

**Minutes of VERMILION MUNICIPAL PLANNING COMMISSION  
of May 4, 2022 @ 7:00 pm**

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

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

**Call to Order:**

Jim Chapple, Chairman called the Wednesday, May 4, 2022 meeting to order.

**Approval of Minutes:**

**J. Williams MOVED:** H. Strickler seconded to approve the minutes of the May 4, 2022 meeting. Roll Call Vote 4 YEAS. **MOTION CARRIED.**

**Old Business:**

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

Dan Kelley introduced Dale Haywood, his engineer and Emily Katcher who represented Ryan Homes. D. Kelley stated last time he was before the Board; he had a preliminary plat and they had done some revision to that to meet the requirements for a PUD consideration for the property. He believes they hit all the criteria they needed, so he was there to see if it can be pushed forward to Council to begin the readings and see if there were any questions or concerns prior to that.

C. Howard stated that this application shows the 48.1 acres south of the proposed Villas at Sunnyside (which is on the western side) has been removed from the PUD request and asked the intention of that property. D. Kelley replied that property is going to remain as it sits, it is not going to be a part of this consideration, it is too premature for him to discuss anything due to a confidentiality and exposure arrangement. He will approach the Planning Commission when it is an appropriate time to discuss that property, so it is not in his request for the PUD. C. Howard said that it is not now, but it was before and at that time it was shown to be zoned as potential development of business, and he may want to include that to show future general business. If he does not include it now, he will have to come back to rezone that piece. D. Kelley replied he is aware of that, and he is prepared to come back, he is under a contract, and he cannot speak about it yet. C.

Howard replied he understood, however when you come with a PUD it is better to ask for that now than to come back later.

C. Howard stated the second item is the traffic impact study, if the PUD gets to Council that will need to be completed. To make Planning Commission aware, the proposed lots in this development are 55' wide by 115' deep with the proposed front yard setbacks at 20' and the rear yard being 15' and the side yards at 7.5' each. The proposed density excluding the right-of-way for the Villas at Sunnyside on the west side of Sunnyside Rd. is 3.9 lots per acre and Sunnyside Estates on the east side of Sunnyside Rd. is 4.6 lots per acre. The sanitary sewer would be serviced by the City of Vermilion and have to be extended down Sunnyside Rd. at the developer's cost. The water for that area is serviced by Northern Ohio Rural Water and the City would require fire hydrants to be installed with that. Lastly, their submittal did comply with all of the code requirements of 1270.2 12-13.

J. Chapple asked if they need to wait for the traffic impact survey. C. Howard answered if they are approved tonight, it will go to Council for three readings to rezone the property, that is something that will come when they start the development plans. It is premature to do that now without the zoning.

B. Holmes asked if the city sewer is adequate to take in this many homes. C. Howard answered there is a 10" main on the north side of the tracks on Sunnyside and it would be adequate.

H. Shirley asked if they had any pictures of what the villas would look like. E. Katcher replied yes, the villas will be more of a ranch plan and the estates will be two-stories. There are four homes they would build in the villas area which range from 1,200sqft to about 1,800sqft on the ranch side. Those are all first-floor owner suite ranch plans, so nothing with an upstairs, full basements, 2-3 bedrooms, 2 full baths, 2 car garage in all homes. That floorplan is considered to age in place, so the outlets are higher than a traditional outlet, the sinks are a little bit lower than the 2-story so there is a lot of functionality in the home so that you can buy it when you're 40 and stay there as your final home, or a great move down floorplan. The 2-story houses would range from 1,400sqft to 2,200sqft, 3-5 bedrooms, 2.5 bath, full basement and 2 car garage on all of the plans. J. Chapple asked if all of the homes will have the same exterior colors. E. Katcher answered no, they do not allow that, usually they like to have at least two separating light colors on either side of the street, and they do not allow it directly across the street with intersecting lot lines. For example, each floor plan will have 2-3 different fronts, so you can build three of the same floor plans consecutively, but you wouldn't be able to tell from the outside, but the inside is the same. H. Shirley asked if the 2-Story homes would be separate from the ranch homes. E. Katcher answered yes, there is one ranch in the 2-Story side they would not mix and match, the reason they do that is the ranch only line is always maintenance free, which means that neighborhood is going to have snow plowing,

mowing, those type of things so it can truly be maintenance free. The Estate section with the 2-Stories won't have that. They will still install the yards so that is completely done and that would look nice right away, but they would take care of their own yards. J. Chapple asked if there would be an association. E. Katcher replied yes, there will be a separate one for each section. J. Chapple asked if there would be a clubhouse. E. Katcher replied not at this time, there will be a playground area for the 2-Story side and a gazebo and walking trails on the ranch side. Those are still some of the details they are finalizing exactly what it looks like, but there will be some amenities for each side.

