



City of Dayton

City Plan Board

Minute Record Overview

March 12, 2024
4:30 P.M.

Planning Resource Conference Room, City Hall
101 W. Third Street, Dayton, Ohio

Members Present: Mr. William Allen, Ms. Leslie Lovelace, Ms. Rosie Miller, Ms. Geraldine Pegues, Mr. Matt Sauer, Ms. Ann Schenking, Mr. Greg Scott

Mr. Scott called the meeting to order at 4:31 P.M. A motion was made by Mr. Sauer, seconded by Ms. Pegues, and carried to approve the minutes of the February 13, 2024, meeting with the correction proposed by Mr. Sauer to change his vote on case PLN2024-00021 from “abstained” to “recused.” Mr. Scott announced that case number 10 on the agenda, PLN2023-00408, had been withdrawn.

1. PLN2024-00034 – Subdivision Record Plan Located at Alaska @ Rita

Applicant: Randy Wolfe
6219 Centre Park Drive
West Chester, OH 45069
Priority Land Use Board: Northeast
Decision: Approved with Conditions
Planning District: Old North Dayton

2. PLN2024-00049 – Subdivision Record Plan Located at Hauk @ Garvin – PUSHED TO APRIL

Applicant: LeStavion Beverly
6425 Gem Stone Drive
DAYTON, OH 45044
Priority Land Use Board: North Central
Decision: NA
Planning District: Philadelphia Woods

3. PLN2024-00041 – Subdivision Record Plan Located at 735 Wayne Ave.

Applicant: Burkhardt Engineering Company
28 B Cherry St
Germantown, OH 45327
Priority Land Use Board: Downtown
Decision: Approved with Conditions
Planning District: South Park

4. PLN2024-00042 – Subdivision Record Plan Located at 1702 Germantown St.

Applicant: Nathan Tirey, Burkhardt Engineering
28 North Cherry Street
Germantown, OH 45327
Priority Land Use Board: West
Decision: Approved with Conditions
Planning District: Miami Chapel

5. PLN2024-00043 – Subdivision Record Plan Located at 404-408 Hopeland St.

Applicant: HBS Development
280 Recovery Ridge Suite 2500
Dayton, OH 45459
Priority Land Use Board: West
Decision: Approved with Conditions
Planning District: Carillon

6. PLN2024-00039 – Subdivision Record Plan Located at 700 Xenia Ave.

Applicant: East End Community Services
624 Xenia Ave
Dayton, OH 45410

Priority Land Use Board: Southeast
Decision: Approved with Conditions

Planning District: Twin Towers

7. PLN2024-00040 – Subdivision Record Plan Located at 1025 Shroyer Rd.

Applicant: Randy C Wolfe, PS
6219 Centre Park Dr
West Chester, OH 45069

Priority Land Use Board: Southeast
Decision: Approved with Conditions

Planning District: Patterson Park

8. PLN2024-00046 – Vacation of Right-of-Way Located at 1025 Shroyer Rd.

Applicant: Robert Ballinger
33 W. First St., Ste. 600
Dayton, OH 45402

Priority Land Use Board: Southeast
Decision: Approved with Conditions

Planning District: Patterson Park

9. PLN2024-00047 – Vacation of Right-of-Way Located at Marimont @ Pershing

Applicant: Douglas Wilkinson
1559 Pershing Blvd
Dayton, OH 45410

Priority Land Use Board: Southeast
Decision: Approved with Conditions

Planning District: Linden Heights

10. PLN2023-00408 – Zoning Map Amendment Located at 1404 Webster St. - WITHDRAWN

Applicant: Anthony Brown
3008 Sudbury Dr.
Kettering, OH 45420

Priority Land Use Board: Northeast
Decision: NA

Planning District: McCook Field

While PLN2023-00408 was withdrawn by the Applicant, Mr. Scott began discussion on the current state of and potential future for the property at 1404 Webster St. He understands that the existing building is being used by a local food pantry and so there are utilities, water, taxes, and insurance being paid on the property. Mr. Scott asked the board if they would like to make a motion to initiate a re-zoning without an outside applicant in order to make the property more marketable or if the City has looked into tearing down the existing building and turning it into open space. Ms. Schenking commented that the permitted uses in the planned development standards put forward by staff for case PLN2023-00408 are not supported by the community and so it would be difficult for Plan Board to recommend approval of any re-zoning. Ms. Miller asked about the possibility of tearing down the building and adding parking for Claridge Park. Mr. Scott stated that there are other food pantries that are self-sustaining, but this food pantry is dependent on the support of the City of Dayton. Mr. Scott also understands that there is not a lease for the food pantry and wondered as to the liability for the City.

