

## **PLANNING COMMISSION MEETING**

**February 18, 2020**

The regular monthly meeting of the Oregon Planning Commission was called to order in the Oregon Municipal Building by Chairman Scott Winckowski. Members present included Mayor Seferian, Yussef Olive, Greg Vriezelaar and Rick Orovitz. Also present were City Administrator Mike Beazley, Public Service Director Paul Roman, Inspector Mark P. Kelly and Secretary Lee Scheanwald.

The meeting was called to order at 5:05 p.m.

Mr. Orovitz moved to approve the January 21, 2020 regular meeting minutes as submitted. Seconded by Mr. Olive. There were no objections.

The following items were on the agenda:

SUE-164-19 Special Use in a C-4 Zoned District for the purpose of erecting multi-family housing on the properties described as Parcel No. 44-24944 and 44-25031. The applicant is Harry Glitz for owner Val V LLC. The locations are 4050 Navarre Avenue and 900 S. Lallendorf Road.

Chairman Winckowski explained the format of the meeting and the conditions for passage to members of the audience.

Mayor Seferian noted for the record that this is in a C-5 Zoned District, not a C-4 Zoned District. The difference is that a C-4 requires no backyard setback, but a C-5 requires a 20-foot backyard setback. This case is being presented with a 50-foot backyard setback, which really becomes a moot point as we are achieving a bigger rear yard setback than C-5 requires.

Mr. Beazley stated this is a request for a Special Use permit. We have a commercially zoned parcel located on Navarre where the applicant wanted to put in a commercial development in the portion closest to Navarre. He was initially interested in the entire parcel. Historically, the city has dealt with an issue where a commercial use was proposed here a number of years ago and there was some push back on it. We had recommended to the developer we thought that a residential multi-family buffer would be a less intense use with less traffic and a good buffer between the commercial corridor and the residential single-family home areas. That is what has been proposed. To achieve this, they need a Special Use permit because this is a commercial area and not residential. Just so people know what can go there now without request, they can put a full commercial development on the site from a four-story hotel to just about any type of retail operation without any permission from us or the Planning Commission. We in the city like them to use Special Use permits because it gives us an opportunity to put some conditions in, which could help us ensure a better development for the community that would work better and the developer was interested in doing that. After

listening to neighbors last month, we added additional mounding, we added additional landscaping and we asked them to go a full 50 feet from the property line, which is 30 feet more than the code requires. We just want to make it clear from our general perspective of what is going on with apartments in the market. Most people age 65 and older were buying their first homes when they were age 22-27. All the data tells us that new residents to Oregon are buying their first homes frequently at 34-36 years of age. Right now, we have people working in our community, in our hospitals and refineries, who want to live in Oregon, and we do not have sufficient quality rentals to meet that need.

Dallas Paul of the NAI Harmon Group, 4427 Talmadge Road, Ste. S, Toledo, OH stepped forward to highlight the changes they have done and addressed in the last thirty days. The site plan shows 14 buildings with 18 units per building for a total of 252 units in the first phase. The required side yard setback along Lallendorf is 100-foot from the center line of Lallendorf to the building wall has been addressed and the building has been moved accordingly. Sidewalks have been put in along Lallendorf. The buffer that Mr. Beazley eluded to has been added along the south side of the development as well as the west side of the property. The buffer will consist of six-foot plantings on three-foot mounds. At maturity, they will reach the third floor, which is 21 feet. These are cedar trees that grow fast and will fill in very quickly. One of the questions asked at the last meeting was whether the garages could be moved to the south and the buildings moved forward. They looked at this, but it disturbed the site plan significantly and was not feasible. So, they went back to the original plan. They have addressed the high-pressure gas line that runs down through the center of the site and there are no buildings on top of the gas line. It is paved and/or park or green space. This is a premier high-end development and the apartments will be market rate. There will be no Section 8 provided in this development.

Chairman Winckowski asked if the front of each building is where the parking structures/lines are.

Mr. Paul replied that is correct.

Mr. Orovitz asked if the front and the rear of the buildings are the same, or similar, and have balconies on both the front and the rear.

Mr. Paul responded yes.

Mr. Orovitz indicated at one point in time the property at the corner of Navarre and Lallendorf was the Dairy Depot, which has been razed and removed. There was talk about that parking lot possibly tying into your development, but the site plan shows the retention is in close proximity to where that might possibly tie in.

Mr. Paul said in the master plan of the 27 acres the commercial will be connected by either walkways or driving depending on how the plan ultimately takes place, but there will be connectivity between the commercial and the residential.

Chairman Winckowski stated there is currently one entrance/exit shown on the site plan, but it is his understanding that Mr. Paul's next proposal will add another entrance.

