



# City of Dayton

## City Plan Board

### Summary Minute Record

August 11, 2020

**1. PLN2020-00292 – Zoning Map Amendment: HD-3 Historic Overlay for 1.4325-acres at 59 Central & 714 Plymouth Avenues (Hallmark & Meridian Apartments)**

**Applicant:** Greater Dayton Premier Management  
c/o Kiya Patrick  
400 Wayne Avenue  
Dayton, OH 45410

**Priority Land Use Board:** North Central    **Planning District:** Grafton Hill

**Decision:** Approved as Submitted

#### Staff Comments

Abigail Free presented the staff report. The Applicant requests a Zoning Map Amendment to add an HD-3 Historic Overlay which will protect the Hallmark and Meridian Apartments from demolition without approval by the Landmark Commission. The existing MMF Mature Multi-family residential shall remain. Both apartment building were constructed in the Bauhaus style and built in the mid-century (approx. 1950's). Landmark Commission reviewed the case and recommended approval of the HD-3 Zoning Map Amendment.

#### Public Comments

Kiya Patrick, Greater Dayton Premier Management, 400 Wayne Avenue, 45410, explained that the properties were awarded competitive 9% tax credits and carry a 30-year affordability requirement and has no intention of demolishing the buildings in the next 40 years and it aware of implications of using federal funds for demolition.

Dan Barton, 338 Central Avenue, was hired to aid in applying for historic tax credits for the properties. Also, he is part of the effort to expand the Grafton Hill Historic District boundary. The HD-3 Overlay will allow for greater control over future renovations as opposed to a more strict HD-1 or HD-2 Overlay.

#### Board Discussion

Mr. Sauer asked why the HD-3 request is being limited to only the two properties. There will be a boundary expansion to the Grafton Hill Historic district reviewed by Plan Board in the future. This specific request will allow the property owner to apply for State Historic Tax Credits in September 2020.

Mr. Payne asked about demolition using federal funds. He also asked about any density reduction being proposed. It was clarified that the unit count will remain the same, however some dead space within units and common space will allow for larger, 2-bedroom units.

#### Board Action

A motion was made by Mr. Payne, seconded by Mr. Sauer and carried to find that the HD-3 Overlay Zoning Map Amendment request met the criteria cited in R.C.G.O. Section 150.125.7(1-8) as outlined in the staff report and therefore the Plan Board approved the request as submitted.

Mr. Paul Bradley	Yes	Mr. Matt Sauer	Yes
Ms. Geraldine Pegues	Yes	Mr. Greg Scott	Yes
Mr. Jeff Payne	Yes	Mr. Richard Wright	Absent

Minutes approved by the City Plan Board on <sup>SEP 8, 2020</sup> August 11, 2020.

Tony Kroeger, Secretary City Plan Board

*Tony Kroeger*



# City of Dayton

## City Plan Board

### Summary Minute Record August 11, 2020

#### 2. PLN2020-00304 – Record Plan – Taqueria Mixteca

Applicant: Admiral Engineering & Surveying  
c/o Charles Halsey  
14 W First Street  
Dayton, OH 45402

Priority Land Use Board: Northeast

Planning District: Springfield

Decision: Approved with Conditions

#### Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will consolidate five city lots and a vacated alley into one city lot. The existing building and parking do not meet the setback requirements of the MNC Mature Neighborhood Commercial district.

#### Public Comments

None.

#### Board Discussion

The Plan Board discussed the case. Mr. Sauer asked whether the variances added for the existing building and parking would go away if reviewed using new zoning standards. Ms. Free said that if the existing building were to be demolished and new building plans submitted for review, that the current zoning regulations would apply and the variances no longer valid. Proposed conditions 4 & 5 were modified.

#### Board Action

A motion was made by Mr. Sauer, seconded by Mr. Payne and carried to approve Case PLN2020-00304 with the following conditions (modifications to 4 & 5 in bold text):

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 DP&L, City of Dayton Water, etc.
4. Variance approval to allow the building ~32-ft front setback to exceed the required maximum front setback of 10-ft. (variance for existing building & parking only **in its current configuration**) *(Approved by CPB August 11, 2020)*
5. Variance approval to allow parking within the front yard setback and to not comply with the required 10-ft setback along a public rights-of-way. (variance in conjunction with existing building and parking only **in its current configuration**) *(Approved by CPB August 11, 2020)*

Mr. Paul Bradley	Yes	Mr. Matt Sauer	Yes
Ms. Geraldine Pegues	Yes	Mr. Greg Scott	Yes
Mr. Jeff Payne	Yes	Mr. Richard Wright	Absent

Minutes approved by the City Plan Board on September 8, 2020.

