

LIBERTY PLANNING AND ZONING COMMISSION

May 11, 2021

Meeting Summary

3:00 p.m.

I. Call to Order

The Liberty Planning and Zoning Commission met on Tuesday, May 11, 2021, via Zoom Video conference. A quorum being present, Chairman Rosekrans called the meeting to order at 3:00 p.m.

II. Roll Call

Commission members in attendance were: Judy Dilts, Patricia Evans, Walt Holt, Amy Howard, Ken Personett, Tom Reinier, Dee Rosekrans, Donald Summers and Ann Waterman. Representing staff were Katherine Sharp, Director of Planning and Development; Michael Peterman, City Planner; Sherri McIntyre, Public Works Director; John Findlay, City Engineer; and Brandon Smith, Economic and Business Development Manager. 18 members of the public were in attendance.

III. Approval of Minutes

Chairman Rosekrans asked if there were any questions or comments related to the minutes from the April meeting.

Commissioner Evans moved to approve the regular session minutes from the April 13, 2021 meeting and Commissioner Holt seconded the motion. The minutes were approved 8-0-1 (Summers abstained)

IV. 21-24FDP: Final Development Plan for Liberty Commerce Center Bldg #4, 517,000 sf industrial/warehouse bldg., south of South Liberty Pkwy & east of Hughes Rd.

Mr. Peterman presented case as described in the staff report.

Chairman Rosekrans asked the commissioners if they had any questions.

Chris Chancellor, Northpoint Development, the applicant, stated that this building is similar in construction as the previously approved building, but with a different color scheme as requested by the future tenant and 3 sides have docks. This building is fully leased before construction.

Chairman Rosekrans asked the commissioners if they had any questions, seeing none he asked for a motion.

Action: Commissioner Holt moved to approve the case as presented in the staff report. Commissioner Summers seconded the motion.

Vote: Motion passed 9-0-0

Yes: Dilts, Evans, Holt, Howard, Personett, Reinier, Rosekrans, Summers, Waterman

No: None

Recusal: None

Chairman Rosekrans said this case would be heard in front of the City Council on Monday, May 24, 2021.

V. 21-14FDP: Final Development Plan for Liberty Commerce Center Bldg #6, 514,000 sf industrial/warehouse bldg., south of South Liberty Pkwy & east of Hughes Rd. [PUBLIC HEARING]

Mr. Peterman presented case as described in the staff report.

Chairman Rosekrans asked the commissioners if they had any questions.

Commissioner Dilts noted that on the landscape plan, S. Withers Road was labeled as Hughes Road.

Chris Chancellor, Northpoint Development, the applicant, stated that this building is fully leased before construction. He also explained the request for variance to allow the dock doors to face the public right of way of S. Withers Rd. The Liberty Commerce Center is an Industrial development and S. Withers Rd., while it is proposed as a public right of way, will function as an industrial drive that will service similar buildings and uses. He believes that the impact of allowing the dock doors to face the right of way will not have the same effect as if facing a road that the general public uses.

Chairman Rosekrans opened the public hearing.

John Ferguson, 2152 Oak Crest, Liberty, MO asked if there was any information regarding the extension of Hughes Rd. to the south making connections to Parvin Road.

Chairman Rosekrans asked if there was anyone else in the audience that would like to speak for or against the case. Seeing none he closed the public hearing.

John Findlay, City Engineer, stated that in the development agreement with Liberty Commerce Center, there was discussion about the future extension of Hughes Rd. That it would be pursued as an option in conjunction with interested parties and other municipalities. Currently there are no plans and it is not part of this application.

Chairman Rosekrans asked the commissioners if they had any questions.

Commissioner Personett asked about the extension of S. Withers Rd. south of this project.

Mr. Peterman stated that what is shown on the plan is just a future possibility of extending S. Withers Rd. to the south of this project is not on the applicants property and is also outside the City Limits of Liberty.

Commissioner Personett asked why S. Withers Rd is proposed as a public road instead of a private road.

Mr. Findlay stated that staff discussed public vs private and it was determined that emergency services access and public access to the buildings on the east side would be better served by a public road.

