

## **PLANNING COMMISSION MEETING**

**January 21, 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 Paul Roman, Service Director; James Gilmore, Commissioner of Building and Zoning; Mark P. Kelly, Inspector and Lee Scheanwald, Secretary.

The meeting was called to order at 5:03 p.m.

Chairman Winckowski announced there are two matters on the agenda. Assuming most, if not all, of the audience members are here for the Navarre/Lallendorf issue, he is going to proceed with the other matter first to get that one done and then go forward with the Navarre/Lallendorf issue.

Chairman Winckowski stated there were a few new year's items to attend to first like election of a chair for 2020. He then opened the floor for nominations of Chairman. Mr. Olive nominated Mr. Winckowski and Mayor Seferian moved for nominations to be closed. All members were in favor. Hearing no objections Mr. Winckowski will remain as Chairman. Chairman Winckowski stated as far as Assistant Chairman, which has previously been held by Mr. Orovitz, he would nominate Mr. Orovitz to remain as Assistant Chairman. All members were in favor. Hearing no objections Mr. Orovitz will remain as Assistant Chairman.

Chairman Winckowski asked if there were any objections to adoption of the 2020 meeting schedule. Hearing none he announced that the 2020 meeting schedule would be adopted as submitted.

Mr. Olive moved to approve the December 17, 2019 regular meeting minutes as submitted. There were no objections.

The following items were on the agenda:

SUE-166-20 Special Use in a C-1 Zoned District for the purpose of single-family residential use on the property described as Parcel No. 44-18603. The applicant/owner Robert Taylor. The location is 4135 Navarre Avenue.

Mr. Gilmore stated this is a home in a C-1 zoned district that looks like a home but operates as a business. The current owners want to sell the building and they want to use it as residential for new buyers. In order to do that they would have to have a special use permit or a zoning change. A special use permit would be best because eventually this property would become used as commercial in the future. He pointed out there is a house next door still being used as

a legal non-conforming residential. This particular property lost its legal non-conforming status when it was changed over to commercial back in the early part of 2000.

Chairman Winckowski noted for those who may be unaware of where it is located that 4135 Navarre is the second lot in from the bank on the corner across from Pearson Park.

Robert Taylor and Jim Loss of Loss Realty Group, who represents Mr. Taylor, came forward and stated the property has been on the market for a year and a half. When Mr. Taylor purchased the property ten years ago it was a single-family use. The problem they have run into is the size of the structure and the size of the lot has made it difficult for him to get his money back out of it. They feel they will have a much better opportunity to get him a reasonable price with the special use permit and then later down the road if it needs to go back to commercial it would be easy to do. But Mr. Taylor is in a situation where he needs to sell it and they feel he has a much better chance with a single-family sale.

Mayor Seferian stated for the record it is easier than you think because you never lose the commercial status. So, you will always have that, you just gain the ability to reside in it as a residential use.

Mr. Orovitz asked if there was anybody occupying the residence at this time or has there been.

Mr. Taylor answered no.

Chairman Winckowski stated the Project Review Committee, consisting of the City Administrator, the Public Service Director, the Deputy Engineer, the Deputy Finance Director and the Commissioner of Building and Zoning, met and their opinion was the committee does not anticipate any negative effects to the neighbors by allowing residential use in the existing structure.

Chairman Winckowski moved to close the public hearing. Mr. Olive seconded. All members were in favor. Hearing no objections, the public hearing was closed.

Mr. Orovitz moved to approve SUE-166-20. Mr. Vriezelaar seconded. Mr. Orovitz, Mr. Vriezelaar, Mayor Seferian, Yussef Olive and Chairman Winckowski voted yes. SUE-166-20 was recommended for approval by a vote of 5-0.

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.

Mr. Gilmore stated this is a C-4 zoning, which allows commercial development as far as mercantile or business. The restrictions on height in a C-4 zone are limited to 4-story and 60 feet high. The proposal is to put multiple family dwellings in this spot, which is not allowed in C-4. It would be allowed in an R-3 zone. The City felt there would be more protection to the residential side of it to use a special use permit, which is more project specific – meaning only for this project, not just a straight R-3 zoning. The Project Review Committee in meeting suggested there should be a 50-foot rear building line setback and within that 50-foot building

setback there should be a 25-foot landscaping buffer. Mr. Gilmore also noted this is a special use, which is a recommendation from the Planning Commission to City Council and then it goes before City Council for final approval.

Chairman Winckowski added based upon the Board's recommendation if the applicant receives three affirmative votes, then it is a mere majority of Council to approve it. If they do not get three affirmative votes from the Planning Commission then it is a super majority of Council, which takes six of the seven Council members to vote yes in order to pass it.

Dallas Paul of the NAI Harmon Group, 4427 Talmadge Road, Toledo, OH stepped forward and stated the project they are proposing is a multi-family premiere development, which is something the City of Oregon has not see recently. The site is 27 acres in totality, and they are asking for a special use for the back 18.5 acres. That leaves the frontage for commercial development, which is currently zoned C-4. This project will be done in phases and the 1<sup>st</sup> phase is outlined on the site plan that was handed out to the Board and members of the audience. It shows 13 buildings with each building having 9 units, which will be comprised of 6 two-bedroom units and 3 one-bedroom units. The buffer Mr. Gilmore refers to is on the south side of the property next to the current residential community and it shows a 50-foot setback and a 25-foot landscaping buffer. This multi-family development is a nice buffer from residential to residential multi-family to commercial. They think it softens the uses in that area. Not all apartments will have garages, but in the 1<sup>st</sup> phase there will be 117 units and 88 garages. The entrance will come off Lallendorf and then proceed on. The retention area is up in the right-hand corner of the 18.5 acres.

