

DEVELOPMENT SERVICES

**Commercial Rezoning with Preliminary Development Plan
Applicant's Letter**

Date: Wednesday, March 16, 2022

To:

Property Owner: HFI 463 WARD LLC

Email:

Applicant: WHATABRANDS INC

Email: knelson@wbhq.com

Engineer: Kevin Drozin

Email: kdrozin@msconsultants.com

From: Shannon McGuire, Planner

Re:

Application Number: PL2022079

Application Type: Commercial Rezoning with Preliminary Development Plan

Application Name: WHATABURGER M150

Location: 204 SW M 150 HWY, LEES SUMMIT, MO 64082

Tentative Schedule

Submit revised plans by 4pm on Monday, March 28, 2022 . Revised documents shall be uploaded to the application through the online portal.

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 300 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.

3. **Neighborhood Meeting.** One neighborhood meeting is required for each application, which must occur within the initial 10 day review period and prior to re-submission of the application. More than one neighborhood meeting may be held on an application, at the option of the applicant

- **Timing and location:** Within two miles of the project site, Monday through Thursday, excluding holidays, and start between 6:00P.M. and 8:00 P.M. If location for the meeting is not available within [2] miles of the subject property. The applicant shall select a location outside this area that is reasonably close to these boundaries.
- **Notification:** Shall be sent by certified mail or delivered to property owners within 300 feet of the project site. Mailed notices shall be postmarked at least seven days prior to the meeting. Hand deliveries must occur at least five (5) days prior to the meeting.

- **Notes:** The Applicant shall take sufficient notes at the neighborhood meeting to recall issues raised by the participants, in order to report on and discuss them at public hearings before City governmental bodies on the application. The notes shall be turned in with the application re-submittal.

Analysis of Commercial Rezoning with Preliminary Development Plan:

Planning Review	Shannon McGuire (816) 969-1237	Planner Shannon.McGuire@cityofls.net	Corrections
------------------------	-----------------------------------	---	-------------

1. Please provide a legal description which accurately describes the limits of the property in a selectable format.
2. Please provide a rezoning map showing the following:
 1. Boundaries of the property to be rezoned.
 2. Legal Description
 3. Existing and proposed zoning districts of the property to be rezoned.
 4. Zoning, land use, and ownership of all parcels within 185 feet of the property to be rezoned.
3. Please show the location of all oil and gas wells, whether active, inactive, or capped. If none are present please add a note to the plans and cite your source of information.
4. The elevations of the trash enclosure on sheet A6.6 dose not have a label for the proposed wall material, call out #5. Additionally, sheets A6.6 & C-7.3 are inconsistent with regards to the proposed material. Sheet C-7.3 appears to show a metal wall material for the trash enclosure.
5. Trash enclosure shall be protected through the installation of four-inch bollards along the rear wall of the trash enclosure. Trash enclosure areas shall be improved with a Portland cement concrete pad and a Portland cement concrete approach 30 feet in length, measured from the enclosure opening. The pad and approach shall be improved with a minimum six inches of full depth unreinforced Portland cement concrete constructed on a sub-grade of four inches of granular base course. Please update the plans to meet these requirements.
6. Please add the total floor area to the site data table on sheet C-3.0.
7. CG-1 concrete curbing required around all parking areas and access drives in office, commercial and industrial districts. Temporary asphalt curbs may be used in areas to be expanded only as shown and approved on the development plan. The curb detail on sheet C-7.0 does not meet this standard.
8. All signs must comply with the sign requirements as outlined in the sign section of the ordinance. If you are going to request additional/taller/large sign then the UDO permits, please submit a modification request. As shown on the elevations you have 6 wall signs. The UDO limits wall signs to 3.
9. The proposed metal wall panel is a conditional material that must be approved by the City Council. Please provide the total % of façade for the material on each elevation.
10. The site is subject to the M-150 Corridor Development Overlay (CDO) District regulations. As such additional design standards are required. Please review these standards and ensure you are meeting all the requirements.
11. All roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design. The parapet wall or similar feature shall be of a height equal to or greater than the height of the mechanical equipment being screened.

12. Wall-mounted mechanical equipment, except air conditioning equipment, that protrudes more than six inches from the outer building wall shall be screened from view by structural features that are compatible with the architecture and color of the subject building. Wall-mounted mechanical equipment that protrudes six inches or less from the outer building wall shall be designed to blend with the color and architectural design of the subject building. Will there be any wall mounted equipment?