H. Shirley asked who would manage the HOA. E. Katcher answered generally they hook the developer up with a management company. They have already talked about it and there are a couple companies they use regularly; they provide HOA documents that go through attorneys which are recorded so those rules are real. H. Shirley asked who they use. E. Katcher answered they usually use APM or Barnett. They may use APM.

H. Strickler stated in regard to density, this completely changes that area, and this will not be an easy sell to the residents in Brownhelm. She asked what the current density is for the housing development that is going in Conneaut, how many homes per acre is that, or what is within our normal building code. C. Howard answered Lighthouse Estates is zoned R-4 which is 3.9 units per acre. H. Strickler replied that it seems to be a lot of houses compared to what is there – farmland. H. Strickler asked if it was Firelands School District. C. Howard replied yes.

B. Holmes said he had some residents reach out to him from his ward which is where this is located. They are concerned about the third-party HOA because they are out of state most of the times. E. Katcher replied both parties they typically use are in state connections. With that being said, that is just through the time period that this community is being built. Once the residents all take ownership, they have the option to take it over. She has been with Ryan homes for 18 years and she would say at least 80% take over the community themselves. B. Holmes stated that he is familiar with the Ryan Homes build in Columbia Township and asked if that is third party and if so, who it is right now. E. Katcher answered she believed APM, but she will have to check and let him know.

J. Williams asked if they had a development like this somewhere that has been there for 10 or more years. E. Katcher answered no, this product truthfully didn't exist 10 years ago, she would say closer to 8 years ago, but it wouldn't be this size or have two sections. In the general area, Westfield Lakes in Westfield Township would be the comparable to this, but with less ranches and not defined. In the Summit County area, they are doing something very similar to this, there is a whole ranch section and a whole 2-Story section. She would be happy to provide some addresses for the board to drive through in the interim. D. Kelley added that in the Amherst School District there is a Ryan Home development which is a mixed use development as far as the 2-Story and ranch homes and what you

will notice is very similar to this is the density, the yard space, the fact that there was a HOA that was run by a management company that has been taken over by the association, and it is not too far of a distance to look at how it is maintained. J. Chapple asked if the side yard in Camden Ridge is the same that is being proposed here because these houses seem so close together. D. Kelley answered the lot sizes are very comparable. H. Shirley asked how they choose the lot sizes, because the density and the houses seem so close together, is there any way to spread those out a little bit or is there a method on why they chose so many homes so close together. D. Kelley replied they can do it just about any way the board would like but what Ryan Homes is really good at is actually feeding the demand of the marketplace, so today's homebuyers are not looking for the large lots and a lot of maintenance. They are looking for a different lifestyle than what he grew up with, there is a different type of consumer feeding the demand of today's modern homebuyers. This development will attract families to Vermilion, they will spend money in the city, there are a lot of plusses to it, and this is what they are wanting. If the homebuyers today were truly wanting 120' frontages or wanting 5 acre lots he is certain that is what they would be building. He thinks that this is similar to what they have done in the past. He understands the density is tight, but that is what the consumer wants and that is what they are buying into. These homes are starting in the low \$200,000s and going up above \$300,000. J. Chapple asked if that is what the range is. E. Katcher answered that the 2-Story homes will be in the low \$200,000s and range up to \$300,000 and the ranches will start around \$250,000 and go up to about \$325,000 at the max. There is a range because there are about four different home plans. She also wanted to mention that side setback is a maximum, so not every home they build will need the full building envelope so sometimes there will be 3-4 more feet in-between. Some of the homes have smaller footprints. The reason this is so successful in Northeast Ohio is not just because it is an affordable home that has all the space needed, but because people are really interested in living in a community.

