

LIBERTY PLANNING AND ZONING COMMISSION

April 8, 2025

Meeting Summary

7:00 p.m.

I. Call to Order

The Liberty Planning and Zoning Commission met on Tuesday, April 8, 2025. A quorum being present, Chairman Rosekrans called the meeting to order at 7:00 p.m.

II. Roll Call

Commission members in attendance were: Dilts; Holt; Howard; Reinier; Rosekrans; Summers; Waterman. Representing staff were: Katherine Sharp, Director of Planning & Development; Mike Peterman, Assistant Director of Planning & Development; Kyle McGinnis, Planner; and Joshua Martinez, Capital Projects Engineer. 32 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 March 11, 2025 meeting. Seeing none, Chairman Rosekrans asked for a motion.

Commissioner Summers moved to approve the regular session minutes from the March 11, 2025 meeting and Commissioner Dilts seconded the motion. The minutes were approved 7-0-0.

V. Public Hearing Cases

A. PZ Case 25-02R&PDP: Rezoning & Preliminary Development Plan for Strata Underground. Redevelopment for commercial use at existing limestone mine on S. 291 Highway at 5922 Southview Drive.

Ms. Sharp presented the proposal to the commission as described in the staff report.

Chairman Rosekrans asked if the commission had any questions of staff.

Commissioners Dilts asked if the grass on the surface would be typical turf grass or something native like a prairie grass. Ms. Sharp stated that the final details of the landscape plans had not been worked out at this preliminary stage. Commissioner Dilts noted that her preference would be for the property owner to plant some type of native prairie grass or wildflowers rather than a turf grass.

Chairman Rosekrans asked if the commission had any further questions of staff. Seeing none, Chairman Rosekrans called for the applicant or their representative to answer any questions the commission may have.

Jeff Haney, 12620 W. Flint Street, Overland Park, KS, introduced himself as the representative for the property owner. Mr. Haney provided example images to the commission of what the development's main portal (entrance/exit) would look like, referencing other projects in the Kansas City metro area such as SubTropolis. Mr. Haney noted that while there may be future applications for surface development above the subterranean proposal, this current application is only in regards to the limestone mine and its transition into a commercial, office, and storage development.

Chairman Rosekrans asked if the commission had any questions for Mr. Haney.

Commissioner Holt asked if the limestone mine had been fully excavated at this point or if there was still more stone to be mined. Mr. Haney stated that they anticipate the limestone mining will finish

just before the current Special Use Permit expires in 2026.

Commissioner Holt asked if the presence of the underground development would place limitations on any future surface development above it. Mr. Haney stated that the key to surface development in these instances is the presence of overburden (soil/dirt); more overburden tends to make surface development safer.

Commissioner Summers asked if the underground development is level with the entrance, or if there is a decline as you enter. Mr. Haney stated that the subterranean development does descend further after going through the entrance, but that it is different for every project depending on the location of what is being mined.

Chairman Rosekrans asked if the commission had any further questions for the applicant or staff. Seeing none, he opened the public hearing and asked if there were any persons in the audience that would like to speak for or against the proposal. Seeing no additional questions, Chairman Rosekrans closed the public hearing.

Chairman Rosekrans called for any final questions from the commission.

Commissioner Holt asked if the secondary access would go into a residential area. Ms. Sharp clarified that the secondary access to the underground development would be an emergency exit only should a fire or similar issue occur. This emergency exit would be located at the bottom of the cliff face to the south of the property, near the railroad tracks, and would not be near or require traversing through a residential area.

Chairman Rosekrans asked if the commission had any further questions or comments. Seeing none, he asked for asked for a motion.

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

Vote: Motion 7-0-0

Yes: All

No: None

Abstain: None

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, April 28, 2025 at 7:00 p.m.

B. PZ Case 25-07A: Amendments to the Unified Development Ordinance (UDO) Section 30-25.5, Special Use Permit, and Section 30-17, Definitions, clarifying definitions for Private Club Facilities and adding a definition for Marijuana Consumption Lounge.

Ms. Sharp presented the proposal to the commission as described in the staff report.

Chairman Rosekrans asked if the commission had any questions of staff. There were none.

Chairman Rosekrans opened the public hearing and asked if there were any persons in the audience that would like to speak for or against the proposal. Seeing none, Chairman Rosekrans closed the public hearing.

