City and should have no negative impacts on surrounding property values.

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. 161st Street and US 169 Highway, which has adequate capacity to support this small business.

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

Staff are 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 proposed use supports the land use strategy, *Compatibility of Adjacent Land Uses*, which balances growth with existing uses and intensity. This project will support a small commercial business and increase the 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.

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 golf carts and utility carts at this location; however, other M-2 District land uses would be permitted.

10. Staff Recommendation

- a. Staff recommends approval of SU25-0005 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 SU25-0005 subject to 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 Governing Body approval. The sale of any other type of motor vehicle is prohibited.
 2. No outdoor storage of equipment or materials is permitted unless completely screened per UDO 18.30.130.