J. Chapple asked if they sell and then build or build and then sell. E. Katcher answered they sell and then build. Everyone gets to pick out their home site and pick out their floor plan. J. Chapple asked if he bought a house and built the largest home plan and the neighbor built the largest house plan, then you can have two big houses together. E. Katcher replied that is correct. J. Williams asked if the intention was to build both sides at once, or one side and see how that goes. D. Kelley answered it is his intention to develop both at one time. J. Williams asked if all the streets would be there. D. Kelley replied that it will be in phases like other developments you are seeing. The demand and the need are here, so it makes sense to build both at the same time. J. Chapple responded that the east side development is not too far from the industrial project they have been looking at and asked if that was a concern to him. D. Kelley answered it does not seem to concern the consumer much because they are concerned at what is inside the home and low maintenance. Today's homebuyer does not want to be working in their yard all weekend long, they want to have a different type of lifestyle. E. Katcher said you think it would

deter them, but it honestly attracts them, it has highway access and a lot of amenities that are convenient in the area.

H. Strickler stated she just drove down there today and 430 lots is a lot, and it does not look that big, with all of the increased traffic she would like to see the density to be closer to City Code if possible. The housing interest rates went up today, is the need still going to be there as interest rates are increasing, is the trend to slow down housing. D. Kelley answered with the economic situation and things happening in the world, it is kind of scary and unprecedented times, but interest rates alone with proper lending practices it should not scare anyone. Houses were still built in Vermilion, Ohio in the 1970s with high interest rates, if the demand is there and with correct lending practices, he does not think it is something that is going to take away current demand. E. Katcher also replied that there are 8 buyers for every one home that is on the market today and there is a long runway before things will normalize themselves again.

B. Holmes commented that this is going to be built in his ward, and they are concerned with development and growth, it is inevitable, growth is going to happen. He was elected in this position, and he said that he was going to promote growth on the east side of town, this is growth, this is good for both schools – Vermilion and Firelands, it just has to be done correctly. This room is going to be filled on the night of the public hearing with folks from out in that area and you are going to have to come with pictures, and everything in a row. You are going to have some resistance. It is growth, it is coming and that is a good place for growth, even off of Baumhart Rd. that is a place for growth. It was sold for growth. If we go ahead and get that developed on Baumhart Rd., those people are going to need a place to live so we have to be prepared for that as well. He wanted them to be prepared for the public hearing and understand that the administration, council, and planning will be willing to work with them to this.

Mayor Forthofer agreed and said there is a sentiment that it is country, and it certainly has been, but look at Carvana, things are rolling west, and we are the next stop. It is going to happen, but it is not going to happen effortlessly.

E. Katcher stated they have been in those situations before. Wait until the sewer is extended, development will follow the sewer. In all of Northeast Ohio you can tell that story.

J. Williams commented that while in Florida he visited a development similar to this and the homes there are selling like hotcakes. It has been very good for the city, people moving in, the tax based has increased, and now they have a tremendous amount of facilities for all the people to use. It is vey similar, the cost is similar, and the size is similar.

D. Kelley stated when the sewer is built south of the railroad tracks, there will be an immense opportunity for the City of Vermilion to capitalize on commercial improvements to that area. Logically, if you look at that area you can very easily see what could be coming and those are positive things for the City of Vermilion.

H. Strickler asked if they recommend this to Council and it goes to Council and the public hearing, they will then have to come back to Planning Commission, so this is the very beginning. C. Howard replied yes, they are just recommending the PUD to Council, so they will have to come back for every phase of development, and they will have to show the traffic impact study and everything that is required.