Ms. Hanauer presented a proposed area-wide re-zoning from MR-5 Mature Single-family Residential to MNC Mature Neighborhood Commercial for a commercial node along Wyoming Street at St. Paul and Illinois avenues. The existing buildings are unlikely to become or return to single-family use, and the addition of neighborhood-scale commercial in this area would invigorate the corridor and provide goods and services to the surrounding community in a walkable distance from their homes. Ms. Hanauer stated that permitted uses in MR-5 are limited to single-family dwellings, home day care, and residential facilities. MNC would also allow for single-family

dwellings and day care, but would also permit live-work units, mixed use, offices, restaurants, retail, and service establishments. Ms. Schenking moved that Plan Board initiate the case to re-zone these properties and go through the public hearing process. Mr. Sauer commented that he would like to strip out the parking requirements. Ms. French noted that there are provisions for minor variances in certain commercial district scenarios that would eliminate the need to add parking in the area. Ms. Hanauer added that nearly all of the properties within the boundary for the re-zoning have sufficient parking for the uses that could be supported. Mr. Scott went over some history of commercial in the area and stated that the area is conducive to not needing a lot of parking. Mr. Sauer seconded Ms. Schenking's motion, and the motion carried.

Ms. Hanauer stated that the City of Dayton had provided copies of A Guide to Planning in Ohio to each member of the Plan Board.

Ms. Hanauer stated that Plan Board members have the opportunity to claim up to two tickets to the April 19 Dayton Dragon's game, courtesy of the City of Dayton.

Mr. Sauer asked if there is a Planning liaison for the efforts going into park improvements that will potentially be funded through the passing of Issue 6. Mr. Kroeger stated that yes, Planning has been involved. Ms. Schenking added that the neighborhood's should be consulted in order for the improvements to reflect what is wanted and needed in the community. Mr. Kroeger stated that engagement will be part of the process moving forward.

Ms. Hanauer welcomed Mr. Steve Gondol as the Acting Director of the Department of Planning, Neighborhoods & Development. He will become Director on April 1. Mr. Gondol has a background in planning and has been the Deputy Director since 2019.

The Plan Board meeting was adjourned by Mr. Scott at 5:13 P.M.

Minutes approved by the City Plan Board on May 14, 2024.

Jennifer Hanauer, Secretary
City Plan Board



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1. PLN2024-00034 – A record plan to consolidate twenty (20) city lots into two (2) city lots.

Applicant: The Kleingers Group
Priority Land Use Board: Northeast
Decision: Approved with conditions

Planning District: Old North Dayton

Staff Comments

Jeff Green presented the case. record plan to consolidate twenty (20) City lots into two (2) City lot along properties located along Alaska and Rita Streets. The lots meet the minimum requirements of the MR-5 Mature Single-Family Residential zoning district. Mr. Green noted that the proposed development plan for 13 duplexes was approved by BZA at its September 2023 meeting.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Mr. Allen, seconded by Ms. Miller, and carried to approve Case PLN2024-00034 subject to the following conditions:

1. Revise the Record Plan and any Construction Drawings per the City of Dayton Subdivision Regulations and comments from the Division of Civil Engineering.
2. Ensure that the dimensions close to within a 1:10,000 ratio.
3. Add any easements required by AES Power, City of Dayton Water, etc.
4. A water utility easement be established for the 8” water main and the 8” sanitary sewer that run across the site. The easement shall be 10-feet north of the water main and 10-feet south of the sanitary sewer.
5. A gas utility easement be established for the 6” steel gas that runs across the site.
6. If it becomes necessary to abandon this live gas main to develop the vacated R/W, Centerpoint Energy will have to perform a study to determine the impact of that abandonment on the surrounding community. If it is feasible to abandon the live gas main, Centerpoint Energy will have to be reimbursed for the work necessary to do so.

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Ms. Leslie Lovelace	Yes	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Yes		

Minutes approved by the City Plan Board on May 14, 2024.

Jen Hanauer, Secretary
City Plan Board



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3. PLN2024-00041 – A record plan to consolidate five (5) City and an alley into one (1) lot at 735 Wayne Ave

Applicant: Burkhardt Engineering Company

Priority Land Use Board: Downtown

Decision: Approved with conditions

Planning District: South Park

Staff Comments

Ellen Sizer presented the case. This is a record plan to consolidate five (5) lots and an alley into one (1) lot at 735 Wayne Ave. (parcel ID R72 11103 0048). The lots meet the requirements of the EGC Eclectic General Commercial District zoning district.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Schenking, seconded by Ms. Miller, and carried to approve Case PLN2024-00041 subject to the following conditions:

1. Staff recommends that the final plat be approved subject to the following condition(s):
2. Add a be 20-foot wide utility easement for the 8” sanitary pipe that runs on the west side of the proposed lot. The pipe centered in the easement.
3. Revise the Record Plan and any Construction Drawings per the City of Dayton Subdivision Regulations and comments from the Division of Civil Engineering.
4. Ensure that the dimensions are close to within a 1:10,000 ratio.
5. Add any easements required by AES, City of Dayton Water, etc.

