

LIBERTY PLANNING AND ZONING COMMISSION

August 11, 2015

Meeting Summary

7:00 p.m.

I. Call to Order

The Liberty Planning and Zoning Commission met on Tuesday, August 11, 2015, in the Council Chambers, City Hall, 101 East Kansas Street. A quorum being present, Chairman Rosekrans called the meeting to order at 7:00 p.m.

II. Roll Call

Commission members answering roll call were: Gary Armstrong, Amy Howard, Ken Personett, Dee Rosekrans, Tom Reinier, Ann Waterman and Larry Wepler. Commissioner Walt Holt was absent. Representing staff were Katherine Sharp, Planning and Zoning Manager; David Jones, Planner; and John Findlay, Development Review Engineer. Kellie Houx with the Liberty Tribune and 8 members of the public were in attendance.

III. Approval of Minutes

Commissioner Waterman moved to approve the minutes from the July 14, 2015 meeting and Commissioner Reinier seconded the motion. The minutes were approved 5-0-2 (Commissioners Armstrong and Personett abstained.)

IV. **Case 15-32SUP: Special Use Permit to allow an events center for up to 30 guests in an existing house at 155 S Leonard Street and the adjacent carriage house [Public Hearing]**

Ms. Sharp presented the Special Use Permit application as described in the staff report.

Chairman Rosekrans asked if there were any questions of staff.

Commissioner Wepler asked if the house was in a historic district.

Ms. Sharp said the property was on a national registry but not in a local district, and therefore would not go through HDRC.

Commissioner Personett asked if signage would be included.

Ms. Sharp said the applicant had not requested signage but the UDO limited residential business signage to 1square foot in size.

Commissioner Personett asked if 12-15 stalls were sufficient for 30 guests.

Ms. Sharp said a ratio of 1:3 was required for an assembly use, meaning 10 was the required minimum. She said the applicant calculated the square footage of the driveway(s) and found the parking area to be sufficient.

Commissioner Personett asked if on street parking would be available.

Ms. Sharp said that on street parking was allowed for use by the public. She added that the

neighbors had recently submitted a petition to the City to allow for parking on both sides of Arthur Street.

Hearing no other questions from Commissioners, Chairman Rosekrans asked if the applicant had comments.

Patricia Petty, 155 S Leonard Street (the applicant) thanked the Commission for its consideration. She said she and her husband had been residents for 14 years, and that they were looking for low key events for non-profits, showers, and other similar functions, not blowouts, and that the use of the property would not be like the former frat house. Ms. Petty said that she lived in the home with her husband. She said that the carriage house would be used primarily for additional parking, and that a private sidewalk connected it to the main house.

Chairman Rosekrans asked if Commissioners had any other questions for the applicant.

Hearing no other questions from Commissioners, Chairman Rosekrans opened the public hearing.

Karen Ridder, 325 E Arthur, said she lived across the street from applicant and that she was in support of the use at this location.

Seeing that no one else wished to speak, Chairman Rosekrans closed the public hearing.

Chairman Rosekrans asked if there were any questions for the applicant or staff.

Commissioner Waterman said she felt the house was conducive to quiet small events.

Commissioner Personett said he appreciated the use of local firms for catering and associated services.

Hearing no other questions he asked for a motion.

Commissioner Personett made a motion to approve the application. Commissioner Howard seconded the motion.

The motion carried 7-0.

Chairman Rosekrans informed the audience this case will be heard by City Council on Monday, August 24, 2015, at 7:00 p.m. in the Council Chambers.

V. Case 15-25FP: Final Plat of 5.71 acre commercial property at 801 N 291 Highway

Mr. Jones presented the Final Plat application as described in the staff report.

Chairman Rosekrans asked if there were any questions for staff. Seeing none, he asked if the applicant had comments.

Commissioner Wepler asked where the pipeline easement was located.

Mr. Jones said the pipeline is located along the north east corner, but the easement is over the entire site, a "blanket" easement that the applicant is looking to remove.

Ron Cowger, AGC Engineers, 405 S Leonard Street (applicant's representative) said the blanket

easement originated in the 1950s when surveys enjoyed a lesser degree of accuracy. He said the term blanket simply means that the easement covers the entire property. He added that the pipeline company has a process to change the blanket easement to a 50 foot easement, but that it is a protracted process owing to Federal regulations.

Commissioner Personett said it was his understanding that no other utilities would be able to cross the pipeline, and asked if that would be a problem in developing the site.

Mr. Cowger said it will not be a problem because the utilities to serve the site are on the 291 side of the site.

Chairman Rosekrans asked if there were any questions for the applicant or staff. Hearing none he asked for a motion.

Commissioner Wepler made a motion to approve the application. Commissioner Waterman seconded the motion.

The motion carried 7-0.

Chairman Rosekrans informed the audience this case will be heard by City Council on Monday, August 24, 2015, at 7:00 p.m. in the Council Chambers.