**H. Shirley MOVED;** J. Williams seconded to recommend to Council the rezoning 120.6 acres as proposed by Corner Lot Properties (For Planned Unit Development). Roll Call Vote 4 YEAS. **MOTION CARRIED.**

### **New Business:**

**Russell E. Maurer – Property Location:** 5890 Haber Rd. – PP#: 18-02149.001 (Land Use Variance – Existing I-1)

Russell Maurer of 502 Portside Dr. stated he was there in September seeking a lot split to build a residence, and that was approved upon satisfying the engineer which they did, and they got the split. It has just been sitting on the shelf because he didn't realize he had to come back because it is zoned I-1 and he needs the nonconforming use to build a residence. He said that is a three-acre parcel and it is 150' wide, his family owns all of the farmland to the west end of Haber Rd., and this will be built to the last house there, so they are just adding one more. The setback will be 100' and the house will be 60' wide and will have 45' on both sides. This is a huge lot for an ordinary ranch style house, three bedroom, two bath, 1,700sqft. J. Williams asked if the 100' setback is in line with the neighbors. R. Maurer answered most of the houses on Haber Rd. are older and built very close to the road, he will be further back. His immediate neighbor has the creek on his side yard and his lot is narrow in the front and gets wider in the back and his house is actually unconventionally built perpendicular to the street. His house is quite deep and will be behind him. The houses that are closer to the street will not be right next to him, the one that is next to him will be behind him and they both have large lots. One of the features of his house plan will have a covered porch that is open to the back and the west, but towards him, the master bedroom obscures the view and there is room to plant trees, he has considered the neighbor's line of site, he believes he will be satisfied. In compared to all of the alternatives of industrial like noise and dust and traffic, he would think this is the best solution. H. Strickler mentioned it is a dead-end road going back to the farm. R. Maurer replied yes, he will be the last house there.

J. Chapple asked if he was asking for the hardship due to the light industrial zoning. R. Maurer replied yes, he is following the code. H. Strickler stated that this makes sense. C. Howard stated that all the property on the north side of Haber Rd. is I-1, there is residential there, it really should be residential and not I-1. R. Maurer agreed. H. Strickler said when looking at the zoning plan of the whole city, is this something they can take care of now. C. Howard said they would have to ask property owners first; you cannot rezone without letting property owners first. J. Chapple confirmed they were just asking for the hardship for his property to build, but it will still be zoned I-1. R. Maurer answered yes. H. Strickler commented that in the beginning, it was farming and would have been used for light industrial but, this makes sense.

**H. Strickler MOVED;** H. Shirley seconded to recommend to Council the land use variance (Existing I-1). Roll Call Vote 4 YEAS. **MOTION CARRIED.**

**John Reyes – Property Location:** Douglas St. – PP#: 18-00835.001 (Zoning Certificate)

John Reyes and the architect representing the project explained they are proposing a 6,500sqft boat storage facility on this property. They had previously obtained a setback variance for the building, and they stated they were here today to get permission to move forward with that project. J. Williams asked if this had come before the planning commission already. C. Howard answered yes, they submitted preliminary plans. H. Strickler asked if they went to the Zoning Board for approvals and J. Chapple replied yes, they received approval there. J. Williams clarified they were moving to approve the construction of the building. C. Howard answered yes, contingent on his letter and the items they needed to address with himself directly, but it wouldn't hold up the approval.

**J. Williams MOVED;** H. Strickler seconded to approve Zoning Certificate contingent upon the City Engineer's requirements and any comments from the board from the last meeting. Roll Call Vote 4 YEAS. **MOTION CARRIED.**

**Mike Moes – Property Location:** 5359 Liberty Ave; 699 Toledo St. – PP#: 18-00570.000 (Lot Split)

Mike Moes stated that he spoke with the City Engineer yesterday and had some feedback. He knows that he will not be approved at this time, but he did have some questions and wanted to discuss with the board. There is a jungle of parcels that have been there for a long time, and he began looking at finding someone to take Cargo Warehouse, in the process he has to split a portion of the land because the back part of the former Buyer's Fair is a contiguous parcel with the former Cargo Warehouse. He had a surveyor look at it for the lot split and he has feedback from Chris and stated his surveyor will come back. Step one is splitting that portion so Cargo Warehouse is on it's own parcel, and then will do a combination on the remaining parcels. J. Williams asked if the submission was just to do the split and then he will come back to do the combination. M. Moes responded the

unfortunate part of this transaction is that it happened very fast and when covid hit. There is an arrangement in play to also split the parking lot from S&G Properties who owns the Domino's next to him. He has descriptions and surveys for the split of the parking lot which he does not own, he was hoping to do everything at one time – the multiple lot splits and combinations. The combination portion of the transaction is currently set in the survey and the descriptions that encompass that portion of the parking lot east of him. He is proceeding on the lot split because he had an agreement for the purchase of 699 Toledo St. until today. He is going to proceed with the lot split because he knows he has to do it anyway. He will do the lot split and the combination, so he ends up with a parcel that contains the former Cargo Warehouse and another parcel that contains the former Buyer's Fair. Right now, it is contained on four parcels, and they are trying to get down to two. H. Strickler asked if the parking lot belongs to Domino's. M. Moes answered yes.

