

LIBERTY PLANNING AND ZONING COMMISSION

May 13, 2025

Meeting Summary

7:00 p.m.

I. Call to Order

The Liberty Planning and Zoning Commission met on Tuesday, May 13, 2025. A quorum being present, Chairman Rosekrans called the meeting to order at 7:00 p.m. He welcomed new members – Josh Crawford, Douglass Noland.

II. Roll Call

Commission members in attendance were: Josh Crawford; Judy Dilts; Walt Holt; Douglass Noland; Tom Reinier; Dee Rosekrans; Donald Summers; Ann Waterman.

Representing staff were: Katherine Sharp, Director of Planning & Development; Mike Peterman, Assistant Director of Planning & Development; Kyle McGinnis, Planner; and Joshua Martinez, Capital Project Engineer. 12 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 8, 2025 meeting. Seeing none, Chairman Rosekrans asked for a motion.

Commissioner Summers moved to approve the regular session minutes from the April 8, 2025 meeting and Commissioner Waterman seconded the motion. The minutes were approved 6-0-2 (Crawford & Noland abstained).

IV. Public Hearing Cases

A. PZ Case 25-17PDP: Preliminary Development Plan for North Liberty Logistics Park, 4 million sq. ft. of industrial space in 9 buildings at 3905 Edgar Petty Rd and associated variances.

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.

Commissioner Holt asked for clarity in regards to the details of the variance requested to limit improvements to NE 116th Street. Mr. Martinez responded that City code prescribes different standards for improvements to public roadways depending on the classification of the street. NE 116th Street is classified as a Local residential roadway, which would typically require sidewalks on both sides of the roadway, as well as curbs and gutters, neither of which would be constructed in this instance. The right-of-way of NE 116th Street would be expanded an additional 30 feet onto the subject property so that 24 feet of drivable pavement could be constructed on the south half of the roadway. The additional right-of-way width would contain open-ditch drainage and open space.

Commissioner Hot asked who would be responsible for improvements to this segment of NE 116th Street in the future. Ms. Sharp noted that NE 116th Street is adjacent to rural properties located outside of City Limits. During the original review process that occurred in 2021 and 2022, County residents in the area voiced concerns regarding this development and the impact it may have on them and their properties, and so it was determined that it would be best for the additional right-of-way to be taken from the subject property, rather than taking property from these residents for these

public improvements. Mr. Martinez added that the City would not be responsible for improvements to NE 116th Street should a future development occur along this roadway; those improvements would be the responsibility of the developer. Ms. Sharp noted that it is not unusual for new development to locate along roadways which are not fully up to standard for their entire length, but that the developer would be responsible for improving the segment of street upon which they front.

Mr. Peterman commented that the limited improvements proposed to NE 116th Street are appropriate in this instance as traffic from this development is not intended to use NE 116th Street, instead relying on Edgar Petty Road and the extension of Heartland Drive.

Chairman Rosekrans asked if a County development on the north side of NE 116th Street would activate the same improvement standards as what the City would require. Ms. Sharp responded that this situation is currently playing out on NE 104th Street in regards to Montage, and that no, it is typical for different governing bodies to have different standards and requirements, necessitating coordination between the parties involved.

Commissioner Dilts asked for clarification regarding the strange shape on the south edge of the vicinity map included in the staff report. Mr. Peterman responded that this represents the relocation of Edgar Petty Road.

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.

Kevin White of NorthPoint Development LLC, 4825 NW 42st Street, Suite 500, Riverside, MO 64150, introduced himself as the applicant and representative. Mr. White was accompanied by Brian Forquer and Melissa DeGonia, both of NorthPoint Development LLC. Mr. White gave a brief presentation to the Commission, noting that they also worked on Liberty Commerce Center, south of South Liberty Parkway.

Commissioner Summers asked how far the new intersection of Edgar Petty Road and U.S. Highway 69 would be from the intersection of Lightburne Avenue and U.S. Highway 69. Mr. McGinnis responded that an approximate measure showed a distance of 1,900 feet between the intersections. Ms. DeGonia added that the new intersection of Edgar Petty Road and U.S. Highway 69 was designed with direction provided by MoDOT. She said this specific area was chosen for the signal because of sight distance and because the grades of the road at that location allows connections through the median.