13. Ground-mounted mechanical equipment shall be screened from view by landscaping or by a decorative wall that is compatible with the architecture and landscaping of the development site. The wall shall be of a height equal to or greater than the height of the mechanical equipment being screened. Will there be any ground mounted equipment?

14. All transformers and other facilities and equipment, including telecommunications equipment, shall either be screened through the use of architectural materials compatible with the architectural materials present on the site or, alternatively, through landscape screening. Such screening shall be adequate to completely screen such facilities from all rights-of-way. Please ensure that the proposed landscaping materials will provide full screening at the time of planting.

15. Please provide details on how you are meeting the sustainability requirements of Sec. 5.510.C.

16. As shown you are proposing fewer parking stalls than is required by the UDO. A request for approval of an Alternate Parking Plan shall be accompanied by a parking demand study or other data that establishes the number of spaces required for the specific use. The study or data may reflect parking for the same use existing at a similar location or for similar uses at other locations. Published studies may be utilized to support alternative parking requests.

17. Information Only - The property requires platting prior to the issuance of building permits.

Engineering Review	Sue Pyles, P.E. (816) 969-1245	Senior Staff Engineer Sue.Pyles@cityofls.net	Corrections
---------------------------	-----------------------------------	---	-------------

1. General:

- Extension of the existing water line along SW Summitcrest Drive from the end of the existing line (near the NE corner of the site) west to connect with the existing line along the west side of SW Hollywood Drive is required. Please show throughout the plan set.
- Standard Details ESC/SWPPP plans are not required with a Preliminary Development Plan and may be removed from the plan set if desired. Please note that City standard details are preferred.

2. Sheet C-1.0: The site location is in the NE quadrant of M 150 Hwy & SW Hollywood drive. Please revise quadrant and street name.

3. Sheet C-3.0:

- Show 30' of concrete in front of the trash enclosure.
- The entrances must be concrete.
- Keyed Note 29 is pointing to nothing. Either note all storm structures or none for consistency.

4. Sheet C-5.0:

- Proposed contours must tie back to existing contours. Please review and revise as required.
- Storm sewer elevations will be reviewed with the Final Development Plan. All pipes greater than 6" diameter will

require profiles.

5. Sheet C-6.0:

- Please clarify the proposed connection to existing sanitary sewer. The plans seem to indicate the sanitary sewer being extended 36' to the west, but it is unclear about how that is being done. The sanitary Structure Data table shows "0" as a MH, but connections should be made with a wye.
- Please note that the City does not require a MH at an alignment break for a private service line.
- The proposed FH at the end of a 6" fire line is shown connecting to the 1.5" domestic service line rather than the fire line. Please revise.
- Please extend the plan to the west to show connection information with the existing water main.

6. Sheet C-7.0:

- The pavement sections shown do not meet the requirements shown in Section 8.620 of the Unified Development Ordinance. Revise details to meet requirements. Please note that the UDO requirements govern over any shown in the referenced geotechnical report.
- Please note that the City's requirements, as shown in the Design and Construction Manual, govern over any shown in the referenced geotechnical report. Please revise Detail C Note B accordingly.

7. Preliminary Stormwater Management Report:

- Cover Page: The site location is in the NE quadrant of M 150 Hwy & SW Hollywood drive. Please revise quadrant and street name.
- Page i: The Table of Contents contains error messages. Please revise.
- Page 1: Please revise the project location state to Missouri.
- Page 1: The body of the report and the calculations show the site area as 1.45 acres but the Drainage Area Maps show 1.44 acres. Please reconcile.
- Page 2: Please review the cover type and curve cumber values for the existing and proposed undetained conditions. They do not appear to be impervious. Please revise as needed.
- Page 3: Please revise the project location state to Missouri.

Traffic Review

Brad Cooley, P.E., RSPI

Approved with Conditions

Brad.Cooley@cityofls.net

1. A northbound left-turn lane on Market Street at the Summitcrest Drive should be installed.

Fire Review

Jim Eden
(816) 969-1303

Assistant Chief
Jim.Eden@cityofls.net

Approved with Conditions

2. 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.

Action required- The drive lane for fire access shall be capable of carrying 75,000-pounds.