Sherri McIntyre, Public Works Director, also stated that the extension of S. Withers Road from South Liberty Parkway crossed property that was not part of the overall Liberty Commerce Center project, therefore requiring it to be a public road.

Chairman Rosekrans asked the commissioners if they had any other questions, seeing none he asked for a motion.

Action: Commissioner Waterman moved to approve the case with the variance as presented in the staff report. Commissioner Dilts seconded the motion.

Vote: Motion passed 9-0-0

Yes: Dilts, Evans, Holt, Howard, Personett, Reinier, Rosekrans, Summers, Waterman

No: None

Recusal: None

Chairman Rosekrans said this case would be heard in front of the City Council on Monday, May 24, 2021.

VI. 21-21A: Future Land Use Map Amendment for Tapp Farm, change to Low Density Residential for development of a standard single family subdivision at the NW corner of SLP and Birmingham [PUBLIC HEARING]

Mr. Peterman presented case as described in the staff report.

Chairman Rosekrans asked the commissioners if they had any questions of staff or the applicant.

Commissioner Summers asked what was located in the NW corner of the property.

Mr. Peterman stated that there was an electric power substation.

Commissioner Dilts stated that it was her understanding that the Mixed Use areas on the comprehensive plan were to be small, commercial and residential areas that service surrounding neighborhoods as defined in the Blueprint for Liberty Comprehensive Plan. She asked when the next Comprehensive Plan process is scheduled to begin.

Ms. Sharp stated the Comprehensive Plan is budgeted but, we are not scheduling a start time yet due to the lack of ability to have large public meetings. She stated that having as many citizens involved in the process was an important component and wanted to have meaningful and wide ranging input from the public. She feels that under the current circumstances that this isn't the right time but is hopeful that in the near future we would be able to start the process.

Commissioner Dilts stated that she is concerned that we are approving projects in a piecemeal way and that the Commission should be guided by a current policy document.

Ms. Sharp stated that in this current location that a commercial project was not feasible based on the topography of the land. She said staff felt comfortable with this request, because it would be very difficult to develop this property as shown in the Blueprint because it is so hilly.

Commissioner Holt asked that if the commercial component was eliminated at this location, where does staff envision commercial to locate along South Liberty Parkway.

Ms. Sharp stated that commercial is likely to locate at the SLP and 291 intersection and along the SLP, west of S. Withers Rd. intersection.

Commissioner Holt stated that in his opinion he would rather see the mixed use type development in the Liberty downtown area.

Chairman Rosekrans stated that the Traditional Neighborhood Development (TND) model never took off in Liberty.

Commissioner Pesonett asked about the topographic report described in the request from the applicant. It was not included in the staff report.

Mr. Peterman stated that the topography in the area is very diverse and staff has reviewed the applicants statement and agrees that this is a challenging site to develop based on the rolling hills and ravines.

Robert de la Fuente, Star Development Corp., representing the applicant stated that in his company's research and development of commercial areas he agrees that the market would not support any commercial development at this site for another 20 years.

Art Akin, AGC Engineers, representing the applicant, stated that his firm walked the site before designing the project and stated that even a single family development will pose many challenges on this site due to its topography.

Chairman Rosekrans opened the public hearing. He asked if there was anyone in the audience that would like to speak for or against the case. Seeing none he closed the public hearing.

Chairman Rosekrans asked the commissioners if they had any other questions, seeing none he asked for a motion.

Action: Commissioner Holt moved to approve the case as presented in the staff report. Commissioner Reinier seconded the motion.

Commissioner Dilts stated she will vote against this application because she believes that a new comprehensive plan is needed to guide development and the Commission should not approve piecemeal changes to the Future Land Use Map.

Commissioner Holt stated he will vote yes on this application. He agrees that a new comprehensive plan is needed as soon as possible but this plan amendment should be approved based on the reason presented.

Vote: Motion passed 8-1-0

Yes: Evans, Holt, Howard, Personett, Reinier, Rosekrans, Summers, Waterman

No: Dilts

Recusal: None

Chairman Rosekrans said this case would be heard in front of the City Council on Monday, May 24, 2021.