Mr. Paul confirmed.

Mr. Orovitz asked if there was a timeline for the commercial and the next phase.

Mr. Paul answered they are looking to purchase the next phase in the third quarter of this year and move the commercial development forward with a nice sit-down restaurant and some service retail. They think that the first phase of apartments will fill up quickly according to the market study they did. If it does, they will proceed with the second phase right after that and think it will be within the year.

Mr. Orovitz asked if the garages are included in the rent or if they are extra like some other places.

Mr. Paul replied that would be additional rent.

Chairman Winckowski stated they had previously read in the Project Review Committee's opinions that essentially were concerned with the 50-foot setback, which was a positive, and also the 100-foot setback on the side, which the previous plan did not comply with but it does now. He asked Mr. Beazley if the committee had met again and if so, have they changed any opinions.

Mr. Beazley responded that the committee felt generally positive that this project would be a better buffer for the community between commercial and residential. Our concern about it was the two setback issues and landscape buffering. We felt that this fits the space and meets the demand that we have right now in Oregon

Chairman Winckowski asked if there were any members of the audience who wished to speak in favor of this matter.

Cathy Reichow, 4041 Navarre Avenue, stepped forward and stated that she owns the property directly across the street from the proposed development. It is the building that houses Vito's Pizza, a beauty salon and the automotive center. She just wants to say that she is in favor of this. As a small business owner, we do need more people living in Oregon. Our demographics are terrible. We'll never get major chains to come in and build here or locate here until we get more people that actually live here. She would appreciate 250 more people; especially, directly across from her property that could support her tenants and the businesses in the area. As far as all the concerns, she went through the same thing. We had to build buffers, we had to build swales. So, you know the Planning Commission and the Mayor and City Council, they looked out for the residents, they listened to their concerns. And, they made us do extra things, just like on this site plan that changed from last month to this month, there are extra things added to protect the best interests of the residents.

Arlene Stobinski, 4236 Townhouse Drive, came forward and said she has absolutely no problem with what they want to do with this location. It's wonderful and looks great. However, she still has concerns about the traffic pattern. For her personally, it really isn't a problem, but she thinks it could be a problem down the road. She is very happy to hear that sidewalks are going in. She thinks that is terrific and is another benefit.

Mayor Seferian addressed her traffic concerns stating this property is currently zoned C-5, which is a completely commercial parcel. So, it would permit this whole parcel being developed as a retail outlet and they wouldn't have to come to this body for permission to build. They could just get their building permits and build. This would generate more traffic than these 252 units. So, it is a lesser impact of traffic than what could currently go there with the current zoning.

Mickey Felaris, 3546 Starr Avenue, stepped forward and expressed his opposition as well as concerns about their property values, buffers, traffic patterns and the dust, the dirt, the noise and clumps of mud in the street during construction.

Mayor Seferian responded to a couple of his concerns about dust, dirt, and clumps that could be put in the road, stating the only other alternative is to never develop it. Adding that we do have standards and if they make a mess in the road, we make them clean that up or they're cited, and we clean it up and charge them. So, we address those, and you said these people have a lot to lose with taking the risk. Well, you can make a case that they have more to lose if they if we don't go forward with this project, because the alternative puts it back at commercial property, where the impact is not only traffic wise greater, but the impact to the neighborhood with a large commercial development there is a harsher fit for the neighborhood than what this could be.

Bernie Wineland, 905 Cardinal Bay Drive, came forward and spoke about his concerns regarding the overflow for the Cardinal Bay addition and the broken split rail fence. He asked what is going to protect this area from people coming from the back of the new addition into the overflow as there is nothing there to keep people from coming into that area. It's choked by six-foot-high weeds (phragmites), and you can't see back there.

Mr. Roman answered it's our city and our responsibility to maintain it, but we assess that and that's something they probably need to do, or repair the fence and take out the weeds that are there.

George Matthews, 941 S. Lallendorf Road, stepped forward to voice his concerns about the height of the buildings, the lack of a landscaping buffer along Lallendorf and the relocation of mailboxes along Lallendorf.

Mayor Seferian addressed the buffer stating he doesn't know of a case where a buffer between a building and the road was required. It's a little unusual to put a buffer and it's almost something you don't want to do. It creates different issues, but we could just appeal to them. We have no tool to require them to put a buffer in there, nor do I think we want to start a precedent like that. So, we can just ask if there was some way they would be willing to do some landscaping there.

Mr. Orovitz added that as far as the mailbox location, that is under the domain of the Postal Service.

