



LEE'S SUMMIT MISSOURI

COMMERCIAL PERMIT AND LICENSE TAX APPLICATION

Revised 11/10/2021

APPLICANT, PLEASE COMPLETE ALL OF THE FOLLOWING INFORMATION (PLEASE PRINT):

- 1) Project Title: Whataburger - Lee Summit
- 2) Project Address: 204 SW Missouri 150 Hwy., lee Summit, MO 64081
- 3) Scope of Work: ☐ Addition ☐ Alteration ☐ Add/Alter Multi-family ☐ Change of Tenant
☒ New Bldg ☐ Shell Bldg ☐ New Multi-family ☐ New Tenant ☐ Other: _____
- 4) Documents Submitted: ☒ Plans/drawings ☐ Specifications ☐ Structural Calcs ☐ Plot Plan
☒ Soils/Geotech Reports ☐ Other: _____
- 5) Final Development Plan Tracking Number: PL202258 Date Applied For: 6/29/22
- 6) Number of Dwelling Units (if any): N/A Total SqFt of Bldg/Area of Work _____

PLEASE LIST ADDRESS TO WHICH DEVELOPMENT SERVICES IS TO SEND PLAN REVIEW COMMENTS:

- 7) Applicant's Name/Company: Whataburger
☐ Contractor ☐ Design Professional ☐ Tenant ☒ Building Owner ☐ Other: _____
Primary Contact: Garrison Abner Phone: 210.309.7957 Email: nfuentes@msconsultants.com; gabner@wbhq.com
On-site Contact: TBD Phone: TBD Email: TBD
Address: 300 Concord Plaza Dr.
City/Street/Zip: San Antonio, TX 78216
- 8) Design Professional in Responsible Charge: Kevin Drozin
Company Name: ms Consultants, Inc.
Address: 300 Corporate Center Dr., Suite 200
City/Street/Zip: Moon TWP, PA 15108
Phone Number: 412.264.8701 E-mail: kdrozin@msconsultants.com

COMMERCIAL BUILDING PERMITS WILL ONLY BE ISSUED TO COMPANIES LICENSED IN THE CITY OF LEE'S SUMMIT AS A MINIMUM OF A CLASS B GENERAL CONTRACTOR.

ALL PLANS MUST BE DRAWN TO SCALE AND BEAR THE SEAL OF AN ARCHITECT/ENGINEER REGISTERED IN THE STATE OF MISSOURI. PARTIAL PERMIT FEES SHALL BE DETERMINED AS SEPARATE PERMIT FEES. DIVIDING A JOB INTO TWO OR MORE PARTIAL PERMITS WILL RESULT IN HIGHER TOTAL PERMIT FEES THAN ONE FULL PERMIT. RESUBMITTAL PLAN REVIEW FEES MAY BE DUE WHEN PREVIOUSLY IDENTIFIED DEFICIENCIES REMAIN UNCORRECTED ON SUBSEQUENT SUBMITTALS.

Project Valuation

Total Project Valuation (Including Mech, Plbg, Elec, Sprklr, Etc., Excluding Site Improvements and property):* \$ 2,821,672.54

*PROVIDE SEPARATE TOTAL PROJECT AND BUILDING VALUATIONS. IF THE PROJECT CONTAINS SEPARATE BUILDINGS, PERMIT FEES SHALL BE CALCULATED SEPARATELY FOR EACH BUILDING.

Tenant Information:

Provide a description of the proposed use for the space. Indicate the nature of the business and the type of daily activities to be performed. Indicate the type of materials to be stored in type S occupancies and how they will be stored. If this is a spec building, indicate the type of tenants anticipated.

Proposed Whataburger fast food restaurant with double drive through.

Deferred submittals:

- ☒ Truss design package (or other engineered floor/roof assemblies)
- ☐ Metal building design package
- ☐ Precast concrete design package
- ☐ Fire suppression system design package
- ☐ Fire alarm system design package
- ☐ Other: _____, please include a copy of prior approval of any other deferred submittal items.

Establishments which sell and/or serve food or Commercial Swimming Pools:

Establishments which either sell or serve food are required to submit a separate permit application to the Jackson County Department of Public Works as they currently serve as the health officer for the City of Lee's Summit. The health officer must approve the projects plans prior to issuance of a building permit by the City of Lee's Summit. Contact the Jackson County Department of Public Works at 816-881-4530 for additional information. Project documents and plans shall be submitted directly to the Jackson County Department of Public Works.

