



Zoning & Planning Commission Meeting
May 23, 2022

Call to Order:

Chair Matt Sturgeon called the meeting to order at 7:00 p.m.

Pledge of Allegiance:

Roll Call:

Present: Chair Matt Sturgeon, Mayor Carol Carter, Dave Gilson, Kevin Nehrenz, and Rick Stallard

Amendments to Agenda:

The Commission was asked to move the first Privilege of the Floor to after New Business. Kevin Nehrenz made the motion to move the first Privilege of the Floor after New Business. Rick Stallard seconded the motion. Aye votes all.

Approval of Minutes:

Rick Stallard made a motion to approve the meeting minutes for April 25, 2022. Mr. Gilson seconded the motion. Aye votes all. The minutes approved as written.

Zoning Inspector's Report:

Mr. Frey reported 12 permits have been approved and 16 violation calls were made. Mr. Frey prefers to make the calls over the expense of sending letters. The calls have been successful. Two violation letters were sent. Two variance applications were received.

Economic Development Report:

Mr. Stallard reported the meeting last month was for recognition held at the Galaxy in Wadsworth. The Village has 11 CRA agreements. The agreements are all overwhelmingly successful.

New Business:

Jill Tannerman, Attorney, explained they will be working on changes and updates to the preliminary site plan presented tonight. She assured the Commission they will not be asked to vote tonight. Mr. Joseph Jorge, P.E. and Eric Watts of Flint Development were present and reviewed the preliminary site plan's access points with existing streets, location of buildings one, two, and three. Area 4 has potential to be more parking and will house the water system. Area 5 is reserved for a quick service restaurant.

Mr. Burgoyne, W. L. Burgoyne, said the traffic impact study will dictate Route 3 improvements to include an additional lane. Mr. Burgoyne said a possible option would be to circle traffic on the North side between the highway and the buildings. This would alleviate traffic near the residents. Landscaping near the residents include mounds and greenery. Mayor Carter said she understood some concerns were about Royal Crest becoming a through way. Mayor Carter said she could not foresee

Zoning & Planning Commission Meeting

May 23, 2022

Page 2

New Business (continued):

Royal Crest opening up to through traffic. Mr. Watts said they are working with Mr. Burgoyne's letter of response regarding the preliminary plan.

Privilege of the Floor:

Chair Sturgeon informed the unusually large audience he would like to keep order to the meeting and asked there be no sidebars or interruptions to speakers. Speakers will have a 3 minute time limit to keep the meeting moving.

Mr. Telmanik, 8844 Hubbard Valley Road, inquired about building 3 tenants and the runoff of pollutants and trash. Building 3 is being built for multi tenants. The proposed tension basin will give flow control and separators. There will be an onsite property management staff.

Marge Campbell, 146 Royal Crest, inquired about the height of the warehouses, how many dock doors planned, and expressed concerns about the truck traffic. The height of the warehouses is being reevaluated; 41 doors are planned. The traffic study was explained and how the traffic count will help with improvements made to Route 3.

Scott Wangler, 8916 Hubbard Valley Road, asked the Commission how this plan complied with Code 611.06 and asked who the Engineer was for Dollar General. Mr. Burgoyne stated he was the Engineer for Dollar General.

Linda Mueller, 9 High Street, expressed concerns about the diesel fuel exhaust and the carcinogens related to diesel fuel.

John Harris, 144 G Royal Crest, expressed concerns about the noise from the trucks and asked if there was a sound barrier planned. At this time, there is not a sound barrier planned.

Robin Wangler, 8916 Hubbard Valley Road, asked about the necessary green space according to Code 611. Mr. Jorge said the green space is north of buildings 1 & 2 towards the highway.

Brian Breede, 128L Royal Crest Drive, asked if they could shift the building more north to allow more space between the residents. Mr. Jorge said the buildings would not fit. They are currently considering if they can take the road north of the buildings instead of 25 feet from Royal Crest residents.

Jennifer Hoskins, 116 Center Street, expressed concerns about truck traffic this could bring through the Village. Mr. Burgoyne explained there might be some, but most likely will stay on the north side by the highway access. Mr. Burgoyne said they cannot control the State Route that runs through the Village.

