

Minutes of the City of Vandalia Planning Commission
May 13, 2025

Members Present:	Mr. Ron Atkins, Ms. Kristin Cox, Mr. Dave Arnold, Mr. Lucious Plant
Members Absent:	Mr. Kevin Keeley Jr.
Staff Present:	Michael Hammes, City Planner
Others Present:	Francis Dutmers, Kathryn Dutmers, Laura Trendler

Call to Order

Mr. Atkins called the meeting to order at 6:07 p.m.

Attendance

Mr. Atkins noted that Mr. Keeley, Jr., was absent. Mr. Arnold made a motion to excuse Mr. Keeley, Jr.'s absence. Mr. Plant seconded the motion. The motion carried 4-0.

Approval of Minutes of the Planning Commission

Mr. Plant made a motion to approve the March 25th, 2025, minutes. Mr. Arnold seconded the motion. The motion carried 4-0.

Swearing in of Attendees Wishing to Speak at Meeting

The attendees were sworn in.

Old Business

Mr. Hammes confirmed that there was no Old Business on the agenda.

New Business – PC 25-0005 – Rezoning – 3320 Benchwood Road

Mr. Hammes introduced Case PC 25-0005. He reported that the applicant, Jonathan Wocher, AICP, with McBride Dale Clarion, and on behalf of Richard Schott, requests the rezoning of one parcel totaling 0.919 acres +/- located at 3320 Benchwood Road. As proposed, the subject property would be rezoned from the RSF-1 Single-Family Residential district to the HB – Highway Business district.

Mr. Hammes noted that the parcel is located at the north end of the Miller-Benchwood Overlay. The applicant is not requesting a change to the overlay boundary, so the parcel would remain in the overlay even if the requested rezoning is approved.

Mr. Hammes described the property as a single-family residential structure. He reported that there are additional residential structures to the west, commercial structures to the north and east, and open space associated with a church to the south. Mr. Hammes provided the case history for the subject property. He noted that this property had at one point been part of a larger 15-acre parcel

for which a rezoning to Highway Business (HB) was filed in 2016. That request was withdrawn. In 2019, this parcel was split and the remaining 14 acres were rezoned to Gateway Business (GB) and sold to New Life Worship Center.

Mr. Hammes added that this parcel is the final residentially-zoned parcel along Benchwood Road in Vandalia. The parcels to the east and west are already zoned as Highway Business (HB), with Gateway Business (GB) to the south and Butler Township Commercial districts to the north (RCS-1 and PD-2).

Mr. Hammes reported that the applicant seeks this rezoning to allow commercial development comparable to businesses in the Miller Lane and Benchwood Road area. No specific end user is proposed at this time, but the uses allowed in the Highway Business (HB) zoning would be consistent with other businesses in the area.

Mr. Hammes discussed the 2020 Comprehensive Plan, noting that the plan designates this parcel as part of the Miller-Benchwood area, with a specific designation of “Commercial: Retail”. He added that the proposed rezoning is consistent with that designation.

In summary, Mr. Hammes explained that the proposed rezoning is consistent with the overall zoning in the area. As a result, Staff recommended approval of the application.

Mr. Atkins asked the Commission for any questions.

Ms. Cox asked about the history of the residential parcels to the west. Mr. Hammes replied that they had been zoned Highway Business for some time, but that he did not know the specific dates.

Ms. Cox asked about spot zoning, and whether that was a problem with this parcel. Mr. Hammes replied that spot zoning would apply if this parcel had been rezoned *to* RSF-1 from a commercial zoning. In this case, the proposed rezoning would rectify an instance where the zoning became inconsistent with the parcel’s surroundings over time.

Ms. Cox asked if there is a pending sale for this property. Ms. Laura Trendler, of McBride Dale Clarion, replied on behalf of the applicant. Ms. Trendler stated that there was no sale pending at this time.

Mr. Hammes added that rezonings could happen as a result of a sale or prior to the sale, and that the rezoning was not contingent upon a possible sale.

Public Hearing

Mr. Atkins opened the public portion of the meeting.

Ms. Laura Trendler of McBride Dale Clarion appeared on behalf of the applicant. She emphasized this parcel is the last residentially-zoned parcel in the area, and that the rezoning would allow this parcel to be developed as a commercial use. She also confirmed that there is no specific use planned.

Ms. Kathryn Dutmers, of 3296 Benchwood Road, stated that she had attended to get an idea of what was planned for the site. She added that there were four homes still occupied west of the site.

Mr. Francis Dutmers, also of 3296 Benchwood Road, pointed out that there are also houses on the north side of Benchwood Road in Butler Township. Mr. Hammes agreed, though he noted that they are further away from this parcel than the residential lots in Vandalia.

Hearing no further comments, Mr. Atkins closed the public portion of the meeting.