Clean Indoor Air Ordinance:

The City of Lee's Summit has an ordinance which prohibits smoking in virtually all enclosed areas of public places and places of employment. Per the ordinance, a "No Smoking" sign or the international "No Smoking" symbol (consisting of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted at every entrance where smoking is prohibited. The person who owns, manages, operates or otherwise controls a public place or place of employment is responsible for compliance with the Clean Indoor Air Act. Questions regarding the Clean Indoor Air Act may be directed to Development Services at (816) 969-1200.

Crime Prevention Through Environmental Design (CPTED):

The following uses have been classified as “Uses with Conditions” per Article 6 of the Unified Development Ordinance, having been determined with a tendency toward an increased risk of crime. Specific conditions for such uses are found in Article 6 and shall be required to be met prior to receiving any zoning approval, business license or approval to occupy any commercial space.

Bank/Financial Services

Bank Drive-Thru Facility

Check Cashing and Payday Loan Business

Convenience Store (C-Store)

Financial Services with Drive-up Window or Drive-Thru Facility

Pawn Shop

Title Loan Business, if performing on site cash transactions with \$500 or more in cash on hand

Unattended self-serve gas pumps

Unsecured Loan Business

Other similar uses shall meet the same standards as the above

If this project is for a use listed above, compliance with the design requirements found in Article 8 of the Unified Development Ordinance will need to be shown on the submitted plans.

Contractors

Provide the company name of the contractors performing the work in the following areas.

- General (if different than Applicant) TBD
- Mechanical (HVAC) TBD
- Electrical TBD
- Plumbing TBD

Additional Information

For information on plan submittal requirements and the plan review process please refer to the Commercial Permit Plan Submittal Guidelines document. If you have any additional questions please contact Development Services Department at (816) 969-1200, Monday through Friday between 8:00am and 5:00pm. Contact the Fire Department at (816) 969-1300 regarding hazardous material/fire suppression/fire alarm application requirements.

The following portion of this form is for the Excise Tax for Streets License Tax. If your project is not a new building, tenant finish, or any other sort of project that will increase or decrease vehicle trips proceed to signature block on last page.

The Excise Tax for Streets is a tax paid in the form of a surcharge (License Tax) to the annual business license tax on building contractors to be paid by development that requires a building permit and results in additional vehicle trips.

CREDIT REQUEST -- The applicant may request a tax credit as listed below for eligible projects, and attach documents as required. APPLICANTS MUST REQUEST TAX CREDITS AS A PART OF THE APPLICATION. IF A BOX IS NOT CHECKED REQUESTING A CREDIT AS A PART OF THIS APPLICATION, THE PROJECT WILL NOT BE REVIEWED FOR ELIGIBILITY BY THE CITY AND THE RIGHT TO A CREDIT WILL BE FORFEITED. The City will review all credit requests and determine the eligibility of a project for a credit in accordance with City ordinance. A CREDIT REQUEST DOES NOT CONSTITUTE A TAX CREDIT APPROVAL, WHICH WILL BE REFLECTED ON THE TAX BILL.

A. Full Credits -- *CHECK APPROPRIATE BOX*

- ☐ 1. **Public Body** -- A full credit will be granted for development constructed by, or by a building contractor on behalf of, a public body for its governmental use.
PUBLIC BODY _____
- ☐ 2. **School Districts** -- A full credit will be granted for development constructed by, or by a building contractor on behalf of, a school district of the state.
SCHOOL DISTRICT _____
- ☐ 3. **Damaged Facilities** -- A full credit will be granted for development rebuilding an involuntarily damaged or destroyed building, provided that such rebuilding does not result in additional vehicle trips.
- ☐ 4. **Development Agreements** -- A full credit will be granted for development constructed by, or by a building contractor on behalf of, an entity which has entered into a development agreement with the City that provides a specific provision that the entity shall not be required to make a financial contribution beyond the terms of the agreement and the commitment of the agreement involved street improvements to enhance the City's overall street network.
DEVELOPMENT AGREEMENT _____
- ☐ 5. **Tax Exempt Entity** -- A full credit will be granted for development constructed by, or by a building contractor on behalf of, an entity that is not subject to any federal, state, or local taxes including sales, income, personal property, real property, use, license, and earnings taxes.

- ☐ 6. **Underutilized Facilities** -- A full credit will be granted for a building contractor requesting a building permit required for utilization of a currently underutilized facility within an *existing approved* building.
- ☐ 7. **Change of Use** -- A full credit will be granted to a building contractor that requests a building permit that is required for a change of use within an *existing* building that does not change the general land use category of the building (residential versus non residential) or the change is from non residential to residential *and* does not add additional square footage to the building.