H. Shirley asked if he had someone interested in Cargo Warehouse. M. Moes answered he did. In the process of all this, he realized he has encroachment issues with that building that have come up because he did the lot split and because it was surveyed. He was not aware of this before. He is encroaching on city property toward Toledo St. by about 6" and the Hull property on Tilden St. by about 3" and therefore, he has work to do before he can move these things along and they were not willing to wait that out.

J. Williams asked if the intention was to split these so that he could sell off the one piece. M. Moes replied yes. J. Williams asked if he had any intent to do anything with the parking lot that is on the lot that he is now thinking about combining. M. Moes answered other than having it for parking, no. He realizes that he does have to go to council now for the encroachment issue. J. Williams asked what he was asking them to do tonight. M. Moes answered nothing at this time. H. Strickler said what he is trying to do is clean it all up and straighten it out.

M. Moes asked if it makes sense for the surveyor to do the lot split and combination on this parcel, so they iron out those two properties, and there won't be any contingencies of approval when he does it later. C. Howard answered yes. M. Moes said that his surveyor has asked that since the future plan is to end up with the combined parcel, does he need to set any pins in this case? C. Howard answered based on what was submitted, he will not need to. M. Moes said that they can table this issue and move to the next issue.

C. Howard explained to the Planning Commission that by splitting off the building on Toledo St. the parcel that will remain to the east is a part of the building at 5216 Liberty Ave. There are four or five parcels that are there. By splitting that, it is land locked and does not have frontage on a city street, so the remainder piece shows it is Tilden St. to the south, but Tilden St. is not owned by the city, it is privately owned by Hull, so you create a piece that is landlocked and not abutting a city street. That is why they need to combine it

with the rest of the parcels to make it into one because it is one ownership. In conversations, the split piece actually has encroachments in the city right of way, they need to clarify that. It is an existing building, it has been there, so it just has to go to council to get approval so when Mr. Moes goes to sell it, the buyers will know Council approved it so it will not be an issue. H. Strickler asked if Tilden St. was ever supposed to be city owned. Mayor Forthofer said this has been a patchwork for years, with gentleman's agreements and that sort of thing. Hull Manufacturing has been a wonderful corporate citizen and does whatever is best for the City or for their neighbors and the City would have no objections to do what is necessary to straighten this out once and for all. M. Moes said yes it is owned by Hull and it was paved in the 80's to keep the dust down.

**Mike Moes – Property Location:** 699 Toledo St. – PP#: 18-00570.000 (Change of use from Commercial to Residential)

Mike Moes stated the second reason he is there is because there have been inquiries on the possibility of residential use for it, and part of the agreement is contingent upon them getting residential use. It seems like this could be a chicken and egg type question and so he is coming to ask that question as well. If he asks for conditional use, in order for it to be residential use he has been told they have a year to conform to the residential code. The question is whether or not that carries over to the next owner. If it is contingent on the sale of the property, does his request then pass over to them. F. Steigerwald said the board would have to approve it to go to BZA for them to approve it to go to residential. H. Strickler asked if he sells it to that person and then they sell it to someone else would it stay residential or go back to commercial, or can the board determine that. C. Howard answered he believes they can determine that it stay with that building or parcel. H. Strickler asked if they can check into that so that they know, because they want to help him clean it up so that he is not back there time and time again.

J. Chapple tabled both issues for the next meeting.

**Adjournment:**

J. Chapple adjourned the meeting upon no further business.

*The next meeting has been scheduled for June 1, 2022 at 7:00 p.m.  
Vermilion Municipal Complex, 687 Decatur Street*

*Transcribed by Melanie Wood, Building Clerk.*