Chairman Rosekrans asked if the commission had any final questions or comments. Seeing none, he asked for asked for a motion.

Action: Commissioner Waterman moved to approve the case as presented in the staff report,

Commissioner Howard seconded the motion.

Vote: Motion 7-0-0

Yes: All

No: None

Abstain: None

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, April 28, 2025 at 7:00 p.m.

C. PZ Case 25-09A: Future Land Use Amendment at Rush Creek & Glenn Hendren, changing from Neighborhood Commercial to Multi-Family Residential.

Mr. Peterman presented the proposal to the commission as described in the staff report.

Chairman Rosekrans asked if staff could explain the development process as it pertains to this application. Ms. Sharp explained that all applications begin with a property owner contacting a developer to produce concepts and plans for their property. These concepts are then brought to City staff during a pre-application meeting, where staff discusses the City's Code requirements and the development process with the development team. Taking this initial feedback from staff, the development team amends their plans and then submits a formal application to the City – in this instance, an application to amend the Future Land Use designation of a property. Some types of applications can be reviewed and approved by staff if they are minor in nature, while others require approval from the City Council, oftentimes through a public hearing process.

Chairman Rosekrans asked Ms. Sharp to explain what steps would come next for this proposal, and to speak to the quality of development in the City. Ms. Sharp stated that, should the City Council approve the Future Land Use amendment, the applicant would have to follow with a request to rezone the property for multi-family use along with a set of development plans. Liberty is largely a detached single-family community and so multi-family projects are expected to be of commensurate quality. Liberty's development approval process also requires that what is physically built on-site matches what is approved by the City Council.

Chairman Rosekrans asked if the City plays a role in the conceptualization or action of development of private property. Ms. Sharp stated that it is the responsibility of the owner/development team to design a project, and that City staff only reviews the plans for conformance to the City's Codes, then guides owners/developers through the development process. She said the City expects the developers to build what they are approved for, and changes to the approved plan will need to come back for re-approval.

Chairman Rosekrans called for the applicant or their representative to answer any questions the Commission may have.

Jamo Stephenson, of Elevation Development located at 4529 Texas Street in San Diego, CA, introduced himself as a representative of the developer for this project. Mr. Stephenson thanked staff for their presentation of the proposal and noted that the development concept at this point includes 119 mid-level townhomes. Mr. Stephenson described these townhomes as high quality and clarified that they would not include Section 8 housing. Mr. Stephenson stated that they are requesting the change to the Future Land Use map as they believe a multi-family development would act as a good transition between the hospital to the north and the single-family homes to the south.

Chairman Rosekrans asked if the commission had any questions for the applicant or staff.

Commissioner Holt asked if Mr. Stephenson had worked on other projects in the Kansas City metro.

Mr. Stephenson said yes, a 74-acre, 700-unit development in Olathe providing mid-market homes.

Commissioner Summers asked if the proposed townhomes would be rentals or individually owned. Mr. Stephenson confirmed that the townhomes would be rentals, and that the property's lawns, parks areas, etc. would be maintained by a dedicated leasing agent. Mr. Stephenson also clarified that these are townhomes configured in a horizontal row, and that units would not be stacked vertically.

Chairman Rosekrans asked if the commission had any further questions for staff or the developer. Seeing none, he opened the public hearing and asked if there were any persons in the audience that would like to speak for or against the proposal.

Randel Norris, 1919 Loughrey Street. Mr. Norris' property backs up against the subject site. Mr. Norris stated that a development of this scale would bring over 200 new cars into the area and is concerned that this will negatively impact the flow of traffic on Glenn Hendren and near the Lewis & Clark Elementary School to the north, which already get backed up frequently. Mr. Norris stated that these townhomes do not match his vision for the community and shared concerns about the long-term quality of the construction and property maintenance.

Joan Kimmis, 1944 Carter Court, speaking on behalf of herself and her husband, Gerald, who was seated in the audience. Ms. Kimmis stated that when Interstate 35 backs up with traffic, it inevitably backs up onto Glenn Hendren as well. Ms. Kimmis also expressed privacy concerns regarding new development behind their home.

