

**Minutes of VERMILION MUNICIPAL PLANNING COMMISSION  
of April 6, 2022 @ 7:00 pm**

**PRESENT:** Heather Shirley, Heidi Strickler, Jeff Hammerschmidt, Jim Chapple. **Absent:** Joe Williams

**In ATTENDANCE:** Brian Holmes – Council Representative - Mayor Forthofer – Guest

**Call to Order:**

Jim Chapple, Chairman called the Wednesday, April 6, 2022 meeting to order.

**Approval of Minutes:**

**H. Shirley MOVED:** J. Hammerschmidt seconded to approve the minutes of the March 2, 2022 meeting. Roll Call Vote 4 YEAS. **MOTION CARRIED.**

**New Business:**

**Vicki and Robert Leimbach – Property Location:** 1425 Claus Road – PP#: 01-00-021-000-031 and PP#: 01-00-022-104-042 (Rezoning – I-1 to R-1)

Robert Leimbach stated they are seeking a change in their property from I-1 to R-1 zoning. Heather Shirley asked how long they lived at the property which V. Leimbach responded nine years. H. Shirley then asked if they had the history of the location. R. Leimbach responded his family had lived there since 1847. H. Shirley asked how long the dwelling had been on the property and R. Leimbach responded since 1859. H. Shirley asked to their knowledge if had always been zoned industrial. R. Leimbach responded that it has always been used for farming but believed when his father sold a majority of the property in the nineties, it changed to I-1. V. Leimbach stated they only found out this year that they were zoned industrial. H. Shirley asked how many acres the property sits on and R. Leimbach stated five acres. H. Shirley asked if the five acres they were requesting was the entire property and R. Leimbach responded yes. H. Shirley asked if any part of the property was currently zoned residential and R. Leimbach stated no, it is all light industrial and they want it to be residential. H. Shirley asked why they decided to make this change now. V. Leimbach said that they just found out this past year they were zoned I-1. When someone asked how they could not know that their property was zoned I-1, she said they never had a reason to look it up and just found out it was not residential, and they just assumed it was because it is a house. H. Shirley asked if this was in relation to the Baumhart Rd. project and if this is what prompted the zoning change. R. Leimbach stated it was because of the barn across the street and it came up with that. V. Leimbach said that they had

difficulty locating the surveyor and locating the markers, but they do have that worked out so now they are asking for R-1. She stated that they have been working on it for some time, it is not a last-minute thing. H. Shirley asked if they are aware if there are any other neighboring properties that are also zoned light industrial in their area. V. Leimbach responded yes, they are aware that everyone across the street and up and down the road is R-1, there is a strip of land that is owned by the State of Ohio that is zoned I-1 and a strip of the property owned by the church which is part of the Historical Society next door that is also zoned I-1.

H. Strickler asked if the neighbors on either side of their home are zoned R-1. V. Leimbach responded that the neighbors across the street are zoned R-1. R. Leimbach said that the property to the south and east of them is I-1.

C. Howard stated that there was no issue with what was submitted. R. Leimbach stated that they received the Engineer's letter.

H. Shirley asked if they needed to go to the Board of Zoning Appeals. G. Fisher stated no, if it is approved they will go to a Public Hearing on May 9 at 6:00pm before City Council.

J. Hammerschmidt asked if there would be any ramifications between this and the industrial Baumhart project. C. Howard stated that they cannot consider it, whatever happens in the future this would give them a larger buffer – the property has been used as residential so it's almost like it should have been residential before. G. Fisher said the board would have to base it on it's own merit.

**H. Strickler MOVED;** J. Hammerschmidt seconded to recommend to Council the rezoning of five acres as proposed by Robert and Vicki Leimbach (From I-1 Light Industrial District to R-1 Estate Residence District). Roll Call Vote 4 YEAS. **MOTION CARRIED.**

**MRP Woods, LLC – Property Location:** 1535 Sunnyside Road – PP#: 01-00-021-000-074; PP#: 0100-021-000-075; and PP#: 01-00-021-000-076 (Lot Combination)

Kim McCray and Kurt Roth explained they are seeking a lot combination of the three parcels they purchased on Sunnyside Road. K. Roth explained they were split not too long ago, and they would like to combine them too how they were originally. H. Shirley asked if they were split prior to them owning the property and K. Roth replied yes, they took possession in December and the prior owner had them split prior to that. H. Shirley asked what the purpose was for combining the lots and K. McCray said that it would be to build a home later on down the road.

