

Commercial Preliminary Development Plan Applicant's Letter

Date: Friday, July 26, 2019

To:

Property Owner: LEES SUMMIT 29197 L L C

Email:

Fax #: <NO FAX NUMBER>

Applicant: NPC INTERNATIONAL INC

Email:

Fax #: <NO FAX NUMBER>

Engineer: MICHAEL NELKIRK

Email:

Fax #: <NO FAX NUMBER>

From: Hector Soto Jr., Planning Division Manager

Re:

Application Number: PL2019233

Application Type: Commercial Preliminary Development Plan

Application Name: WENDY'S RESTAURANT

Location: 711 SE M 291 HWY, LEES SUMMIT, MO 64063

Tentative Schedule

Submit revised plans by noon on Monday, August 12, 2019 (4 full size paper copies, 1 reduced 8 ½" x 11" copy, and 4 copies of the comment response letter).

Applicant Meeting: Not Required; Schedule per request of Applicant

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.

Electronic Plans for Resubmittal

All Planning application and development engineering plan resubmittals shall include an electronic copy of the documents as well as the required number of paper copies.

Electronic copies shall be provided in the following formats:

- Plat - All plats shall be provided in multi-page Portable Document Format (PDF).
- Engineered Civil Plans – All engineered civil plans shall be provided as multi-page Portable Document Format (PDF).
- Architectural and other plan drawings – Architectural and other plan drawings, such as site electrical and landscaping, shall be provided as multi-page Portable Document Format (PDF).
- Studies – Studies, such as stormwater and traffic, shall be provided in Portable Document Format (PDF).

Please contact Staff with any questions or concerns.

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 Development Services Department at (816) 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, PowerPoint, Adobe, Windows Media Player and Internet Explorer applications. Presentation boards will no longer be allowed. The presentation(s) shall be submitted to Development Services Department staff no later than the day of the Planning Commission meeting by 4:00 pm.

Notice Requirements

1. Notification of Surrounding Property Owners.

- **Mail Notices.** The applicant must mail letter notices to all property owners within 185 feet from the boundaries of the property for which the application is being considered 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 Codes Administration 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 sent notice .

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:

Fire Review	Jim Eden (816) 969-1303	Assistant Chief Jim.Eden@cityofls.net	Approved with Conditions
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1. All issues pertaining to life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to the safety to fire fighters and emergency responders during emergency operations, shall be in accordance with the 2018 International Fire Code.

Planning Review	Hector Soto Jr.	Planning Division Manager	Corrections
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1. PLAT. The proposed development requires that the subject property be re-platted. At some indeterminate time after 2001, a portion of the most recently platted version of the subject property was sold off to the property owner to the south without going through the required platting process.

2. SITE DATA TABLE (Sheet C2).

- The square footage and acreage listed for the Area of Site is incorrect. It lists 90,185.95 sq. ft. and 2.07 acres. It appears it should be 47,692.73 sq. ft. (1.09 ac) based on information elsewhere on the plans.
- The square footage of proposed impervious area is missing a digit and should read 35,432.21 sq. ft.
- Also list the impervious and pervious square footages as percentages of their respective lot coverages.

3. RECORD DESCRIPTION (Sheet C2). The bearing contained in the description of the excepted portion of the lot does not match what is graphically shown. Also, it appears that the description of excepted portion doesn't include the entire boundaries of said portion.