Dale Herrick, 840 Reese Street. Mr. Herrick reiterated the prior concerns regarding the poor flow of traffic on Glenn Hendren and added that it often feels unsafe to travel. Mr. Herrick stated concerns regarding this development's potential impact on the flow of stormwater through/around Rush Creek, as the neighborhood already experiences stormwater issues.

Susan Wayne, 1916 Carter Court. Ms. Wayne voiced concerns that some neighbors in the area did not receive letters regarding this public hearing. Ms. Wayne reiterated Glenn Hendren's traffic issues and added that it is made further unsafe due to the lack of shoulders and sidewalks. Ms. Wayne was concerned that MoDOT had not been contacted about this development and felt that Lewis & Clark Elementary should be notified due to the traffic back-up that occurs during the drop-off and pick-up windows. Ms. Wayne concluded that while she is okay with this type of development generally, she does not believe this location is appropriate for it.

Kelly Van Almen, 1924 Loughrey Street. Ms. VanAlmen voiced concerns that the spirit of the project does not match the identity of this area of Liberty or the City generally. Ms. Van Almen worries that rental properties would invite more transitional/temporary people to the area and would not properly build community.

Larry Crawford, 1891 Loughrey Street. Mr. Crawford echoed concerns about traffic onto Glenn Hendren. Mr. Crawford also voiced concerns that the grading of the site could result in a longer construction period and what impact that would have on their daily lives. Mr. Crawford understood the need for housing but does not feel that this site is the right place for it because the only place for the traffic is out to Glenn Hendren.

Ron Pemberton, 1875 Loughrey Street. Mr. Pemberton is a former police officer and crime investigator in California. Mr. Pemberton voiced concerns that rental properties would attract more crime, and that the property would not be properly maintained long-term.

Becky Norris, 1919 Loughrey Street. Ms. Norris said she is also worried about traffic and safety and wondered if Lewis & Clark Elementary would be able to accommodate new students who may live in this development.

Chastity Therrien, 1907 Loughrey Street. Ms. Therrien and many other neighbors were upset when a past developer removed much of the site's vegetation years ago and then left it vacant, leading to issues with erosion and flooding. Ms. Therrien is concerned about the impact this development may have on the wildlife in the area and flooding for the homes. Ms. Therrien echoed the previous concerns regarding traffic and safety on Glenn Hendren as well.

Chairman Rosekrans asked if there were any other members of the audience who wished to speak to this project. Seeing none, Chairman Rosekrans closed the public hearing.

Chairman Rosekrans asked if the commission had any further questions or comments.

Commissioner Holt asked if it would be typical for a traffic study to be conducted at this point in the development process. Ms. Sharp stated that this first step of the process does not include a site plan review and is only conceptual, but should the project move forward with a future application requiring the review of a site plan then a traffic study would be required. Ms. Sharp noted that access to this development would likely not be built on Glenn Hendren but instead on Rush Creek Parkway, crossing the stream buffer as allowed per Code.

Commissioner Holt asked if the Future Land Use designation could be changed back if this project were to not progress further. Ms. Sharp stated that yes, if the property owner brought forward another application to change the Future Land Use designation again, it could hypothetically be changed to Neighborhood Commercial.

Commissioner Holt asked if Glenn Hendren is a City-maintained street or if it is the responsibility of MoDOT. Ms. Sharp stated that the street is maintained by the City. Joshua Martinez, the City's Capital Projects Engineer added that the City recently began a study of Glenn Hendren to assess traffic patterns, safety issues, future updates to be made, etc. Ms. Sharp specified that this street study is a separate process from this development; the two are not related.

Chairman Rosekrans asked if staff heard any questions from the audience that they might be able to speak to. Ms. Sharp stated that while many good comments were made, there were no questions presented which staff could answer at that time.

Chairman Rosekrans asked if the commission had any additional questions for staff or the developer. Seeing none, he asked for a motion, but opened the floor for the commission to explain their votes beforehand.

Commissioner Waterman stated that she intended to vote in the affirmative for this application, she was aware that the City was intending to study Glenn Hendren as it pertains to traffic flow and safety. Commissioner Waterman added that a change of the Future Land Use designation to multi-family now would not guarantee that a future development would be rental in nature and ultimately could be changed to be owner-occupied. Commissioner Waterman felt that the request was reasonable.