J. Chapple asked if they had received the Engineer's letter in which K. McCray replied yes. C. Howard said that what was submitted was the old lot split that was approved,

subsequently they had submitted the lot combination and legal, but he had not had a chance to review it yet. H. Shirley asked if they submitted everything and C. Howard responded he believed so, but it was after the letter was sent out. H. Strickler asked if they can approve it contingent on Howard's approval and C. Howard responded yes.

**H. Shirley MOVED;** H. Strickler seconded to approve the lot combination contingent upon the City Engineer's review of the newly submitted Lot Consolidation Survey and Legal Description. Roll Call Vote 4 YEAS. **MOTION CARRIED.**

**Corner Lot Properties LLC – Property Location:** Sunnyside Road – For Planned Unit Development (PUD) in existing residential zone

Dan Kelley requested a PUD zoning on approximately 168 acres. He stated that he has been working for over a year collecting the correct information to bring a successful project to the city. He has a national home builder who specializes in making affordable, modern, energy efficient homes that feeds the demand of the current home buyers. He stated that the market is demanding a different type of lifestyle and this PUD would afford a lot of green space opportunity, water management systems, walking trails, pavilions with a couple of different products from the national home builder on each side of Sunnyside Rd. He stated that it is currently zoned R-1 and he is simply asking that the board would consider a PUD Zoning for the property. He said that he will reserve a few other exciting things to go over but he wants to reserve that for another meeting.

H. Strickler asked why a PUD is needed if it is already zoned residential, what exactly is he looking for. D. Kelley responded the Planned Unit Development allows the home sites to be the size that the market demands. The R-1 zoning would not allow for the smaller type of properties and today's homeowner does not want to do all of the yard work as they want a more maintenance free lifestyle. PUD zoning allows these size lots and this size community, and it also affords a lot of revenues for the municipality not just from the sanitary tap ins but the cost of maintenance in the roadway and tax revenue collected in a much tighter space, so there are a lot of advantages. The PUD is just a simple request for the type of product that the national home builder puts up that would feed the demand in this area.

H. Shirley asked if these would be single family homes. D. Kelley responded they would be single family residential homes and the price range would start in the low \$200,000's and based on the options it would change from there. It is also good for the city to consider because it helps elevate the existing home inventory prices when the price for square foot goes in where it does. It will also help younger families to have homes they can afford that are modern and energy efficient. H. Shirley asked if there was an HOA and D. Kelley responded there will definitely be and HOA because the green scape and walking trails will be a large project and a park that the HOA will manage. J. Chapple asked

if there would be a clubhouse and D. Kelly responded not at this time and he does not believe there will be a clubhouse in the future.

H. Strickler stated what was presented tonight was not stamped by an architect and asked if he was just presenting the concept. D. Kelley stated yes, he is just presenting the concept, the drawings were done by an engineer, but they will be adjusted in time with the suggestions and things that the board would want.

J. Chapple asked what the lot sizes would be. D. Kelley responded that the lot frontage is 55' and the depth would be a minimum of 110'.

H. Strickler asked G. Fisher to refresh everyone's memory on PUD's because it has been a while since one has been submitted. She stated the plans needed to be very specific. G. Fisher stated yes, everything will need to be on file because it is technically like a rezoning and will have to go through public hearing and three readings of the ordinance. D. Kelley stated he was anticipating that so he wasn't expecting approval this evening, he wanted to deliver the concept and said that he would be more than happy to have his engineer at the next meeting as well as the national home builder. He wanted to see if there were any initial concerns that he should have addressed at the next meeting so that they can have specific answers to specific questions. H. Strickler stated the first thing would be lot sizes being specific. D. Kelley stated they will be 55' x 110'. H. Strickler replied yes, even green space would need to be specified on the concept plans as well.

J. Chapple asked if D. Kelley had received the Engineer's letter and he stated that he had received it and he addressed it and responded to the Engineer's concerns and questions.

H. Shirley asked how many total home sights are being proposed. D. Kelley said that this would be a 429-home site development. H. Shirley asked the average square footage of the homes. D. Kelley stated that he would let the national address that because they can deviate between two different product lines. The ranch homes will be closer to the 1600 to 1800 square foot range and up depending on the consumer, the two-story homes will be closer to the 1800 to 2400 square foot. They have a standard base and then they have different options that the consumer can choose from. When the consumer chooses to go with additional room they can become much larger in size and it just depends on what the market is needing and wanting.