B. Partial Credits -- *CHECK APPROPRIATE BOX*

- ☐ 1. **Change of Use** -- (RESIDENTIAL TO NON RESIDENTIAL)-- A partial credit will be granted to a building contractor that requests a building permit that is required for a change of use from residential to non residential. The credit shall only be granted for the number of trips that were generated by the previous residential building during the p.m. peak time period and the new trips generated by the non residential use shall be subject to the tax.
- ☒ 2. **Redevelopment of Property** -- A partial credit will be granted to a building contractor that requests a building permit that results in the redevelopment of property. Redevelopment shall apply to development activity that results in the demolition of one or more buildings and the subsequent construction of one or more new buildings on the property, provided that the complete building permit application for a building permit to construct the new building(s) to replace the existing building(s) is filed within six (6) months following demolition of the existing building(s). The credit shall only be granted for the number of trips that were generated by the previous building(s) during the p.m. peak time period and the new additional trips generated by the new building(s) shall be subject to the tax.

THE CITY RESERVES THE RIGHT TO REQUEST ADDITIONAL INFORMATION AS NEEDED TO DETERMINE ELIGIBILITY FOR A TAX CREDIT

C. TYPE OF BUILDING – *SELECT ONE*

Residential

- ☐ Single family
☐ Duplex/four-plex
☐ Apartment

Non-residential

- ☐ Shell (payment plan option not available)
☒ Non-shell (see payment plan section below)

D. FOR NON-RESIDENTIAL/NON-SHELL BUILDINGS ONLY: *SELECTION OF PAYMENT PLAN OPTION*

The City of Lee's Summit offers a payment plan for non-residential (commercial, retail, industrial, manufacturing), non-shell buildings. The payment plan is for a period of five years. Prior to issuance of the Certificate of Occupancy, 20% of the total tax will be due and payable in addition to proper security for the balance of the tax (tax surety bond, letter of credit or cash bond). On each anniversary date of the Certificate of Occupancy, for four years thereafter, 20% of the tax will be due, plus interest charged by the City on the balance of the tax.

Disclosure of opting for the payment plan is required at license tax application. Check payment plan below if you intend to exercise this option:

☐

PAYMENT PLAN

☒

NO PAYMENT PLAN

E. PAYMENT OF THE LICENSE TAX

RESIDENTIAL: PAYMENT OF THE LICENSE TAX IS DUE **PRIOR** TO THE ISSUANCE OF THE BUILDING PERMIT AND IS TO BE **PAID IN THE TREASURY DIVISION OF THE FINANCE DEPARTMENT**. A COPY OF THE LICENSE TAX BILL CAN BE OBTAINED FROM THE DEVELOPMENT SERVICES DEPARTMENT WITHIN THE TIME PERIOD POSTED. THE LICENSE TAX IS A SURCHARGE TO THE ANNUAL BUSINESS LICENSE TAX.

NON-RESIDENTIAL/SHELL: PAYMENT OF THE LICENSE TAX IS DUE **PRIOR** TO THE ISSUANCE OF A TENANT CERTIFICATE OF OCCUPANCY FOR BUILDINGS APPROVED AS NON-RESIDENTIAL/SHELL AND IS TO BE **PAID IN THE TREASURY DIVISION OF THE FINANCE DEPARTMENT**. A COPY OF THE LICENSE TAX BILL CAN BE OBTAINED FROM THE DEVELOPMENT SERVICES DEPARTMENT WITHIN THE TIME PERIOD POSTED. THE LICENSE TAX IS A SURCHARGE TO THE ANNUAL BUSINESS LICENSE TAX.

NON-RESIDENTIAL/NON-SHELL: PAYMENT OF THE LICENSE TAX IS DUE **PRIOR** TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY AND IS TO BE PAID IN THE TREASURY DIVISION OF THE FINANCE DEPARTMENT, UNLESS THE PAYMENT PLAN OPTION IS SELECTED. (SEE BELOW.) A COPY OF THE LICENSE TAX BILL CAN BE OBTAINED FROM THE DEVELOPMENT SERVICES DEPARTMENT WITHIN THE TIME PERIOD POSTED. THE LICENSE TAX IS A SURCHARGE TO THE ANNUAL BUSINESS LICENSE TAX.

The application must be signed by the legal owner of the building contractor company. The building contractor may grant permission for the filing of the application by means of a signed and notarized affidavit to that effect, submitted with the completed application. The applicant certifies that the information provided in this application is true and correct to the best of his/her knowledge.

I hereby certify that I have completed this application to identify the requirements for the specific project being submitted for plans review in order to expedite the review process. This submittal is complete for review of the scope of work as described herein and I further understand that omissions of required information will result in delays in the plans review process.

Certified by:

Print name: Heather Fuentes

Date: 8/23/22

State Registration # (if applicable): N/A