

**Minutes of VERMILION MUNICIPAL PLANNING COMMISSION  
of July 7, 2021 @ 7:00 pm**

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

***In ATTENDANCE:*** Bill DiFucci, Building Inspector; Barb Brady, Council Representative; Chris Howard, City Engineer; Jim Forthofer, Mayor

**Call to Order:**

Joe Williams, Chairman called the Wednesday, July 7, 2021 meeting to order.

**Approval of Minutes:**

**J. Williams MOVED:** H. Strickler seconded to approve the minutes of the June 2, 2021 meeting. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

**New Business:**

**Road to Hope the Village (Jeff Kamms) – Property Location: 1863 Liberty Avenue (Final Site Plan)**

Joe Ernandes of Clark & Post Architects, Inc. was present on behalf of the applicant. He said the construction documents have been completed and they are out for bid. They should be receiving bids tomorrow from contractors and they will review them next week and will decide so they can move forward on the project. J. Chapple asked what the anticipated timeline is on the project. J. Ernandes said they have it slated for the second quarter of next year. It will be up to the contractor's timeframe.

C. Howard provided correspondence offering comments on the final plans. He said the water, storm, and sanitary sewer, outside of the right-of-way, will be privately owned and maintained. A sidewalk along the Liberty Avenue frontage will need to be provided. Units A1, A2 and A3 do not meet the rear setback requirements of 40' but are permitted since the existing buildings are being renovated. He noted that in the future, Unit A5 will require a variance before construction of this Unit is permitted. Prior to starting construction, a pre-construction meeting will be required between the Owners Site Contractor and the City of Vermilion.

H. Shirley asked if they had a landscaping plan. J. Ernandes said the plan is in the works and they have an allowance in their project for landscaping material.

J. Hammerschmidt said the dumpster is located right off the street according to the plans and he asked if they could move it as it seems aesthetically unpleasant. J. Ernandes said they have a dumpster enclosure. J. Hammerschmidt asked if they could adjust the placement by moving it by the main circle in the corner. J. Ernandes said they can take a look at moving this.

Mayor Forthofer said he has been insistent on sidewalks as they are trying to get them installed all the way down Liberty, so he would appreciate this. Secondly, he asked if the name is going to be called the Road to Hope the Village. J. Ernandes confirmed. Mayor Forthofer asked when the startup of the project would be. J. Ernandes said the startup could potentially be the end of this month.

H. Shirley asked what the total capacity is per unit. J. Ernandes said the A units are double units, some will be single bedrooms, and some will be two-bedroom units. The B units are single. He believes there are 16 units in total.

**J. Chapple MOVED;** H. Strickler seconded to approve the final site plan contingent upon the applicant addressing the city engineer's comments addressed in his letter dated July 7, 2021 and submitting a landscaping plan for approval and moving the dumpster as noted above. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

**Kyle & Marilou Williams – Property Location: Sunnyside Road/PP#: 0100021000062 (Lot Split/Lot Combination)**

Kyle Williams of 4542 Howard Drive said they currently own a parcel on Sunnyside Road adjacent to Norheim's property and they are looking to purchase additional land to create three lots. The plan is to build a home on the three-acre lot and then the one-acre lot will be for their parents if they want to move when they retire.

C. Howard provided minor comments for the surveyor to address. They need to resubmit the survey and legal descriptions, but the members can approve contingent upon them resubmitting.

**H. Shirley MOVED;** J. Chapple seconded to approve the lot split/lot combination contingent upon them resubmitting the items addressed in the city engineer's correspondence dated July 7, 2021. Roll Call Vote 5 YEAS. **MOTION CARRIED.**

**Old Prague Restaurant – Property Location: 5586 Liberty (Site Plan Approval)**

Michael Lich of 5586 Liberty Avenue and his mother were present to explain the project. J. Williams said this was on the agenda some time ago and they tabled this due to no representation. M. Lich said the meeting was on Zoom and he had no idea how to operate

it. J. Williams said when he originally submitted, he was submitting the band stand. M. Lich said it was a corrugated roof for the stage. His mother said in the 40 years she owned the place she did everything she could to make it very good looking and she maintained the roof, the siding, painting, and planting. It is her baby, and she gave it a life, and was hoping to retire and get out of this. She said they will comply with anything and said her son does a great job and she is proud of him.