B. Holmes asked who the national home builder would be. D. Kelley stated that it would be Ryan Homes.

J. Hammerschmidt asked C. Howard how that ratio would work for the density. C. Howard said he believes it is 168 acres plus the piece they are breaking off for apartments does not have acreage on it, so we don't know the space there. D. Kelley said that acreage is

approximately 40 acres that is set aside for commercial suitors that he is talking with, but it is too premature to do that – one step will go first and then that will lead to easier access. He stated he sees a lot happening in that corridor between Sunnyside and what potentially may be the next interchange off of Route 2. There is a lot that will go on in this area in the future and another advantage would be that the sanitary line stops north of the tracks – so one of the largest expenses he will incur is extending underneath the railroad tracks to the site and in doing that it will open a lot of other opportunities that can be afforded to have projects brought into the city. He believes it is a win-win type of proposition when you look at the investment that is going into the project, the attraction to younger home buyers to the city, the lower cost of long-term maintenance to the streets, there a lot of wins that are for it. A lot of us in this room may not be a consumer of a Ryan Home house, but there is a lot of market demand for that and there are a lot of consumers that really want that, and this is feeding that demand that is there. Obviously, there is side revenue that comes in from all of the construction that goes on and a lot of jobs and a lot of taxes.

H. Shirley asked in addition to the 429 home sites if he is also looking at apartments. D. Kelley replied no, he is not looking at any apartments, this is a preliminary conceptual plat that was done by an engineer so that is going to be subject to change. He is not looking or requesting for any types of apartments or anything like that whatsoever. He foresees himself coming back to the board at a future point and having it to the right zoning of commercial based on the sewer that he can bring into the site. He is engaging with someone that he cannot disclose that he is under strict negotiations where he cannot do that but if he is able to secure that it will be nothing but positive and a job producer in the city. It may not be as big as another project that you have going not so far away, but they all add up, and its all-new construction, and it is all on what would be considered the impression of the City of Vermilion for the gateway of Route 2.

B. Holmes asked what D. Kelley's connection to Ryan Homes is. D. Kelley replied that he is a developer for them. B. Holmes asked if he has been involved with Ryan Homes projects anywhere else in this county. D. Kelley responded not in this county, in Lorain County he has had interaction with them on other projects, but he has never done a project quite like this one. D. Kelley said that it is a tight knit group of people, so you know what everyone is doing and there has been some consolidation collaboration of efforts on certain projects in the past, but this is just solely him working with Ryan Homes on this project. All of the contracts are in place, but they just have a few issues to tidy up and one of them is procuring the PUD Zoning.

H. Strickler stated that she is not necessarily opposed to this, but she would like to see more specific documentation and them working more closely with the city engineer and the mayor. There are too many unknowns at this point, but it is an interesting concept, so she appreciated his time. D. Kelley said if there is anything specific he can prepare that

would be great. He put down the deposits and is looking forward to having his engineer work closely with the city engineer to make certain everything needs to be done. He said if the planning commission members were willing, he would be happy to have his engineer and representatives from Ryan go into more specific on what they will do.

C. Howard asked if there will be roads dedicated. D. Kelley said this is something they can discuss. C. Howard asked him to go through the checklist as they need more information.

H. Strickler asked the clerk to remind the planning members of the PUD rezoning procedure. G. Fisher said Planning Commission will need to make a recommendation to City Council and she would prepare legislation for the PUD and would set it for Public Hearing like the process of any rezoning. However, there is more information required by the city for PUD's. C. Howard advised the members to read Chapter 1270.02. He said once Planning approves this it would go before City Council for three readings and a public hearing. They would also have to come back before Planning Commission for each phase. D. Kelley said they are planning on a four-phase project. G. Fisher advised the commission that if this comes before them next month, she will not be here, but she would guide Melanie on the process.

D. Kelley thought they would have everything the city needs to move forward with a decision at the next meeting. G. Fisher advised him the deadline to submit all their paperwork to the city is April 20, but she would suggest they get everything to the city engineer prior to this date, so he has time to review it. She said once everything is approved by Planning, then they will set it for Public Hearing and they would have to set notice for 30 days later, which also depends on City Council's calendar.

This matter will be put on the next meeting agenda under 'Old Business'.

**J. Chapple MOVED;** H. Strickler seconded to adjourn into executive session to discuss pending litigation. Roll Call Vote 4 YEAS. **MOTION CARRIED.**

Upon conclusion of executive session, J. Chapple called the regular meeting back to order.

**J. Hammerschmidt MOVED;** H. Strickler seconded to refer Ordinance 2022-28 to City Council. Roll Call Vote 4 YEAS. **MOTION CARRIED.**

**Adjournment:**

J. Chapple adjourned the meeting upon no further business.

*The next meeting has been scheduled for May 4, 2022 at 7:00 p.m.  
Vermilion Municipal Complex, 687 Decatur Street*

*Transcribed by Melanie Wood, Building Clerk.*