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 none, Chairman Rosekrans closed the public hearing.

Chairman Rosekrans called for any final questions from the commission. Seeing none, he asked for asked for a motion.

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

Vote: Motion 7-0-1

Yes: Crawford, Dilts, Holt, Reinier, Rosekrans, Summers, Waterman

No: None

Abstain: Noland

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, May 19, 2025 at 7:00 p.m.

B. PZ Case 25-19R&PDP: Rezoning & Preliminary Development Plan for US Motor Works. A 102,000 sq. ft. building on 11.5 acres at 3101 US 69 Hwy and associate variance.

Prior to Mr. Peterman's presentation, Dr. Waterman recused herself from this case.

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

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

Commissioner Holt asked for staff to further describe the project's sanitary sewer proposal and variance request. Mr. Martinez explained that the City Code requires that every property connect to gravity-fed sewer at the time of development; however, due to the topography of this site and an inability to access gravity-fed sewer through certain neighboring properties, the property's only remaining option is to install a private pressure sewer system. This system grinds and pressurizes waste so that it can travel uphill (in this instance, to the neighboring eastern property) until it reaches a point where gravity flow is possible.

Commissioner Holt asked who is responsible for maintaining this private pressure sewer system. Mr. Martinez responded that the system is privately owned and maintained by the property owner, and is not the responsibility of the City.

Commissioner Holt asked why this type of system requires the approval of a variance. Ms. Sharp responded that gravity-fed sewer is a requirement of Code, but that other projects in the City which have faced difficulty in providing gravity-fed sewer to their developments have requested and received the approval of variances to install and maintain private pressure sewer systems instead.

Commissioner Holt asked what happens in these instances if a property owner cannot afford to maintain or repair the private pressure sewer system. Ms. Sharp stated that this is strictly a private matter for the property owner to resolve. She said this is no different than if a private lateral line from the city sewer main to a home or business were to collapse, it is the property owner's responsibility to repair and maintain.

Chairman Rosekrans asked what the elevation difference was between the two sites (the new building and where the gravity sewer connection is located). Staff deferred to the developer's engineer for the exact measurement.

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.

Brianna McKenzie O'Neil of Davidson Architecture & Engineering, 4301 Indian Creek Parkway, Overland Park, KS 66207, introduced herself as the architect for the project. Ms. McKenzie O'Neil was accompanied by Luke McIntosh of Davidson Architecture & Engineering, the engineer for the project.

Mr. McIntosh explained that the building slab for this development sits between 20 and 25 feet below the proposed sewer connection on the property to the east. Gravity-fed sewer is not feasible due to this change in topography, so the private pressure sewer system is necessary. The system proposed is a dual grinder pump system, in which two pumps alternate power so that one pump is

not required to run constantly. The system is built with other redundancies intended to reduce the chances of issues. Mr. McIntosh also noted that the proposed building contains very little office space, meaning very few bathrooms will be required.

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

Sheila Bruns introduced herself to the Commission as a representative for the Earnest Shepherd Memorial Youth Center, located to the south of the proposed development. Ms. Bruns stated that the Youth Center supports the requested variance for the private pressure sewer system. Ms. Bruns explained that the Youth Center hosts kids of various ages throughout the year for outdoor educational, leadership, and recreational experiences. The creek which crosses the western portion of the subject property flows south through the Youth Center's property, and during past construction projects, the Youth Center has noticed issues with erosion and silting along and within the creek. The creek is the focus or location of various programs ran by the Youth Center, and they want to ensure that the creek will be protected from further harm during the lifetime of the proposed development.

Chairman Rosekrans asked if there were any other persons in attendance who wished to speak regarding this case. Seeing none, Chairman Rosekrans closed the public hearing.

Chairman Rosekrans called for any final questions from the commission.