Donna Hall, 21 S. Norden Road, came forward and stated Oregon has solid schools, solid ownership, good demographics of working people and low crime. She expressed concerns that apartments bring transient people and go through frequent changes in ownership. The management goes down and down, they start leasing to anybody that can sign on the dotted line. High-end apartments deteriorate, which can lead to increased crime, drugs and prostitution.

Rick Studer, 928 Cardinal Bay Drive, stepped forward to voice his concerns including what is going to happen to the overflow from the retention pond located at the front side of the property. He assumes it is going to dump into a sewer line under Lallendorf but questioned whether the pond will be gathering just the water from the roadways or the water from the apartment complex rooftops also.

Mr. Beazley replied first of all, in this space, the flow of water is from south to north toward the lake. That's the general flow; so, it's not coming back toward the residential area. They're responsible for retention for all the impervious surface on their development, but they will also end up taking some from the south of it as well and it will then drain from that to a sewer. He then diverted to Mr. Roman to explain further.

Mr. Roman added that the detention is at Lallendorf and there will be a meter line so that all of their drainage – roof drainage, anything pervious in that development – will go to that detention pond. And there will be a meter line that will back it up, but there will be an overflow that will go out to Lallendorf as well.

Mr. Studer then asked if anybody has done a flow test, as far as the city water goes, to make sure we have enough water pressure and everything.

Mr. Roman responded yes; we do. That's what went into our second water storage tank at Lallendorf. It's just up the road.

Mr. Studer stated that over the last two years along Navarre he has seen them tear up Navarre quite a few times to do work on the underground (sewer) systems and asked if they are going to be able to hold this.

Mr. Roman replied that Lallendorf has a sanitary sewer interceptor that is 60 inches in diameter and about 40 feet down, and it is the main interceptor that comes from Northwood so it can handle quite a bit.

Ron Heider, 1003 S. Lallendorf Road, came forward and voiced his concerns including drainage and traffic.

Frank Danyi, 917 S. Lallendorf Road, stepped forward and stated with a buffer not being in place on Lallendorf he is concerned with a three-story building and peeping Toms looking into his house, increased traffic and safety as well as whether there are any tax abatements or anything giving them special privileges.

Mayor Seferian responded that there are not.

Mr. Danyi added that he is also concerned whether these people are going to be held accountable for these structures being massive as they are, and asked who is going to take care of them if they go into disrepair.

Robin Kovesdi came forward and stated she lives in the Drake subdivision and just wanted to comment for her friends and neighbors who have been speaking. Something going three-stories high near their homes. It's going to block their view; you would have to worry about your privacy and foot traffic possibly in your neighborhood. And, it is true when you build apartments, it seems like rentals do go downhill. So, she just feels compassion for her friends and neighbors here and doesn't think a three-story apartment is what was envisioned there.

Al Johnson stepped forward and stated he lives on Morning Dove. A couple of things that he would like to address are the retention pond that sets right next to Lallendorf, which would be similar to one in the back of the subdivision at Parkeglände. And, usually it's a swamp is full of cattails, ducks, raccoons and other wildlife. It would seem to him that it ought to be placed in another area that is more appropriate to the property and not visible from Lallendorf. He would think that some landscaping would help to change that perspective along Lallendorf.

Matt Bachmayer, 1123 S. Lallendorf Road, came forward to voice his concerns and asked what percentage of the sewage line is being utilized right now.

Mr. Roman answered when it's dry like it is right now it's about 10 inches, but when it's at its worst and wet you can get full flow.

Mr. Bachmayer stated he is also concerned with how much projected sewage flow is going to come from 217 units or whatever the number of units are.

Mr. Roman replied that an eight-inch sanitary will serve that development.

Mr. Bachmayer added that he believes he read an article in the Metro Press that said something about certain times Northwood is allowed extra water, or some type of flow, into that sanitary sewer.

Mr. Roman responded that they have, just like every sanitary sewer system has, leaks in the joints and it's called I&I, Infiltration and Inflow. So, everyone has some storm water getting in at the sanitary and they can have up to five million gallons per day come through that sewer. And, they built storage to try to contain some of that from overflowing into our system.

Mr. Bachmayer asked if, with that 5 million, he could be given an approximate percentage of how much extra fluid that would be other than that regular sanitary.

Mr. Roman answered yes, their normal sanitary flow is around one million gallons per day, and they can have wet weather that can get up to five million gallons per day. Our normal flow at the

wastewater plant is around six million gallons per day. During wet weather, it can go up to 36 million gallons per day, and we can treat it.

Mr. Bachmayer talked about the pipelines stating if they are going to have two roads crossing it, there is going to be vibration with 217 units. He questioned how that is going to affect the pipelines.