Mr. William Allen	Yes
Ms. Leslie Lovelace	Yes
Ms. Rosalyn Miller	Yes
Ms. Geraldine Pegues	Yes

Mr. Matt Sauer	Recused
Ms. Ann Schenking	Yes
Mr. Greg Scott	Yes

Minutes approved by the City Plan Board on April 9, 2024.

Jen Hanauer, Secretary
City Plan Board



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4. PLN2024-00042 – A record plan to consolidate three (3) lots into one (1) lot at 1702 Germantown St

Applicant: Nathan Tirey, Burkhardt Engineering

Priority Land Use Board: West

Planning District: Miami Chapel

Decision: Approved with conditions

Staff Comments

Ellen Sizer presented the case. This is a record plan to consolidate three (3) lots into one (1) lot at 1702 Germantown St. The lot meets the requirements of the Eclectic Multi-Family (EMF) zoning district.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Pegues, seconded by Mr. Sauer, and carried to approve Case PLN2024-00042 subject to the following conditions:

1. Revise the Record Plan and any Construction Drawings per the City of Dayton Subdivision Regulations and comments from the Division of Civil Engineering.
2. Ensure that the dimensions are close to within a 1:10,000 ratio.
3. Add any easements required by AES, City of Dayton Water, CenterPoint, etc.
4. According to the "Schedule of Thoroughfares," Germantown Street should have 35' from centerline of roadway to new lot line. If 35' is not possible, ensure the new right-of-way includes the existing sidewalk.
5. Correct date in owner's statement to 2024.
6. Add a red outline around the new lot.
7. Delete extra dot for acres in new lot.
8. Add a utility easement for the 15" storm pipe located at northeast side of the proposed lot. The easement shall be 20-feet wide with the pipe centered in the easement.
9. Add a utility easement for the gas system inside this lot that belongs to Dayton Metropolitan Housing Authority and is maintained by Utility Technologies International (UTI).

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Ms. Leslie Lovelace	Yes	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Yes		

Minutes approved by the City Plan Board on April 9, 2024.

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5. PLN2024-00043 – A record plan to consolidate three (3) lots into one (1) lot at 404-408 Hopeland Ave

Applicant: HBS Development
Priority Land Use Board: West
Decision: Approved with conditions

Planning District: Carillon

Staff Comments

A record plan to consolidate three (3) lots into one (1) lot at 404-408 Hopeland Ave. The lots meet the requirements of the Mature Single-family Residential (MR-5) zoning district..

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Lovelace, seconded by Ms. Pegues, and carried to approve Case PLN2024-00042 subject to the following conditions:

1. Revise the Record Plan and any Construction Drawings per the City of Dayton Subdivision Regulations and comments from the Division of Civil Engineering.
2. Ensure that the dimensions are close to within a 1:10,000 ratio.
3. Add any easements required by AES, City of Dayton Water, etc.
4. Include the existing lots across Hopeland Street.
5. Add a red outline to the new lot.

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Ms. Leslie Lovelace	Yes	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Yes		

Minutes approved by the City Plan Board on April 9, 2024.

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6. PLN2024-00039 – A record plan to consolidate two (2) City lots into one (1) City lot at 700 Xenia Ave.

Applicant: East End Community Services

Priority Land Use Board: Southeast

Decision: Approved with conditions

Planning District: Twin Towers

Staff Comments

Jen Hanauer presented the case. This is a record plan to consolidate two (2) City lots into one (1) City lot at 700 Xenia Ave. The lot meets the minimum requirements of the MR-5 Mature Single-family Residential zoning district. The consolidation will allow East End Community Services to construct an accessory structure that will be used for parking and storage of their commercial passenger vehicle.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Schenking, seconded by Ms. Pegues, and carried to approve Case PLN2024-00039 subject to the following conditions:

1. Revise the Record Plan and any Construction Drawings per the City of Dayton Subdivision Regulations and comments from the Division of Civil Engineering.
2. Ensure that the dimensions are close to within a 1:10,000 ratio.
3. Add any easements required by AES, City of Dayton Water, etc.
4. Add total acres to title text.
5. Add “scale” or “not to scale” under vicinity map.
6. Add in missing superimposed note.
7. Add existing lot numbers for properties across Xenia Avenue.

Mr. William Allen	Yes
Ms. Leslie Lovelace	Yes
Ms. Rosalyn Miller	Yes
Ms. Geraldine Pegues	Yes

Mr. Matt Sauer	Yes
Ms. Ann Schenking	Yes
Mr. Greg Scott	Yes

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7. PLN2024-00040 – A record plan to consolidate three (3) City lots into one (1) City lot at 1025 Shroyer Rd.