Mr. Gilson asked a general question to the audience if they would prefer a sound barrier wall or landscaping mounds to view. Many indicated they prefer the sound barrier wall.

Mr. Burgoyne noted they have plans for no spillage lighting. Lighting is measured by foot candles as a measurement of light intensity. Mr. Burgoyne shared the line of site drawing. The buildings will not be a 55 foot high view due to the natural topography of the parcel.

Zoning & Planning Commission Meeting

May 23, 2022

Page 3

Privilege of the Floor (continued):

Chuck Shieff, 109 Pleasant View Drive, asked about the setback for the road. It was confirmed the 50 foot setback is for the building not the road.

Josh Oppie, 3919 Bell Road, inquired about the property value. Mr. Burgoyne said it would be good for the Village. The infrastructure for the Village is getting older and needs replaced. The taxes and revenue will off set the cost of infrastructure in 3, 5, 10 years. Concerns were expressed about the buildings being empty. A reminder was given the property owners pay taxes whether the buildings are occupied or not.

Marge Campbell, 146 Royal Crest, asked if other business options were considered. There were no other options presented and ultimately is up to the seller.

Mr. Telmanik, 8844 Hubbard Valley Road, asked about the 55 foot legislation passed. The Commission said it has not been passed to date but up for consideration at the June's Council meeting.

Scott Wangler, 8916 Hubbard Valley Road, said the speculative buildings are not code compliant.

Pending/Completed Legislation:

2022-24 Ordinance amending the Zoning Code with regard to Electric Vehicle Charging Stations. Council had the second reading May 16th. Mayor Carter made a motion to recommend to Council to pass Ordinance 2022-24. Mr. Gilson seconded the motion. Aye votes all.

2022-40 Ordinance amending the Seville Village Zoning Code Sections 609, 610, and 611. First reading is scheduled June 13th. It was discussed the current codes are not to the industry's standards due to the smart automated equipment used today. Mayor Carter made a motion to recommend to Council to pass Ordinance 2022-40. Mr. Gilson seconded the motion. Aye votes all.

Old & Pending Business:

Conditional Zoning Certification from John Puent, Flint Development, 3515 West 75th Street, Suite 103, Prairie Village, KS 66208. Parcels #012-21A-04-048, #012-21A-05-099, and #012-21A-05-098 on Center Street

The Applicant is asking for a Conditional Zoning Certificate to allow manufacturing as stated in Sections 611.04 A.24 through A.28 of The Village Zoning Code Book. On April 25th the application was tabled. Jill Tannerman asked to withdraw the application.

Privilege of the Floor:

Michelle Rieg, 148 Royal Crest Drive, read concerns from a letter previously sent to the Commission. Letter attached.

Zoning & Planning Commission Meeting
May 23, 2022
Page 4

Motion to adjourn by Mr. Nehrenz and seconded by Mayor Carter all were in favor. The meeting adjourned at 8:25 p.m.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Matt Sturgeon".

Matt Sturgeon, Chairman
Zoning & Planning Commission

I sent a version of this letter to Mr. Sturgeon and all of the members of Village Government. I'd like to share it tonight and get some feedback from the Committee on these concerns.

Below are just some of the concerns that the residents of this neighborhood have with regards to the proposed construction.

1. The placement of the warehouses in proximity to the neighborhood.

- a. The offer of 270' was a bargaining chip by the Developer to give the Board of Appeals incentive to grant the variance. Since you're no longer granting a variance, but changing the ordinance, does that mean they are no longer required to make any concession on the distance since it's now at the height they originally wanted?
- b. If the builder puts the building 270 ft from the property line, that 270' gets eaten up very quickly with the parking lot, semi parking, and street. Based on the proposed plan, the construction of the road would run right up to the property line.

2. Semi Traffic

- a. With the road running right along the property line, we'll have semi's driving by all night. No amount of dirt mounds, or privacy fencing is going to mute the sounds and smells of diesel trucks coming and going all night.
- b. Most deliveries and unloading happen at night.
- c. Sound carries – we can hear the road noise from I76 as it is. On an open parking lot in a wide open space it will only intensify. Conversations from workers, idling trucks, car doors at shift changes. I'm sure these seem like petty concerns right now, but when you're fielding constant complaints from the residents, demanding you do something about it later, it won't seem so insignificant.