VI. Case 15-31FP: Replat for QuikTrip, 655 S 291 Highway

Mr. Jones presented the Final Plat application as described in the staff report.

Commissioner Personett asked if there were any changes since the preliminary plat.

Mr. Jones said none of significance.

Chairman Rosekrans asked if there were any questions for staff. Seeing none, he asked if the applicant had comments.

Matt Brooks, QuikTrip Corporation, 5725 Foxridge Drive, Mission, KS (applicant) said he was available for questions.

Chairman Rosekrans asked if there were any questions for the applicant or staff. Hearing none he asked for a motion.

Commissioner Personett made a motion to approve the application. Commissioner Reinier seconded the motion.

The motion carried 7-0.

Chairman Rosekrans informed the audience this case will be heard by City Council on Monday, August 24, 2015, at 7:00 p.m. in the Council Chambers.

VII. Case 15-30FDP: Final Development Plan for a 6,000 square foot QuikTrip, with variance request to exceed maximum parking requirements [Public Hearing]

Mr. Jones presented the Final Development Plan application with parking variance request as

described in the staff report.

Chairman Rosekrans asked if there were any questions of staff.

Commissioner Personett asked why the UDO would limit parking.

Ms. Sharp said the limitation was designed to prevent large expanses of parking which are utilized only on a few busy shopping days. She said the situation with QuikTrip was different because the building was relatively small, which meant the parking allowance was small. She said the business knew that they would need more on an everyday basis.

Commissioner Wepler said he was concerned about stacking on 291.

Mr. Findlay said there are additional ingress egress points now, which should disperse traffic to Cherokee Drive and Liberty Drive, rather than funneling all traffic to and from 291.

Mr. Personett asked if the higher traffic generated by the new building would cause problems.

Mr. Findlay said City staff and the applicant's engineers found the additional access to be adequate for the envisioned traffic increases.

Mr. Rosekrans said the existing detention basin rarely fills, even after heavy rains, and asked if changes would be made with the new facility to more efficiently move storm water.

Mr. Findlay said the current and proposed underground detention are only part of the storm water infrastructure on the site, but that the new facility would include improvements to more efficiently channel and detain the stormwater.

Hearing no other questions from Commissioners, Chairman Rosekrans asked if the applicant had comments.

Matt Brooks, QuikTrip Corporation, 5725 Foxridge Drive, Mission, KS (applicant) said he has started his career at the Liberty store. He said many locals utilize the location and that they would quickly learn to use the Cherokee entrance. He added that many customers come in to the store just to use the restrooms, and factors such as this drive the need for more parking.

Chairman Rosekrans asked if Commissioners had any other questions for the applicant.

Commissioner Personett said he believed the variance for parking should be approved and that he applauded the proposal for additional parking on a high traffic site such as this, where customers often sit in their car eating and drinking coffee.

Hearing no other questions from Commissioners, Chairman Rosekrans opened the public hearing.

Seeing that no one wished to speak, Chairman Rosekrans closed the public hearing.

Chairman Rosekrans asked if there were any questions for the applicant or staff. Hearing none he asked for a motion.

Commissioner Waterman made a motion to approve the application with the variance request. Commissioner Wepler seconded the motion.

The motion carried 7-0.

Chairman Rosekrans informed the audience this case will be heard by City Council on Monday, August 24, 2015, at 7:00 p.m. in the Council Chambers.

VIII. Case 15-33FDP: Major Final Development Plan for rebuild of building 3, Jefferson Park Apartments

Mr. Jones presented the Final Development Plan application as described in the staff report.

Chairman Rosekrans asked if there were any questions for staff. Seeing none, he asked if the applicant had comments.

Mr. Homer Williams, 3640 N Briarcliff, Kansas City (applicant's architect) said they will improve the building but make it blend in with the other buildings and that the building would comply with the 2012 International Building Code.

Chairman Rosekrans asked if there were any questions for the applicant or staff. Hearing none he asked for a motion.

Commissioner Howard made a motion to approve the application. Commissioner Armstrong seconded the motion.

The motion carried 7-0.

Chairman Rosekrans informed the audience this case will be heard by City Council on Monday, August 24, 2015, at 7:00 p.m. in the Council Chambers.

IX. Public Comments

There were no public comments.

X. Other Business

Ms. Sharp updated the Planning & Zoning Commission on items which had been approved since the last meeting, including the new Waste Water Treatment Facility, the new FEMA floodplain regulations, and the Rezone for the Duffey development. She said the Duffey development was reconfigured to accommodate the trees neighboring Blackberry. She went over upcoming planning cases which may come forward for the next meeting, which include a 51 lot subdivision on LaFrenz and Richfield, and the final plat and final development plan for Liberty Commons at Stewart Road and Conistor Street.

XI. Adjournment

Chairman Rosekrans adjourned the meeting at 8:05 pm.

XII. Future Meeting Schedule

The next regular session is scheduled for Tuesday, September 9, 2015 at 7:00 p.m.