Zoning Map Amendment Review Criteria

Recommendations and decisions on zoning map amendment applications shall be based on consideration of the following review criteria. Not all criteria may be applicable in each case, and each case shall be determined on its own facts.¹

- (1) The proposed amendment will further the purposes of this overall code;

Staff Comment: Staff feels that the proposed rezoning furthers the purposes of the code.

By a vote of 4-0, the Planning Commission agreed with the Staff Comment.

- (2) The proposed amendment and proposed uses are consistent with the City's adopted plans, goals and policies;

Staff Comment: Staff feels that the proposed rezoning is consistent with the City's goals and policies, and particularly that it is consistent with the Comprehensive Plan.

By a vote of 4-0, the Planning Commission agreed with the Staff Comment.

- (3) The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions;

Staff Comment: Staff feels that the proposed rezoning is necessary due to changing conditions, namely the long-planned expansion of commercial uses along the Benchwood Road corridor.

By a vote of 4-0, the Planning Commission agreed with the Staff Comment.

¹ Vandalia Zoning Code, Section 1214.07(d) – Zoning Map Amendment Review Criteria

Review Criteria (Cont'd)

- (4) The public facilities such as transportation, utilities, and other required public services will be adequate to serve the proposed use;

Staff Comment: While no specific use is proposed at this time, Staff feels that the site has adequate access to transportation, utilities, and other required public services to serve any likely future use.

By a vote of 4-0, the Planning Commission agreed with the Staff Comment.

- (5) The proposed rezoning will not adversely affect the economic viability of existing developed and vacant land within the City;

Staff Comment: Staff feels that the proposed rezoning complies with this review criteria.

By a vote of 4-0, the Planning Commission agreed with the Staff Comment.

- (6) The proposed amendment is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

Staff Comment: Staff feels that the proposed rezoning complies with this review criteria.

By a vote of 4-0, the Planning Commission agreed with the Staff Comment.

- (7) The proposed amendment will not constitute an instance where special treatment is given to a particular property or property owner that would not be applicable to a similar property, under the same circumstances;

Staff Comment: Staff feels that the proposed zoning is justified on the merits, and does not constitute special treatment.

By a vote of 4-0, the Planning Commission agreed with the Staff Comment.

- (8) The proposed amendment would correct an error in the application of this Planning and Zoning Code as applied to the subject property.

Staff Comment: Staff feels that this criterion does not apply.

By a vote of 4-0, the Planning Commission agreed with the Staff Comment.

Recommendation

Mr. Atkins reported that Staff recommended approval of the proposed rezoning of 3320 Benchwood Road from Residential Single-Family (RSF-1) to Highway Business (HB).

Ms. Cox made a motion to recommend approval of Case 25-0005 and the proposed rezoning of 3320 Benchwood Road from Residential Single-Family (RSF-1) to Highway Business (HB). Mr. Plant seconded the motion.

By a vote of 4-0, the Planning Commission recommended **Approval** of Case PC 25-0005.

Mr. Hammes reported that the recommendation would be placed on the agenda for the May 19th, 2025 Study Session, at which time Council would have an opportunity to ask questions about the proposed rezoning. The first reading of an ordinance to approve the proposed rezoning would be held on June 16th, 2025, with the second reading and final adoption scheduled for July 21, 2025.

Communications

Mr. Hammes reported that Mr. Keeley, Jr., had declined reappointment to the Planning Commission.

Mr. Atkins announced that he had also declined reappointment, which will leave the Commission with two vacancies.

In response to Mr. Atkins, Mr. Hammes replied that there was an applicant to fill Mr. Atkins' seat. He added that a previous member had inadvertently been appointed to a 3-year term rather than the remainder of an unexpired term in the early 2000's. The result is that Mr. Keeley, Jr.'s seat was offset by one year, meaning that four out of five members were up for reappointment at one time. The remaining vacancy would likely be filled for a two-year term to correct the error.

Mr. Hammes reported that there would be no second meeting in May, and that no applications had been filed for June as of yet. The result is that this could be Mr. Atkins' last meeting. Mr. Hammes thanked Mr. Atkins for his support and assistance as he transitioned into the City Planner role.

Mr. Atkins thanked staff for their support over the years.

Mr. Arnold pointed out that Mr. Atkins would always come to meetings prepared with handwritten notes on the topics under review. Mr. Atkins replied that preparation was important, and that the work of the Commission was not easy.

Mr. Plant thanked Mr. Atkins for his service, and invited him to come back anytime.

Ms. Cox stated that she was not certain if she wanted to adjourn the meeting or not, given that it could be Mr. Atkins' final meeting.

Mr. Atkins thanked the members for their hard work, and remarked that he had enjoyed his time on the Commission.

Planning Commission
May 13, 2025

Adjournment

Mr. Atkins asked for a motion to adjourn. Mr. Arnold reluctantly made a motion to adjourn. Ms. Cox seconded the motion. The motion carried 4-0.

Mr. Atkins adjourned the meeting at 6:36 p.m.

Chairman