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March 29, 2022

Development Services
220 SE Green Street
Lee's Summit, MO 64063

**RE: Whataburger – Commercial Rezoning w/ Preliminary Development Plan Applicant's Letter
204 SW M 150 HWY
Lee's Summit, MO 64082**

Reviewing staff,

This letter is in response to the review comments on the above referenced project, which were received on March 16, 2022. All comments received have been incorporated within our revised plans and/or addressed in the comment responses below. Thank you for your time, response to specific comments as follows:

Planning Review

Shannon McGuire

Planner

(816) 969-1237

Shannon.McGuire@citofls.net

Comment 1: Please provide a legal description which accurately describes the limits of the property in a selectable format.

Response: The legal description is included in the word file enclosed with this response.

Comment 2: Please provide a rezoning map showing the following:

- a) Boundaries of the property to be rezoned.
- b) Legal description
- c) Existing and proposed zoning districts of the property to be rezoned.
- d) Zoning, land use, and ownership of all parcels within 185 feet of the property to be rezoned.

Response: See Site Zoning Plan C3.1.

Comment 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.

Response: No evidence of oil and gas wells are present on-site. Oil and gas well locations were researched on Missouri Department of Natural Resources mapping [GeoSTRAT \(arcgis.com\)](http://GeoSTRAT.arcgis.com)

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Comment 4: The elevations of the trash enclosure on sheet A6.6 does 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.

Response: A6.6 revised to show painted CMU for walls of trash enclosure.

Comment 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.

Response: Refer to Sheet C3.0 for updates.

Comment 6: Please add the total floor area to the site data table on sheet C-3.0.

Response: Total floor area has been added to the Site Data table.

Comment 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.

Response: Refer to public and private curbing details on C7.0 & C7.1.

Comment 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.

Response: The sign contractor will submit for permits/planning commission approval.

Comment 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.

Response: Material percentages shown on elevations.

Comment 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.

Response: M-150 Corridor Development Overlay District regulations have been reviewed and all requirements are being met.

Comment 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.

Response: Roof mounted equipment are screened per key note 229 on the elevations.

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Comment 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?

Response: No wall mounted mechanical equipment.

Comment 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?

Response: Ground mounted equipment includes the transformer pad and the backflow vault. These devices are screened with landscaping.

Comment 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.

Response: Acknowledged. Landscaping materials will provide full screening at the time of planting. See Note P on L1.0.

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

Response: New developments are required to meet a minimum total of 3 features. Whataburger is meeting 4 of these requirements including cool roof (white roof), drop irrigation systems for landscaped areas, materials that are produced from renewable resources (Berridge, the manufacturer of the corrugated metal at the top of the building, they use some renewable energy for the production of their product and the steel is recyclable after the building is demolished. Documentation enclosed with this response), and shaded walkways (canopy on building covering pedestrian areas).

Comment 16: As shown you are proposing fewer parking stalls then 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.

Response: Refer to the parking request enclosed with this response.

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Comment 17: Information Only – The property requires platting prior to the issuance of building permits.

Response: Acknowledged. This project will go through the minor plat process.

Engineering Review

Sue Pyles, P.E.

Senior Staff Engineer

(816) 969-1237

Sue.Pyles@cityofls.net

Comment 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 the City standard details are preferred.

Response: The water line extension is shown on C6.0. ESC/SWPPP plans removed for now, but will be reincorporated during Final Development.

Comment 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.

Response: This has been updated.

Comment 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.

Response: Sheet C3.0 has been updated per the comments above.

Comment 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.

Response: The grading has been cleaned up. Acknowledged storm sewer requirements during Final Development.

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Comment 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 west to show connection information with the existing water main.

Response: The sanitary connection will be made via a wye tapping the existing sanitary stub. Fire/domestic water updates incorporated, and the viewport has been extended west to show the connection to the existing water line.

Comment 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.

Response: Sheet C7.0 has been revised.

Comment 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 number 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.

Response: The storm report has been revised.

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Traffic Review

Brad Cooley, P.E., RSPI

Brad.Cooley@cityofls.net

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

Response: Acknowledged. This will be included on our public improvement plans during Final Development.

Fire Review

Jim Eden

Assistant Chief

(816) 969-1303

Jim.Eden@cityofls.net

Comment 1: 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. The drive lane for fire access shall be capable of carrying 75,000 lbs.

Response: See the fire lane added to Sheet C8.0. Also, please reference the updated HD asphalt section per the UDO on sheet C7.0.

Please feel free to contact me with any questions or concerns you may have.

Thank you,

A handwritten signature in black ink that reads 'Jason Boley'.

Jason Boley

jboley@msconsultants.com

(304) 719-1951