Mr. Roman answered in terms of non-vibratory rollers and other things, which could all account for that. There has been a lot of development off Lallendorf and that hasn't been an issue.

Carol McMann Williamson stepped forward to voice her concerns.

Debra Matthews, 941 S. Lallendorf Road, came forward and expressed her opposition.

Mike McCarty, 1025 Cardinal Bay Drive, stepped forward to share his concerns including sidewalks, property values and privacy in that area.

Debbie Melecosky, 4003 Warner Way, came forward and spoke about her concerns involving property values and higher crime, stating what she would like to know is the difference between these apartments and others like Copper Cove, Yorktown, Eastwyck and Kingston Court.

Mr. Beazley replied that among the challenges for Oregon is that we will continue to have the oldest, the most dilapidated apartments in the suburbs of this area unless new ones are built. It's a private decision to private business owners. Same challenge with single family homes as well. This land has been for sale for many years and available for many years for someone to put a subdivision in, no one has chosen to do it. It is zoned commercial. And, there are other locations that are further from Navarre that are likely to go, but in terms of the difference between this and the others, it is a new development and communities that don't build new apartments are just destined to have the oldest apartments in the region and that's what we have now.

Jody McCarty, 1025 Cardinal Bay Drive, stepped forward to talk about her concerns regarding the safety of her children.

Emee Kovesdi came forward and expressed her opposition.

Donna Hall stepped back up to the podium to ask the Board members why they think apartments are okay for the area.

Chairman Winckowski responded that there is a need and, if they are done well enough, his personal opinion is that they are going to bring in quality people. And, we are going to retain quality people from the places like Mr. Beazley talked about. Whether they work in our refineries, our businesses, and/or the hospitals; we are going to have... Instead of those people working in Oregon and living in Perrysburg, they are going to work in Oregon and live in Oregon. And 25 years ago, when these subdivisions were built, they were built within a quarter

of a mile of a state highway. The 2020 plan that was done in the year 2000, for the City of Oregon, said there's going to be a 1,200-foot corridor from the expressway out to Stadium Road, which meant that 1,200 feet on both sides out was going to be commercial. So, anybody that built a house within 1,200 feet of Navarre Avenue should have known 25 years ago that that's going to be developed into commercial property and commercial use. And so now to come and say, look, we built our residential here; you shouldn't be shoving in commercial. Well, no, you built your residential too close to the commercial.

Mr. Orovitz answered he has been asked more than once by seniors that no longer wish to own their own home for new, or newer, options for them to pursue. The only ones until recently were the Little Sisters of the Poor and the Redwood, those are fairly new, and they are almost targeted for seniors; but, other people want something they could own as maybe the transition between home ownership and apartment, and then maybe a senior living facility. He is not sure why they were asking, but he has been approached more than once about nice apartments, newer apartments, so there is a need, there is a niche, for that. He is not sure everybody is looking for \$1,000 a month apartment, but he is sure there is a need for it at certain levels. So, to answer your question, why apartments? Because there does seem to be a need for them for certain people.

Mayor Seferian replied that we are contacted regularly about people that are moving into the area, or their parents want to come in, and they are asking for higher-end apartments. We heard you say that apartment dwellers bring in crime or problems to the community. High-end things, \$1,200 entry to go into an apartment, doesn't traditionally attract the people that are high crime people. When we look at the impact to the area, the impact to your neighborhood, we look at 1) apartments going there and 2) the commercial that could go there. Anytime that we lessen the impact of a zoning to abut a neighborhood, we look at it as a good thing because it was a lesser impact than what could go there. So, if this was denied, this could stay vacant for years and years or it could be the unknown. You said you talked to realtors that said your property values will go down. What they will tell you also, if they're being honest with you, is the fear of the unknown, of what could go in the property next to yours is more dangerous, or potentially dangerous, than something like this that could go in. So, we have an unknown here, because you don't know exactly how it will impact your neighborhood. We believe from the stats we look at that it would increase your values. We believe that would increase the desirability to the city. But we don't know that for sure. We can't give you a guarantee with that. But we can't give you a guarantee what will go in there if this doesn't go there. So, I am for this. And right now, it is something that is a quality development versus the unknown, versus what could possibly go there. Many of the points that were brought up were traffic impacts. Traffic impacts will be better with this than what we can see with possible retail development. Impacts to the infrastructure are minimal. It can certainly handle anything here. So, we are left with you believing that this will be the devastation of your neighborhood. I don't think a \$1,200 a month rental is bringing in people that will devastate your neighborhood. But if we took that risk all the

time, and said, if a business goes in it could go out of business and leave a vacant building and get run down, we'd never develop anything; the city would sit stagnant. We've taken proactive steps to try to develop the city in a fair, reasonable manner. This is part of it, it's a risk, everything we do is a risk. But we've made an educated risk. We think this is a very low risk. And I think it will be a positive for our community.

