

LIBERTY PLANNING AND ZONING COMMISSION

June 13, 2017

Meeting Summary

7:00 p.m.

I. Call to Order

The Liberty Planning and Zoning Commission met on Tuesday, June 13, 2017, in the Council Chambers, City Hall, 101 East Kansas Street. A quorum being present, Vice Chairman Reinier called the meeting to order at 7:00 p.m.

II. Roll Call

Commission members answering roll call were: Rick Boswell, Amy Howard, Walt Holt, Ken Personett, Tom Reinier, and Ann Waterman. Commissioner Gary Armstrong and Chairman Dee Rosekrans were absent. Representing staff were Katherine Sharp, Assistant Director of Planning and Development; Michael Peterman, City Planner; Ben McCabe, Assistant Public Works Director and Maitland Mellhoff, Planning Intern. Kellie Houx and 10 members of the public were in attendance.

III. Approval of Minutes

Commissioner Holt moved to approve the minutes from the May 9, 2017 meeting and Commissioner Howard seconded the motion. The minutes were approved 5-0-1. Commissioner Waterman abstained.

IV. 17-03FP: A Final Plat for Homestead, 2nd Plat. 43 single family lots on 16 acres at S. Withers Rd and Homestead Dr.

Mr. Peterman presented the information for the final plat as described in the staff report.

Commissioner Personett asked for a reminder of the previously approved variances.

Mr. Peterman said they had received variance for a longer cul-de-sac, lessened connectivity, smaller buffer from arterial (Withers), and less riparian buffer setback.

Commissioner Personett asked if anything had come up which indicated that any of these variances would be problematic

Mr. Peterman said no issues have arisen at this time.

Art Akin – AGC Engineers, Inc. – 405 S Leonard Street, Suite D – Liberty, (applicant representative), said they were available for questions.

Vice Chairman Reinier asked if the Commission had questions for the applicant.

Commissioner Personett asked what amenities are to be included in the pocket park.

Mr. Aiken said they had not fully designed the park at this time, but had envisioned a small gathering space with a landscaped area with perhaps a bench.

Vice Chairman Reinier asked if Commissioners had any other questions for staff or the applicant. Hearing none, he asked for a motion.

Action: Commissioner Personett moved to approve. Commissioner Waterman seconded the motion.

Vote: Motion passed 6-0-0

Yes: Commissioners: Boswell, Holt, Howard, Personett, Reinier, Waterman

No: None

Abstain: None

Vice Chairman Reinier said this case would be heard in front of the City Council on June 26, 2017 at 7:00 p.m. in the Council Chambers.

V. 17-27FP: Final Plat for Timber Ridge. 12 single family lots on 12.28 acres north of Nashua between Lake Rd. & N. Withers Rd.

Commissioner Personett recused himself from the meeting.

Mr. Peterman presented the information for the final plat as described in the staff report.

Ron Cowger– AGC Engineers, Inc. – 405 S Leonard Street, Suite D – Liberty, (applicant representative), said they were available for questions.

Vice Chairman Reinier asked if Commissioners had any questions for staff or the applicant. Hearing none, he asked for a motion.

Action: Commissioner Waterman moved to approve. Commissioner Howard seconded the motion.

Vote: Motion passed 4-0-1

Yes: Commissioners: Boswell, Howard, Reinier, Waterman

No: None

Abstain: Holt

Vice Chairman Reinier said this case would be heard in front of the City Council on June 26, 2017 at 7:00 p.m. in the Council Chambers.

VI. 17-29FDP: Final Development Plan for a 40,000 sq. ft. sanctuary at St. James Catholic Church at 309 S. Stewart Rd with variance request for no sidewalks [PUBLIC HEARING]

Mr. Peterman presented the information for the final development plan and variance request as described in the staff report.

Commissioner Boswell asked if the sidewalks would provide connectivity to the shopping center.

Mr. Peterman said yes, to the internal sidewalk through Liberty Commons and over to the B&B Theatre.