Commissioner Holt stated that he intended to vote in the affirmative, understanding the community's concerns regarding the request and project concept. Commissioner Holt added that this property is likely to be developed in the future regardless of whether this proposal moves further in the process or not. Commissioner Holt noted that a future commercial development – as would be permitted by the property's current Future Land Use designation – could create more traffic as well, as there are many unknowns.

Commissioner Dilts stated that she intended to vote in the affirmative for the reasons already stated by her fellow commissioners. Commissioner Dilts explained that the Commission follows specific guidelines when reviewing applications and making recommendations to the City Council, and that

their role as a commission is to provide context to the City Council and ensure projects meet the requirements of the City's Codes.

Chairman Rosekrans stated that he intended to vote in the affirmative and noted that this application is only a change to the Future Land Use Map. Chairman Rosekrans encouraged the developer to listen to the community's feedback and to be communicative with the neighboring subdivisions in order to establish compromises.

With no other comments from the commission, a motion was made.

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

Vote: Motion 6-1-0

Yes: Dilts, Holt, Howard, Reinier, Rosekrans, Waterman

No: Summers

Abstain: None

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, April 28, 2025 at 7:00 p.m.

D. PZ Case 25-13SUP: Special Use Permit to allow a commercial use in the M-2 zoning district at 1919 Industrial Drive.

Mr. McGinnis presented the proposal to the commission as described in the staff report.

Chairman Rosekrans asked if the commission had any questions of staff. Seeing none, Chairman Rosekrans called for the applicant or their representative to answer any questions the Commission may have.

Scott Cruse of 8918 NE 92nd Terrace, Kansas City, MO introduced himself as the applicant and welcomed any questions.

Chairman Rosekrans asked if the commission had any questions for the applicant or staff. Seeing none, he opened the public hearing and asked if there were any persons in the audience that would like to speak for or against the proposal. Seeing no questions, Chairman Rosekrans closed the public hearing.

Chairman Rosekrans called for any final comments or questions from the commission on this matter. Seeing none, he asked for a motion.

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

Vote: Motion 7-0-0

Yes: All

No: None

Abstain: None

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, April 28, 2025 at 7:00 p.m.

VI. Public Comments

There were no members of the audience who wished to speak.

VII. Other Business

Mr. Peterman welcomed two new commissioners who attended the meeting – Douglass Noland and Josh Crawford. Both Mr. Noland and Mr. Crawford introduced themselves to the commission and staff.

Mr. Peterman stated that the City recently provided administrative approval of a new building on W. Schrader Street. The building – which will look like a home next to the County’s existing facility on W. Schrader – will be used by the County’s Juvenile Justice Center for supervised visits.

Chairman Rosekrans asked for an update regarding the recent activity seen on the vacant property at W. Mississippi Street & N. Prairie Street. Ms. Sharp explained that the property owner had applied for a demolition permit in 2024, but had not removed the old building footings as is typically required of such a permit. The City’s Building Official, Jeremy Adams, followed up with the property owner to notify them that the remaining concrete needed to be removed. While removing said concrete from the site, the property owner also removed vegetation, including some mature trees, in order to make the site ready for development. Ms. Sharp noted that the project which most recently received approval at this site as expired, and that any future development would require approval from the City Council.

Commissioner Holt asked staff if the property owner had given any indication of what might be built there. Ms. Sharp stated that staff has only had preliminary conversations with the property owner regarding concepts for future development, but it has been some time since those conversations occurred and no applications followed.

Chairman Rosekrans requested on update on the vacant property at the northeast corner of E. Kansas Street & N. Water Street. Ms. Sharp stated that staff understands the developer was waiting to begin construction until winter concluded.

Chairman Rosekrans asked if staff had received any applications that would come forward to the commission in May. Mr. Peterman stated that staff has received a set of applications for the triangular property located within Interstate 35 and Highway 69, which had received approval some years ago that have since sunset. Ms. Sharp added that staff is in the process of reviewing a set of applications for a development near Heartland Meadows which may come forward in May as well.

VIII. Future Meeting Schedule

- a. Regular Session – Tuesday, May 13, 2025 at 7:00 p.m.
- b. Regular Session – Tuesday, June 10, 2025 at 7:00 p.m.

IX. Adjournment

Commissioner Waterman moved to adjourn, Commissioner Summers seconded. Chairman Rosekrans adjourned the meeting at 8:32 p.m.