Mr. Vriezelaar responded that he has sat and listened to this entire meeting and then the last meeting, and it's tough sometimes to listen because there are emotional comments being made that just are not true. I'm in real estate. The company I work for is sister companies to an appraisal firm. We do thousands of appraisals in Northwest Ohio every year. I read them every day. That's what I do. And everybody has the view of an apartment as to what is already in our community. And those are apartments, but those are what is C and D rated apartments. They have not been improved for decades. It's not where today's millennials are. Look at the demographics in this room. That's Oregon. Who's the youngest person in the room? I'd have to look and yes, we are old compared to other communities. The way that you can get younger is by doing a project like this. Because what this is, is retention, what you are going to get from a project like this. Young people potentially move in, they are young professionals, they graduate and go to BP. Where are they going to move to right now, they are maybe not ready to buy a single-family home. Where would they go rent? Maybe they will move into a facility like this and then become homeowners because they love Oregon. That's what you want. You want to attract new people to Oregon. There's no guarantee, there are no guarantees in life. But all the concerns, what that property can do today with nobody's permission has far more impact. This is what we would call a transitional project, the residential to commercial. This is what you want for this, does that mean it's a guarantee that it is going to be successful? No, no guarantees in life. But, if I lived around that, and somebody came to me and said, we are going to put \$1,200 rent apartments that are brand spanking new with a reputable individual. Or, it could be a motel. Those are just facts with the current company. What we are looking at is here's what this individual wants to do. And here's what's never been done on this property. But what could be done. So, now as a commission, a Board, consider what's a good fit. That's what we're tasked with and we have to vote. We have to say yes or no to it. If we say no to it, tomorrow he could do a deal with a hotel and nobody in this room could do anything about it. That's the fact. Or we can say, let's put some conditions on it and try to make this the best-case scenario and hope and pray that it's successful and more of them come to Oregon. And we can get new families and new life and new blood. So, I am for this. I was for this last month. I really do believe this is what our community needs. And this is where the millennials are moving to. The people that might move here are the people that are working downtown. Oregon has an opportunity now that we've not had in decades because downtown's coming back and it's a close drive to work – less than 10 minutes.

Mary Lou Ramasocky, 5058 Pickle Road, came forward to voice her concerns about increased traffic at intersections.

Mr. Beazley said just as a note, this specific type of apartment development will be less traffic than the zoning that's already permitted there. That being said, if it's warranted, we can go either to a four way stop or to a traffic light.

Mr. Olive moved to close the public hearing. Mayor Seferian seconded. All members were in favor.

Chairman Winckowski said hearing all in favor and none opposed the public hearing is now closed and the floor is open for questions from the committee.

Mr. Orovitz asked Mr. Paul if the facade on the proposed apartments is going to be vinyl or concrete siding, or is the lower garden level going to be brick and the rest vinyl.

Mr. Paul answered that the lower level and where you see the dark (on the site plan) is a stone veneer and then the siding is a vinyl siding.

Mr. Orovitz asked if the stone facade is also on the patios on the garden level and the second level and then not on the third level.

Mr. Paul replied yes.

Mr. Orovitz noted the entrance to the buildings, which are on the sides on his drawing and it says open, but then it also looks like there's a doorway on the street level. He asked if there is a secure door at the entrance level.

Mr. Paul responded there is an area for utilities on the side, and the middle is how you approach the building.

Mr. Orovitz asked if there is a secure door at the entrance or is it just open.

Mr. Paul answered that's open.

Mr. Olive asked Mr. Paul if they are going to have a full-time resident manager on premise.

Mr. Paul replied absolutely.

Mr. Orovitz stated just to verify there are going to be six-foot cedar trees on the landscaping buffers and asked what the spacing was in between them.

Mr. Paul responded they are going to be spaced so that at maturity they come together. Otherwise, if we put them too close in the beginning they are going to die out.

Chairman Winckowski asked if there were any further questions or comments from the Board. There were none.

Mr. Olive moved to accept SUE-164-19. Seconded by Mayor Seferian. Mr. Olive, Mayor Seferian, Mr. Vriezelaar and Chairman Winckowski voted yes. Mr. Orovitz voted no. SUE-164-19 was recommended for approval by a vote of 4-1.

\*\*\*\*\* With no other business, the meeting adjourned at 7:52 p.m.

Lee Scheanwald,  
Secretary