4. LANDSCAPE PLAN.

- Label the proposed plant material sizes. See Section 8.750 of the UDO for acceptable plant material sizes. Please note that the same 3" caliper minimum size requirement applies to all deciduous trees, be they shade or ornamental trees.
- Add a note on the plans stating that all portions of the site not covered with paving or buildings shall be landscaped. Open areas not covered with other materials shall be covered with sod. Ground cover shall be utilized on all slopes in excess of 3:1 slope.
- The required street trees and street shrubs are required to be planted along the front property line versus interior to the site. This may require you to contact and enter into an agreement with MoDOT to possibly plant some of the landscaping within the MoDOT right-of-way. MoDOT has been agreeable to such arrangements on other projects with frontage on State right-of-way.
- Parking lot screening along the westernmost edge of the two parking areas closest to M-291 Hwy shall be provided in accordance with Section 8.820 of the UDO.
- The open lot area used in Note 5 and 6 of the Landscaping Requirements is incorrect. They should read 45,186.73 sq. ft. (total lot area minus building footprint area). Revise the calculated number of required open yard trees and shrubs accordingly.

5. PAVEMENT DESIGN. The details provided on Sheet C7 do not meet the City standards under Section 8.620.F of the UDO.

6. ADA PARKING SIGN. Revise the detail on Sheet C7 so it reads that the mounting height shall be 3' minimum and 5' maximum, measured to the bottom of the sign.

7. TRASH ENCLOSURE DETAIL. Detail 05 on Sheet C9 shows "composite fencing" over the metal gate frame. Is the intent for a wood composite material? City ordinance requires trash enclosure gates to be opaque solid steel gates. Wood or wood composite is not allowed.

8. PHOTOMETRIC PLAN.

- Light poles are required to be arranged to provide uniform illumination throughout the parking lot not to exceed 10 foot-candles.
- Is any wall-mounted or accent lighting proposed for the building? If so, it shall be subject to the requirements of UDO Section 8.260 and 8.270. Ensure that the light levels produced by the lighting is accounted for in the photometric plan.

9. MECHANICAL EQUIPMENT SCREENING.

- Parapet wall heights shall be increased to a height at least equal to the RTUs in order to hide them from view on all sides.
- Is any ground-mounted mechanical equipment proposed? If so, show the location on the site plan to the extent possible. Any ground-mounted equipment shall be totally screened from view on all side using evergreen landscaping or masonry walls.

10. BUILDING ELEVATIONS.

- For ease of reference, please relabel the building elevations with their cardinal directions.
- Additional architectural features and projections are required along the south building elevation to break up the large, flat wall plane. An example of an acceptable feature would be a canopy over the length of the glass storefront, which would provide a projection and a contrasting horizontal feature.
- How much projection is provided along the west (front) building elevation?
- Provide a color perspective of the proposed building.

11. SIGNAGE.

- Is a monument sign proposed for the site? If so, please show the proposed location on the site plan and provide an elevation of said sign for review.
- A total of 3 wall signs are allowed by right for a stand-alone single-tenant building. The text ("Quality service that...") on the drive thru side elevation is considered a sign, and would yield a total of 4 wall signs when counted with the Wendy's name, Wendy's logo and Wendy's logo with name also shown on the building.

Engineering Review	Gene Williams (816) 969-1223	Senior Staff Engineer Gene.Williams@cityofls.net	Corrections
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1. No access to the public sanitary sewer is shown or appears to be feasible on the site, without the applicant acquiring easements from adjacent owners. Our records indicate that the only public sanitary sewer access is along SE 7th Terr. As discussed during the pre-application meeting, it appears that the owner of Lot 5A, Polk Addition, transferred ownership without City knowledge, of the only available corridor for sanitary sewer access to HMM Limited, LLC. It appears that easements must be acquired for sanitary sewer service.

2. Asphalt pavement sections do not follow the requirements contained within the Unified Development Ordinance (UDO). However, it may be beneficial to eliminate these details from the Preliminary Development Plan, since these are items to be covered during the review of a Final Development Plan.

3. As discussed on the phone, please show how the drainage areas to their respective points of discharge will not change after re-development. We had discussed that if the overall drainage areas to each respective point of discharge did not change, then no additional stormwater management would be required. In order to show this, we would suggest the following: 1) show the existing condition drainage areas on the site, and 2) show the post-development drainage areas on the site. If the results are equal to the existing condition, then no further action would be necessary.

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