VII. 21-22R&PDP: Rezoning and Preliminary Development Plan for Liberty Heartland Logistics Center. 1.6 million sq. ft. in 3 industrial/ warehouse type buildings on 152 acres at the SE corner of Shepherd & Lightburne [PUBLIC HEARING]

Ms. Sharp presented case as described in the staff report.

Chairman Rosekrans asked the commissioners if they had any questions of staff or the applicant.

Commissioner Dilts asked about the piping of the stream.

Ms. Sharp stated that on the south portion of the property there is a proposed crossing of the stream that would require the stream to go under the road and it would be required to be piped at that location.

Commissioner Dilts asked about the process of removal of the stream to the north.

Mr. Findlay explained that the stream to the north is a drainage channel from the property to the north and does not have constant water in it. The plan is to pipe that water through the site to a detention basin and from there to the same location that it exits the site and goes under the railroad tracks to the stream on the east side of the tracks.

Rita D'Agustino, Director of Real Estate for OPUS, the applicant, discussed the overall project.

Chris Hafner, Davidson Architects and Engineers, represent the applicant, discussed the variance requests for the dock doors facing the public right of way and removal of the stream side and riparian buffers for the northern stream channel.

Commissioner Dilts stated that she appreciated the detailed description of the project and variances. She asked if the existing pond would be removed.

Mr. Hafner stated the existing pond is likely a farm pond and would remain. Although it would not be used for specific stormwater detention, it would remain and function normally.

Commissioner Dilts asked which streams they were requesting a variance to alter.

Mr. Hafner stated that the crossing on the southern portion of the project and the entire northern ephemeral stream.

Chairman Rosekrans asked where the stream crossed the railroad right of way. He was concerned if a bottle neck was being created.

Mr. Hafner stated that the project is reducing and slowing the flow of the water off the site, therefor should not be negatively impacting the railroad crossing.

Chairman Rosekrans opened the public hearing. He asked if there was anyone in the audience that would like to speak for or against the case. Seeing none he closed the public hearing.

Commissioner Dilts asked what percentage of the land was going to be open space on the project.

Mr. Hafner stated that Building A would have 62% open space, Building B – 36% and Building C – 39%.

Chairman Rosekrans asked the commissioners if they had any questions of staff or the applicant, seeing none he asked for a motion.

Action: Commissioner Dilts moved to approve the case as presented in the staff report. Commissioner Holt seconded the motion.

Vote: Motion passed 9-0-0

Yes: Dilts, Evans, Holt, Howard, Personett, Reinier, Rosekrans, Summers, Waterman

No: None

Recusal: None

Chairman Rosekrans said this case would be heard in front of the City Council on Monday, May 24, 2021.

VIII. 21-23PP: Preliminary Plat for 3 lots on 152 acres for Liberty Heartland Logistics Center

Ms. Sharp presented case as described in the staff report.

Chairman Rosekrans asked the commissioners if they had any questions.

Commissioner Reinier asked if there would be improvements to Shepherd Road

Mr. Findlay stated that Shepherd Road is currently improved to city standards and no further improvements are required.

Chairman Rosekrans asked the commissioners if they had any questions of staff or the applicant, seeing none he asked for a motion.

Action: Commissioner Holt moved to approve the case as presented in the staff report. Commissioner Personett seconded the motion.

Vote: Motion passed 9-0-0

Yes: Dilts, Evans, Holt, Howard, Personett, Reinier, Rosekrans, Summers, Waterman

No: None

Recusal: None

Chairman Rosekrans said this case would be heard in front of the City Council on Monday, May 24, 2021.

X. Public Comments

There was no public comment.

XI. Other Business

Mr. Peterman went over the administrative approvals since the last meeting. Ms. Sharp updated the commission on current development activity in the city.

XII. Future Meeting Schedule

The next regular session is scheduled for Tuesday, June 8. Due to the ongoing pandemic, this meeting will be held as a virtual meeting at 3pm.

XIII. Adjournment

Commissioner Personett moved to adjourn, Commissioner Waterman seconded. Chairman Rosekrans adjourned the meeting at 4:45pm.