J. Williams asked Mr. Lich if he saw the engineer's letter. M. Lich said yes, and they are aware, so whatever they need to do he will do. He said when he built the patio, he went to Planning and Historic. The last thing he wants to do is go against the grain so whatever it takes to correct it he will do it.

His mother said the delivery trucks and patrons are getting in and out of the parking lot with no problems. They have narrow parking spots for motorcycles as well. J. Williams said there are a few parking spots close to the stage and asked if they have ever had an issue. M. Lich said they are marked for motorcycles. J. Hammerschmidt asked when garbage pickup is. M. Lich said on Mondays in the morning, so the parking lot is usually empty. He tried working together with the Pavilion Grill on parking, but they never got back to him, and they put a note on their business saying not to park at the Old Prague, so this is still his responsibility. He said they had a disagreement with Papa Joes 10 years ago and they decided to block the back, which he does not think this is legal because it should be a fire thorough-way. He said he never complained and left it at that. Additional comments were noted about the history of the parking and their four lots.

H. Strickler asked if they are approving a site plan for the structure that is already there. B. DiFucci said the stage was constructed and they caught a guy working on the stage, which started this process. He submitted drawings that were not approved because he was not an architect and he could not submit to those drawings, so the stage itself was a new stage. They were stopped before the roof went on. H. Strickler asked if they are approving it all – not just the roof. B. DiFucci said correct. J. Williams said the stage has been there awhile. It was mentioned that it may have been there eight years. B. DiFucci said it may have been and he does not know the condition it was in, but it did have a new deck and poles, and the stage could have been there, and he could have rebuilt what was there.

H. Shirley asked the building inspector if he had any concerns with the parking lot. She understands the city engineer put some things in his letter. C. Howard said he brought up things based on the site plan, but they addressed the dumpster and the garbage pickup. He was not aware they had parking for motorcycles.

H. Strickler said when somebody does work without approval do the businesses get fined. B. DiFucci said permit fees are doubled. He said sometimes it is an honest error and sometimes it is brought to their attention, and nothing is done, so per the code permits

are double and registration is doubled. There is a fee for contractors who are caught without registrations. There are vehicles in place to penalize people that try to break the rules. M. Lich said the last thing he wants to do is break the rules.

H. Strickler said she will vote for this but is concerned because they need to be careful that they are not setting a precedent because they already have a reputation of giving preference to the downtown and being strict on the other side of town. She wants to make sure going forward this does not happen. J. Hammerschmidt said downtown is historic and old, and they have to give it a little more precedence over things because they have more space. They have to work with what they have and make the best of it. H. Strickler said she does not disagree with this, but perception is key.

Mayor Forthofer said because this has been a multiple year back and forth thing, he would like to review where they are going from here. If the board chooses to approve the plan, then what will happen. B. DiFucci said they will follow up with the required inspections of the structure hoping they can see enough of it. They may have to remove some boards to confirm that it was built to plan. They will go through the permitting process once Planning approves it to get the drawings reviewed and approved. Once the inspections are completed, they can close the permit out.

**J. Chapple MOVED**, J. Hammerschmidt seconded to approve the site plan as presented. Roll Call Vote 5 YEAS. **MOTION CARRIED**.

J. Williams adjourned the meeting upon no further discussion.

***Next Meeting:***

*The next meeting has been scheduled for August 4, 2021 at 7:00 p.m. – Vermilion  
Municipal Complex, 687 Decatur Street.*

*Work Session – August 25, 2021 at 7:00 p.m. – 687 Decatur (Transient Rental Legislation  
Review)*

*Transcribed by Gwen Fisher, Certified Municipal Clerk.*