



# City of Lee's Summit

220 SE Green Street Lee's Summit, Missouri 64063  
(816) 969-1600 Fax (816) 969-1619

## Commercial Preliminary Development Plan Applicant's Letter

**Date:** Friday, January 04, 2013

**To:**

**Property Owner:** DACUR  
INVESTMENT COMPANY INC

**Email:**

**Fax #:** <NO FAX NUMBER>

**Applicant:** BRR ARCHITECTURE - Kathy Kem  
Email: kathy.kem@brrarch.com

**Fax #:** (913) 262-9044

**Engineer:** PHELPS ENGINEERING, INC - Judd Claussen  
Email: jclaussen@phelpsengineering.com

**Fax #:** <NO FAX NUMBER>

**Property Owner:** CURRY REAL ESTATE - Mike Sweeney  
Email: msweeney@curryre.com

**Fax #:** <NO FAX NUMBER>

**From:** Chris Hughey, Planner

**Re:**

**Application Number:** PL2012156

**Application Type:** Commercial Preliminary Development Plan

**Application Name:** FREDDYS FROZEN CUSTARD & STEAKBURGERS

**Location:** 194 NW OLDHAM PKWY, LEES SUMMIT, MO 64081

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### Tentative Schedule

Submit revised plans by noon on Tuesday, January 22, 2013 (4 paper copies, 1 reduced (8 ½ x 11 copy)).

Applicant Meeting 01/09/2013 09:00 AM: **01/09/2013**

Planning Commission Meeting 02/12/2013 05:00 PM: **02/12/2013**

City Council Public Hearing 02/21/2013 06:15 PM: **02/21/2013**

City Council Ordinance 02/21/2013 06:15 PM: **02/21/2013**

If the revised submittal deadline is not met or plans are deficient, the item will be moved to a later meeting and a new deadline will be set. Future deadlines and meeting dates can be found on the "Planning Commission Meeting Dates" handout. Dates are subject to change; we will keep you informed throughout the process.

### Excise Tax

On April 1, 1998, an excise tax on new development for road construction went into effect. This tax is levied based on the type of development and trips generated. If you require additional information about this development cost, as well as other permit costs and related fees, please contact the Permitting and Plan Review Division of the Codes Administration Department at 969-1200.

### Planning Commission and City Council Presentations

Presentations before the Planning Commission and City Council shall be (1) in electronic format or (2) reduced drawings for use on the Document Camera to display on the screen. Electronic presentations shall be on a laptop, CD ROM, DVD, or flash drive. The City's presentation system can support Word, Excel, Power Point, Adobe, Windows Media Player and Internet Explorer applications. Presentation boards will no

longer be allowed. The presentation(s) shall be submitted to Planning and Development staff no later than the day of the Planning Commission meeting by 4 pm.

## **Notice Requirements**

### **1. Notification of Surrounding Property Owners.**

- **Mail Certified Notices.** The applicant must mail certified letter notices to all property owners within 185 feet at least 15 days prior to the hearing. Sample notices are available. The notice must include:
  - time and place of hearing,
  - general description of the proposal,
  - location map of the property,
  - street address, or general street location
  - statement explaining that the public will have an opportunity to be heard
- **File Affidavit.** An affidavit must be filed with the Planning and Development Department prior to the public hearing certifying the notices have been sent. Provide a list of the property owners notified and a copy of the notice sent.

### **2. Notice Signs.**

- **Post Sign.** The applicant shall post a sign on the premises, at least 15 days prior to the date of the hearing, informing the general public of the time and place of the public hearing. When revised plans are submitted, staff will prepare the sign and provide it to the applicant for posting.
- **Maintain Sign.** The applicant shall make a good faith effort to maintain the sign for at least the 15 days immediately preceding the date of the hearing, through the hearing, and through any continuances of the hearing. The sign shall be placed within 5 feet of the street right-of-way line in a central position on the property that is the subject of the hearing. The sign shall be readily visible to the public. If the property contains more than one street frontage, one sign shall be placed on each street frontage so as to face each of the streets abutting the land. The sign may be removed at the conclusion of the public hearing(s) and must be removed at the end of all proceedings on the application or upon withdrawal of the application.

## **Analysis of Commercial Preliminary Development Plan:**

<b>Planning Review</b>	Chris Hughey (816) 969-1603	Planner Christopher.Hughey@cityofls.net	Corrections
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1. Building Materials. Provide an approximate percentage of EFIS coverage on each facade.
2. Building Materials. Provide a material label for the proposed awnings. Please note translucent or light emitting awnings are not permitted.
3. Parking. Please submit a letter requesting a modification to the 20 foot parking lot setback requirement. Staff is supportive of this modification since this is an existing site and is compatible with the other surrounding parking areas.
4. Parking. Please revised the parking lot space calculations. The City's Unified Development Ordinance (UDO) stipulates 14 parking spaces per 1,000 gfa for drive-thru and/or sit down restaurants (not 1 per 3 seats). Refer to Table 12-1 of the UDO.
5. Parking. Under the UDO 50 parking spaces are required for this restaurant. However, only 48 spaces are proposed. Please use one of the following options to address this shortfall:
  - a. Provide the additional 2 spaces.
  - b. Submit a letter requesting a modification to the number of required parking spaces.