Applicant: Randy C Wolfe, PS, The Kleingers Group
Priority Land Use Board: Southeast Planning District: Patterson Park
Decision: Approved with conditions

Staff Comments

Jen Hanauer presented the case. This is a record plan to consolidate three (3) City lots into one (1) City lot at 1025 Shroyer Rd. in the ENC Eclectic Neighborhood Commercial zoning district. Approval of the record plan would be conditioned upon approval from City Commission for the vacation of the adjacent right-of-way.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Lovelace, seconded by Mr. Sauer, and carried to approve Case PLN2024-00040 subject to the following conditions:

1. Revise the Record Plan and any Construction Drawings per the City of Dayton Subdivision Regulations and comments from the Division of Civil Engineering.
2. Ensure that the dimensions are close to within a 1:10,000 ratio.
3. Add any easements required by AES, City of Dayton Water, etc.
4. Ordinance must be approved and recorded before record plan can be recorded.
5. Show corporation limit.
6. Add easement portion of dedication and easement statement.
7. Add owner’s statement.
8. The vacation of the adjacent right-of-way, known as “Alley East of the Dayton Kettering Connector from the North Property Line of Parcel R72 13903 0015 to Shroyer Road,” must be approved by City Commission prior to the finalization and recording of this record plan.

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Ms. Leslie Lovelace	Yes	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Yes		

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8. PLN2024-00046 – A request to vacate approximately 20 feet by 383 feet of right-of-way that runs through the paved parking lot at 1025 Shroyer Rd.

Applicant: Robert D. Ballinger, Coolidge Wall Co.
Priority Land Use Board: Southeast Planning District: Patterson Park
Decision: Approved with conditions

Staff Comments

Jen Hanauer presented the case. This is a request to vacate approximately 20 feet by 383 feet of right-of-way that runs through the paved parking lot of the former Carmel's Bar & Grill at 1025 Shroyer Rd. in the ENC Eclectic Neighborhood Commercial zoning district. If approved by City Commission, the vacated right-of-way would be included in the consolidation of the three (3) City lots that make up the property.

Ms. Hanauer called out three factors for consideration, the first being urban design, which Ms. Hanauer stated would not be affected by the vacation of this right-of-way. The second factor discussed was access. Ms. Hanauer stated that while the vacation of this right-of-way would not affect access to any other properties, she did receive comment from the owner of the property adjacent to the north who said that vehicular traffic for his business generally enters through his parking lot but leaves through the former Carmel's parking lot. Ms. Hanauer told him that he would need to work out an agreement with the new property owner if he wanted to continue to have vehicular traffic to his property leave through the subject property's parking lot. The third factor discussed was the use of the right-of-way. Ms. Hanauer stated that while the Dayton-Kettering Connector bikeway runs parallel to the right-of-way, anyone wishing to access the bikeway directly from the right-of-way in question would have to cross private property to do so. Ms. Hanauer stated that the bikeway access immediately to the south of the subject property would not be affected by the vacation.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Schenking, seconded by Ms. Lovelace, and carried to approve Case PLN2024-00046 subject to the following conditions:

1. AT&T will reserve any existing easement and/or ROW rights.
2. The applicant shall supply a metes and bounds description with the Petition to Vacate.

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Ms. Leslie Lovelace	Yes	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Yes		

Minutes approved by the City Plan Board on April 9, 2024.

Jen Hanauer, Secretary
City Plan Board



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9. PLN2024-00047 – A request to vacate a 10-foot easement of Marimont Drive from the west property line of City Lot #56497 to Pershing Boulevard.

Applicant: Douglas Wilkinson
Priority Land Use Board: Southeast
Decision: Approved with conditions

Planning District: Linden Heights

Staff Comments

Jen Hanauer presented the case. This is a request to vacate a 10-foot easement of Marimont Drive from the west property line of City Lot #56497 to Pershing Boulevard in the ER-4 Eclectic Single-family Residential zoning district.

Ms. Hanauer stated that the property has been maintained privately for decades and has never been used as access to Cleveland Park, which lies immediately to the west of the property. The area is planted and has large mature trees. Staff had discussion with Fire, Public Works, and utility companies that would generally be opposed to eliminating access easements, but in this case the area of the park adjacent to the property is very steep and heavily wooded and would not be used by the City or utilities for access.

Public Comments

None.

Board Discussion

Ms. Schenking commented that these types of easements and rights-of-way are all over the city and represent plans that never came to fruition.

Board Action

A motion was made by Ms. Pegues, seconded by Ms. Lovelace, and carried to approve Case PLN2024-00047 subject to the following conditions:

1. The applicant shall supply a metes and bounds description with the Petition to Vacate.

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Ms. Leslie Lovelace	Yes	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Yes		

Minutes approved by the City Plan Board on April 9, 2024.

Jen Hanauer, Secretary
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