3. Lighting around the building?

- a. For those of us that have homes that back up to the property lines, we're concerned about the brightness, and lack of privacy.
- b. Sleeping at night with Semi's, and bright lighting will make it difficult for people to get rest.

- b. Rt 3 will be torture to try and get on the highway. All the added truck traffic will create bottlenecks.
- c. Jarrett will most likely see an increase in trucks as well since they are a Logistics Co. That will draw even more trucks on Rt 3.

After our conversation on Monday May 13th, I walked away wondering if anyone on this Counsel gave the slightest thought to how the decision they were making was affecting the very people that entrusted you to act in OUR best interest. The ramifications of this decision are far reaching, and may not be completely known until the damage has been done, and there's nothing to do but say "we told you so".

We have so many concerns that are legitimate and reasonable. There are opportunities here for the counsel to show the community that you are just as invested in protecting this neighborhood as you are in securing the dollars this project brings to your budget. \$160K/ year is not worth the sacrifices that you're forcing us to make. Because at the end of the day, not one of you is going to be directly affected by this decision. You'll reap the benefit of a growing budget while we suffer the consequences of your decision.

We all know that "something" is going to be built on that land. It's unreasonable to think it would never be developed. But this is not the right project for this property, or the right place. This project brings no benefit to the residents, or the community. The only benefit it brings is tax dollars to the budget. The Village needs a grocery store, shopping, and restaurants... things that will benefit the entire community. What benefits does the added truck traffic, noise, and strain on our already taxed energy system bring?

I've been told repeatedly that the proposed plans are not the final plans, and nothing has been approved, yet the Village continues to work to pave a path towards making these plans possible. You're changing the rules to fit the game rather than requiring the developer to follow the rules already in place. You're trying so desperately to jam a square peg into a round hole. Instead of shaving the corners off the square to make it fit, you want to change the circle to a square.

4. Safety

- a. Most crime is opportunity based. Royal Crest is a sleepy little neighborhood made up mostly of elderly residents, many of whom are widows that live alone. These quiet, dark, dead end streets will butt right up against a warehouse district that will have people actively moving around at all hours. You're creating the perfect opportunity for someone that's looking for it.
- b. Speaking of someone looking for it.... Who are they going to hire to work in these warehouses? We can't find enough employees to keep our current businesses open for regular hours. When they can't find enough local people to work are they going to let the building sit empty? Are they going to bring in illegals to fill their employment needs? Again.... We're just creating opportunity.

5. Property Values

- a. The value of our homes is going to significantly decrease with the construction, and completion of this project. You're putting an industrial project right in the middle of a residential neighborhood.
- b. When the residents can't stand living here anymore, and they can't sell their homes because there's no value there, what do you think is going to happen? People will be forced to rent their property out in order to make the payment and not have to live here.
- c. Renters don't put the same care into the upkeep of the property. Worrying about the landscaping, or the paint on the exterior. There's no value for them to care what the neighborhood looks like. When enough of the properties become rentals, you drive the property values down even further. You've done exactly what you were trying so hard to avoid..... you've created a low-income housing development.
- d. You mentioned to me that "there were a lot worse things that could be going over there", with one of those things being low-income housing.

6. Traffic

- a. Added traffic to Royal Crest from people thinking they can cut thru only to find out they can't. People turning around in driveways. Semi's that don't realize they can't get thru until after they turn onto the street.

Why aren't you requiring them to make changes to fit into the community, rather than change the community to fit their wants. We're a Village, not a City. We don't want to be a city. It's why we live where we live. They chose to buy this property in a rural farming community, so they need to make their project fit into the community they chose.

After speaking with many of my neighbors, we think the following ideas (requirements) would go a long way in providing some buffers that make this project, while not welcome, at least more bearable.

1. Require green space between the road and the property line. Minimum of 200' between the fence and the road.
2. Sound barriers walls instead of privacy fencing. Similar to what you see on the highway.
3. Have the dock doors on the highway side of the building, with no semi traffic on the residential side.

I hope you take the comments I've made here to heart, and show the people of Seville that our confidence in you was not misplaced when we elected you to represent our best interest. If the Developer chooses to walk away because they can't build at 55' the people of Seville are OK with that. Our safety, serenity, and neighborhood is worth more than \$160K a year.