- c. Submit a shared parking agreement with the surrounding shopping center owner to share parking spaces.
6. Parking. For the 13 head to head parking spaces in the southwest corner of the site the minimum space depth shall be 19 feet. A modification to this depth may be requested as well.
7. Parking & Site Design. Staff highly recommends adding a parking lot island around the existing shopping center monument/pylon sign to better define the adjacent parking spaces and provide a protection area from an vehicles on site.
8. Signage. Four signs have been proposed for this site (3 wall signs and 1 monument sign). This exceeds the current permitted number of signs under the City's Unified Development Ordinance (UDO). However, staff if support of the additional sign. Please provide a letter requesting a modification to the number of permitted signs.
- a. In addition, provide a graphic of the proposed monument sign with overall dimensions.
  - b. Provide dimensions of each of the wall signs and square footage of each applicable building facade.
9. Monument sign. Although the proposed monument sign does meet the setback requirements as outlined in the UDO. The proposed monument sign (including footings) needs to be placed outside of the utility easement along Oldham Parkway per the Public Works Encroachment Policy.
10. Flag pole. What is the overall height of the proposed flag pole and what type of flag will it be displaying? Please note commercial flags are not permitted.
11. Address. Add the project address of "194 NW Oldham Parkway" to the plans.
12. Zoning. Add the zoning district code of "CP-2" - Planned Community Commercial District to the Building and Lot Data table on sheet C002.
13. Plan Seals. Resubmitted plans shall be signed and sealed by a licensed design professional. Please note that plans do not need to be "wet" or "ink" sealed. Digital or copied seals are acceptable.
14. Photometric Plans. Provide photometric plans that account for any proposed exterior canopy, wall mounted, or pole mounted light fixtures. The plan should also take in to account any light spread/lumens from surrounding nearby light sources.
15. Lighting. Provide the manufacturer's specification sheets for all pole mounted, wall mounted, goose neck, bollard, and/or canopy light fixtures. For pole lights please include a diagram of the pole with base and include overall dimensions.
16. Lighting. Will there be any additional pole lights added to the site? If so, please note all new parking lot pole lights are required to be LED light fixtures.
17. Landscaping. All deciduous (overstory) trees shall have a minimum caliper diameter of 3 inches at the time of planting. Correct summary table accordingly.
18. Landscaping. Add a note to the landscaping page that states all areas not covered by impervious surface or other landscaping material shall be covered with sod.
19. Landscaping. Section 14.120 of the UDO states that all parking lots shall be screened from view from a street right-of-way by one of four methods:
- a. planting hedge,
  - b. earthen berm,

- c. decorative wall, or
- d. combination of the above three methods

Please note screening shrubs may have to be located within the Oldham Pkwy street right-of-way. City staff is okay with this placement, however Oldham Pkwy is a MoDOT controlled road and will require MoDOT approval for placement of the shrubs in the road right-of-way.

20. Trash Enclosure. Label the materials and colors of the trash enclosure doors.

<b>Engineering Review</b>	Gene Williams (816) 969-1812	Senior Staff Engineer Gene.Williams@cityofls.net	Corrections
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1. The water meter location may need to be adjusted. Would it be possible to move the meter to the small island which separates the drive-through lane and the remainder of the parking lot? This will make it easier for Water Utilities personnel to obtain meter readings rather than conflicting with drive-through traffic.
2. If a fire line is required for the development, then a backflow vault will be required if the distance between the riser/equipment room and the water main is greater than fifty (50) feet.
3. Sheet C003 of the grading plan has what appears to be an erroneous "995" contour. Please correct.
4. A monument sign is being proposed within an easement near Oldham Parkway. Please move the location of the monument sign, including any footings, completely outside the limits of the easement.
5. The existing monument sign on the southeast corner appears to be encroaching into an easement. This may require vacating a portion of the easement.

<b>Fire Review</b>	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Corrections
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1. Fire Department-All building and life safety issues shall comply with the 2006 International Fire Code and local amendments as adopted by the City of Lee's Summit.
2. 903.2.1.2 Group A-2.  
An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:
  1. The fire area exceeds 5,000 square feet (465 m2);
  2. The fire area has an occupant load of 100 or more; or
  3. The fire area is located on a floor other than the level of exit discharge.

Action required: Provide a Code Analysis indicating the calculated occupant load of the entire building per IFC Table 1004.1.1.

Provide a fire main to the building if the calculated occupant load is 100 or more.

3. Fire Department- IFC 503.2.3 Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

<b>Traffic Review</b>	Michael Park (816) 969-1820	City Traffic Engineer Michael.Park@cityofls.net	No Comments
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