General discussion between members of the audience and Mr. Paul ensued.

Mayor Seferian interjected stating currently this is C-4 property and there have been many people who have expressed an interest to come into that area commercially. Each of those commercial projects would be generating anywhere from 4,000 to 6,000 cars per day. From the way it is zoned now the potential traffic is probably 4-5 times more than if it would go to this proposed project.

Mr. Olive asked if there were any common use areas – rec rooms, laundry facilities; social areas – swimming pools; or anything else.

Mr. Paul responded no.

Mr. Gilmore stated that he believes each unit has its own laundry facility.

Mr. Paul added that was correct, each unit would have its own laundry facility.

Chairman Winckowski asked if there were any members of the audiences who wished to speak for or against this matter.

Arlene Stobinski, 4236 Townhouse Drive, came forward and stated she would like to be given the opportunity to write down her questions and bring them back next month, not to be put on the spot tonight without benefit of time to think about it. However, her main concern is traffic and traffic patterns.

Kathy Reichow, 4041 Navarre Avenue, stepped forward and stated that she has the Dan R's/AAA building and the Salon and Vito's Pizza as well across the street. When they tried to get their property built in 2001, they went through this same exact thing. They had to put in buffers and the development behind them, which was Sweetwater Place, was completely empty at the time. They were the first ones to build there; so, the residents built behind them knowing there was an automotive shop, a salon and a pizza place already there. She added the city will never get any major chain to come to Oregon, Ohio unless they improve their demographics. That is all that big companies look at. They want to know how many people live in the area. It doesn't matter if they work in the area, they must live in the area. We must be willing to let these types of development come to our city to get the developments we desire like major restaurants and stores. She would look forward to something like this being developed.

Mickey Felaris came forward and voiced his opinion as well as asked members of the audience to write down their questions and he would present them.

Gary Row, 4035 Warner Way, stepped forward and voiced his concerns including proper buffering. He thinks it needs to be looked at both horizontally and vertically for the privacy of the residents in the area. He thinks everybody here who has a vested interest like himself should be given the opportunity to raise questions. More time should be taken in the designing of the buffer and plan layout. Maybe they could include some privacy hills and drainage and possibly alter the plan to give a little bit of a rising buffer to the units themselves and maybe look at relocating the garages.

George Mathews, 941 S. Lallendorf Road, came forward and voiced his concerns with traffic flow and the amount of people that are going to be living in this area.

Mr. Olive asked Mr. Roman if there are any city services that are not going to be able to be provided with this addition or any burden put upon the city for water, sewage, etc.

Mr. Roman replied there is nothing he sees that would stop any type of development, whether it is commercial or residential. Lallendorf has a very large storm sewer in it. Regarding traffic concerns, he does not think anything they are proposing is going to warrant a traffic light. The building they show closest to Lallendorf will likely have to be further away from Lallendorf as there is a 100-foot setback, which is there for future widening. In terms of water and sanitary they have all the utilities they need from Navarre and Lallendorf. Again, traffic flow when you are close to a traffic light there at Lallendorf and Navarre you really do not want a bunch of drives going out to Navarre. The idea is to do a common drive and route people out to a traffic light.

There was general discussion regarding vertical buffering, which the code does not address.

Mr. Olive asked Mr. Gilmore if he was correct that as it sets now, zoned C-4, anyone could come in and put up a 4-story hotel right now.

Mr. Gilmore responded yes, that would be an option in C-4. Someone could come in without any special zoning approval (from Planning Commission or City Council) as it sets today and put in a 4-story hotel.

Harry Martin, 4051 Warner Way, stepped forward and voiced his concerns regarding what will happen to property taxes and property values with the rental property going in as opposed to a developer coming in and building condos and people owning them.

Mayor Seferian stated that we are faced with that question often and you cannot choose whether to put condos versus this multi-family complex because that is a private entity that chooses to do that. But, the mystique of the unknown, of a vacant lot, does not do any good because of not knowing what could happen puts your property in more of a precarious situation than something that is developed and successful. If you have well-developed high-end apartments, which we have been told is in dire need in the City of Oregon, he thinks property values would go up.

Debbie Melecosky, 4003 Warner Way, came forward and voiced her concerns with the high-density apartments and the parking spaces shown on the site plan.

Mr. Paul stated that with respect to the resident's comments he would recommend that we table (extend) this hearing on behalf of the developer so that these comments can be considered, and they will cooperate within reason to accommodate what they have heard here tonight.

Norm Henney, 4027 Warner Way, stepped forward and asked if they could be provided with an overall final copy of the site plan so that they can argue and fight for their sunshine, their privacy and he also asked if there is a limit on how high it can go.

Mr. Gilmore answered that in this particular zone as it sits, in a C-4 zone, the building can be 60-foot-tall or 4-story.

Chairman Winckowski announced this public hearing will be extended to February 18, 2020 at 5:00 p.m.

\*\*\*\*\* With no other business, the meeting adjourned at 6:45 p.m.

Lee Scheanwald,  
Secretary