Kelly Stindt - SFS Architecture, 2100 Central KC, MO (applicant representative), said the design team were available for questions.

Vice Chairman Reinier asked if the Commission had questions for the applicant.

Commissioner Boswell asked for the reason for the variance.

Ms. Stindt said the cost is the reason, that the sidewalk was not required at the PDP phase and so they had not factored the cost into the project.

Commissioner Reinier asked staff why it was not required at PDP stage.

Ms. Sharp said that Stewart Road was one of many roads which were taken over by the City from MoDOT in exchange for maintenance on the Flintlock Flyover. She said the road is now controlled by the City and so the requirement for sidewalk exists. She said she was sympathetic to the church, understanding that the funding comes from the congregation, but this is next to a new commercial area and the property to the south is zoned for residential.

Commissioner Reinier asked if there would be future infrastructure on Stewart.

Mr. McCabe said he was not aware of any future infrastructure on Stewart.

Commissioner Waterman asked why the sidewalks at Stewart ended.

Ms. Sharp said that she was not certain the reason, that it may have had to do with the redesign or ownership of Stewart. She said the pedestrian connectivity at the Liberty Commons project is through the shopping center and the sidewalks connect pedestrians through the site, so that someone coming from the south could enter the site at the entrance near Academy Sports and walk through to the other stores and hotel.

Commissioner Personett said he believed there was an area at Liberty Commons that would not connect to the sidewalk at the applicant's property.

Mr. McCabe confirmed there was a small gap between the properties.

Ms. Sharp said if there was a gap, the church would not be required to install sidewalks off site on the neighboring property.

Vice Chairman Reinier asked if there were any further questions for staff or the applicant. Seeing none, he opened the public hearing.

Dave McDonald, McDonald & Warger, 1201 College St. Liberty, said when they expanded the parking lot a few years ago the City did not make them put in sidewalks and they had control over Stewart at that time because they discussed access off of Stewart with the City not MoDOT. He said the Stewart elevation went down and the grade should have been chased to allow a sidewalk. He said the church would like to postpone the sidewalk until the church basement is finished.

Vice Chairman Reinier asked if any other members of the public wished to speak. Seeing none, he closed the public hearing.

Ms. Sharp said that City Council can approve a development agreement to defer the sidewalk, but the trigger would most likely include a time frame as well as other triggers.

Vice Chairman Reinier asked if Commissioners had any other questions for staff or the applicant. Hearing none, he asked for a motion.

Action: Commissioner Waterman moved to approve the FDP as presented by staff and asked that the variance be voted on in a separate motion. Commissioner Personett seconded the motion.

Vote: Motion passed 5-0-1

Yes: Commissioners: Boswell, Howard, Personett, Reinier, Waterman

No: None

Abstain: Holt

Action: Commissioner Personett moved to approve the variance for no sidewalks as requested by the applicant. Commissioner Waterman seconded the motion.

Commissioner Personett said he would be voting in favor of the variance because he believes common sense should prevail and that the ditch to the south of the property will be difficult to cross.

Vice Chairman Reinier said he would like to have the Council consider a Development Agreement because he believes sidewalks should be put in, the sooner the better.

Vote: Motion failed 2-3-1

Yes: Commissioners: Personett, Waterman

No: Boswell, Howard, Reinier

Abstain: Holt

Vice Chairman Reinier said this case would be heard in front of the City Council on June 26, 2017 at 7:00 p.m. in the Council Chambers.

VIII. Public Comments

There was no public comment.

IX. Other Business

Ms. Sharp went over administrative approvals, introduced the new planning intern, and invited the Commission to the Downtown Reconstruction ribbon cutting on June 27 at 4pm.

X. Future Meeting Schedule

The next regular session is scheduled for Tuesday, July 11, at 7:00 p.m.

XI. Adjournment

Commissioner Howard moved to adjourn, Commissioner Holt seconded.

Vice Chairman Reinier adjourned the meeting at 8:00 pm.