Commissioner Holt asked what would happen should the private pressure sewer system fail and get into the stream. Ms. Sharp responded that the stream is located to the west of the proposed building, and that the sewer system would be located on the building's east side. Should the pumps fail and waste overflow, it would take some time, as well as volume, to flow into the creek. In regards to Ms. Bruns concerns regarding erosion and silting, Ms. Sharp expressed that these issues will be front of mind for both the development team and City staff as they work through the final development plan, and noted that erosion control measures are required to be in place throughout the entirety of the building permit process.

Chairman Rosekrans added that this is only a preliminary plan at this point, and that more applications and additional information will come should the project move forward.

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

Action: Commissioner Summers moved to approve the case as presented in the staff report with the variance and including the stipulations, Commissioner Reinier seconded the motion.

Vote: Motion 6-0-2

Yes: Crawford, Dilts, Holt, Reinier, Rosekrans, Summers

No: None

Abstain: Noland, Waterman

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, May 19, 2025 at 7:00 p.m.

C. PZ Case 25-21SUP: Special Use Permit to allow a temporary Fireworks retail business in a building at 530 N. Church Rd.

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. Seeing none, Chairman Rosekrans called for the applicant or their representative to answer any questions the commission may have.

Doug Carter, 8619 NE 115th Street, Kansas City, MO 64157, introduced himself as the applicant for this application.

Chairman Rosekrans asked if the commission had any questions for the applicant. The Commission did not have any questions for Mr. Carter.

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 none, Chairman Rosekrans closed the public hearing.

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

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

Vote: Motion 8-0-0

Yes: Crawford, Dilts, Douglass, Holt, Reinier, Rosekrans, Summers, Waterman

No: None

Abstain: None

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, May 19, 2025 at 7:00 p.m.

V. Cases

A. PZ Case 25-18PP: Preliminary Plat for North Liberty Logistics Park, 9 lots on 357 acres at 3905 Edgar Petty Rd.

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 or the applicant. Seeing none, he asked for asked for a motion.

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

Vote: Motion 7-0-1

Yes: Crawford, Dilts, Holt, Reinier, Rosekrans, Summers, Waterman

No: None

Abstain: Noland

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, May 19, 2025 at 7:00 p.m.

B. PZ Case 25-20PP: Preliminary Plat for Heartland Meadows, 15th Plat, 1 Lot on 11.5 acres at 3101 US 69 Hwy.

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

Chairman Rosekrans asked if the commission had any questions of staff or the applicant. Seeing none, he asked for asked for a motion.

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

Vote: Motion 6-0-2

Yes: Crawford, Dilts, Holt, Reinier, Rosekrans, Summers

No: None

Abstain: Noland, Waterman

Chairman Rosekrans said the case would be heard in front of the City Council on Monday, May 19, 2025 at 7:00 p.m.

VI. Public Comments

There were no persons in attendance who wished to speak during the Public Comments portion of the agenda.

VII. Other Business

Mr. Peterman relayed to the Commission two recent administrative approvals: a lot split at 704 Nashua Road; and a lot consolidation at 1206 Wildbriar Court. Both applications had been approved and recorded.

Ms. Sharp stated that staff is anticipating two applications for the Commission's June meeting. Both applications are for the same property on N. Church Road, one for a temporary fireworks stand, and the other for a development proposal. In July, staff anticipates bringing to the Commission the proposed police expansion project at City Hall. Staff is also expecting a return of the Water Street Lofts project to review revisions to the previously approved design of the new construction at the corner of N. Water Street and E. Kansas Street.

In regards to updates regarding applications recently reviewed by the Commission, Ms. Sharp stated that the developer for Fulkerson Cottages withdrew the application requesting the removal of the gate at Fulkerson Circle and Reagan Circle, and that the gate will be installed as originally approved by the City Council. In addition, the Rusk Creek Townhome project reviewed by the Commission at their April meeting withdrew its application prior to its appearance before the City Council.

VIII. Future Meeting Schedule

- a. Regular Session – Tuesday, June 10, 2025 at 7:00 p.m.
- b. Regular Session – Tuesday, July 8, 2025 at 7:00 p.m.

IX. Adjournment

Commissioner Summers moved to adjourn, Commissioner Waterman seconded. Chairman Rosekrans adjourned the meeting at 8:15 p.m.