  
Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record August 11, 2020

#### 3. PLN2020-00305 – Record Plan – Sillin

Applicant: Sarah Sillin  
2950 Ridge Avenue  
Dayton, OH 45414

Priority Land Use Board: Northeast

Planning District: DeWeese

Decision: Approved with Conditions

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#### Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will subdivide one City lot into two lots and dedicate right-of-way along Ridge Avenue. An access easement is also included for a shared driveway.

#### Public Comments

None.

#### Board Discussion

None.

#### Board Action

A motion was made by Mr. Payne, seconded by Ms. Pegues carried to approve Case PLN2020-00305 with 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 DP&L, City of Dayton Water, etc. (see maps of easements requested by DP&L and Spectrum).
4. Provide a 5-ft easement along the rear property line for Spectrum aerial utilities.
5. If not included within the area to be dedicated as public right-of-way, provide an easement from the new right-of-way line to 5-ft east of the utilities running along the east side of Ridge Avenue.

Mr. Paul Bradley	Yes	Mr. Matt Sauer	Yes
Ms. Geraldine Pegues	Yes	Mr. Greg Scott	Yes
Mr. Jeff Payne	Yes	Mr. Richard Wright	Absent

Minutes approved by the City Plan Board on September 8, 2020.

  
Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record August 11, 2020

#### 4. PLN2020-00306 – Record Plan - Belue

Applicant: Haley-Dusa Group  
c/o Thomas Dusa  
270 Regency Ridge Drive, Suite 203  
Dayton, OH 45459

Priority Land Use Board: North Central Planning District: Five Oaks

Decision: Approved with Conditions

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#### Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will consolidate two City lots into one lot.

#### Public Comments

None.

#### Board Discussion

None.

#### Board Action

A motion was made by Mr. Payne, seconded by Mr. Bradley carried to approve Case PLN2020-00306 with 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 DP&L, City of Dayton Water, etc.

Mr. Paul Bradley	Yes	Mr. Matt Sauer	Yes
Ms. Geraldine Pegues	Yes	Mr. Greg Scott	Yes
Mr. Jeff Payne	Yes	Mr. Richard Wright	Absent

Minutes approved by the City Plan Board on September 8, 2020.

  
Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record August 11, 2020

#### 5. PLN2020-00307 – Record Plan – 348 & 350 Park Drive

Applicant: Larry Hemmelgarn  
350 Park Drive  
Dayton, OH 45410

Priority Land Use Board: Downtown      Planning District: South Park

Decision: Approved with Conditions

#### Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will consolidate four City lots into two lots, also shifting the dividing line to have equal distance between dwellings.

#### Public Comments

None.

#### Board Discussion

None.

#### Board Action

A motion was made by Mr. Payne, seconded by Mr. Bradley carried to approve Case PLN2020-00307 with 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 DP&L, City of Dayton Water, etc.

Mr. Paul Bradley	Yes	Mr. Matt Sauer	Yes
Ms. Geraldine Pegues	Yes	Mr. Greg Scott	Yes
Mr. Jeff Payne	Yes	Mr. Richard Wright	Absent

Minutes approved by the City Plan Board on September 8, 2020.

  
Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record August 11, 2020

#### 6. PLN2020-00308 – Record Plan – Dwight Oglesbee

Applicant: Dwight Oglesbee  
1115 N Main Street  
Dayton, OH 45405

Priority Land Use Board: North Central Planning District: Riverdale

Decision: Approved with Conditions

#### Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will consolidate three City lots into one lot. The existing dwelling does not meet the setback requirements of the T Transitional district.

#### Public Comments

None.

#### Board Discussion

None.

#### Board Action

A motion was made by Mr. Sauer, seconded by Mr. Payne carried to approve Case PLN2020-00308 with 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 DP&L, City of Dayton Water, etc.
4. Variance approval to allow the existing dwelling ~25-ft front setback to exceed the required maximum front setback of 15-ft. *(Approved by CPB August 11, 2020)*
5. Dedicate additional width to the public right-of-way to achieve a 35-ft width from centerline along N. Main Street.

Mr. Paul Bradley	Yes	Mr. Matt Sauer	Yes
Ms. Geraldine Pegues	Yes	Mr. Greg Scott	Yes
Mr. Jeff Payne	Yes	Mr. Richard Wright	Absent

Minutes approved by the City Plan Board on September 8, 2020.

Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

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### Summary Minute Record August 11, 2020

#### **7. PLN2020-00182 –Work Session – Proposed Planned Development at Wright Company Factory Development site (W. Third and Abbey)**

**Applicant:** Todd Kinskey, Director  
City of Dayton, Planning & Community Development  
101 W Third Street  
Dayton, OH 45402

**Priority Land Use Board:** West

**Planning District:** Arlington Heights

**Decision:** No Action; Work Session

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#### **Staff comments**

Susan Vincent introduced the work session topic – a proposed mixed-use development at the Wright Company Factory Development site located at the south east corner of Abbey Avenue and W. Third Street. The site is approximately 34 acres and is currently zoned I2 (General Industry). She said the purpose of the work session was to update the Plan Board on the status of development plans for the vacant industrial site, to share an initial draft of the development standards, and present the designs for the Dayton Metro Library West Branch library. After the work session, an update on the site and the planned development process will be brought to the West Priority Land Use Board, neighborhood associations, and community leaders prior to being presented again to Plan Board for formal application.

The proposed zoning change from General Industry (I2) to Mixed Use (MX) will support the cohesive redevelopment of the Wright Company Factory site as defined in multiple planning efforts led by the City while preventing conflicts between incompatible uses. The adoption of the Planned Development overlay will ensure that even with various partners and different construction phases the overall site will look and feel like one project. Planned Development (PD) Districts were designed with development projects like the Wright Company Factory site in mind: blank slates paired with dedicated partners and phased development. Adopting a PD will support the unified redevelopment of the entire property, allowing for projects which respect the unique history of the site, ensure compatible adjacent land uses, and promote the economical reuse of land and resources by reducing infrastructure costs through coordinated development.

The final regulations to be included in the planned development standards are still undergoing revisions. Vincent identified the following regulations as needing additional consideration:

- Access, gateways, and traffic flows (pedestrian/vehicular)
- Signature signage
- Landscaping
- Detailed architectural and urban design vision

#### **Public Comments**

Tim Kambitsch, Executive Director of the Dayton Metro Library, 215 E. Third Street, Dayton, Ohio 45402, presented the Library's plans for the new West Branch. He showed images of the site plan and renderings of the final design, including the interior and exterior of the building. He answered questions from the Plan Board including the total estimated construction cost; the total

program (predevelopment, construction, furniture/fixtures) is estimated at \$12 million while the construction alone is estimated at \$5-6 million.

**Board Discussion**

The Plan Board discussed the proposal. Among the questions raised/comments made were the following:

- Development Area 5 is isolated and lacks easy access. The development standards need to clearly identify how that section of the site will be redeveloped and accessed to promote a use that is compatible with other portions of the site.
- Undesirable industrial uses (such as storage and chain link fencing) are clearly defined as not permitted.
- This site is envisioned as a pedestrian-friendly campus with a vibrant urban design; additional language should be added to the development standards to ensure that vision is articulated.
- Are there concerns with the sound/noise from 35 to the south of the site? How is sound going to be buffered? If noise buffering is planned it should be accomplished with landscaping versus hardscape/walls.
- Clarification on the reference to the "tunnel" is needed. There are two tunnels, one true tunnel that runs under Abbey and connects an old parking lot to the development site and a highway 35 underpass to the south east of the site that connects the southern Lakeview neighborhood to the northern Arlington Heights.
- Clarification on the status of the environmental remediation was requested. The site has been cleaned to a commercial standard and has received a letter of no-further action.
- The historic preservation standards included in the document are appreciated.

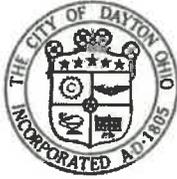
**Board Action**

None; work session.

Minutes approved by the City Plan Board on September 8, 2020.



Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

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### Summary Minute Record August 11, 2020

**8. PLN2020-00216 – Zoning Map Amendment – Establish a Planned Development overlay at 633 & 645 W. Grand Ave. and 632-634 & 702-704 North Avenue (1.43 acres) that would allow for multi-family dwelling units, with associated regulations**

Applicant: Mr. David Lemberg  
Mountain Lion, LLC  
2443 South Dixie Drive  
Dayton, OH 45409

Priority Land Use Board: North Central Planning District: Grafton Hill

Decision: Approved with Modified Planned Development Standards

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#### Staff Comments

Tony Kroeger presented the staff report. The applicant requests a zoning map amendment from single-family residential, MR-5, to the same underlying zoning with a Planned Development overlay. The property has a recent zoning history as follows:

- November 13, 2019 – submittal for a Planned Development for 0.96 acres that included the apartment buildings at 633 Grand Avenue and 645 West Grand Avenue.
- December 9, 2019 – informal meeting with North Central Land Use Board and neighborhood representatives.
- January 6, 2020 – North Central Land Use Board meeting – recommend continuance
- February 3, 2020 - North Central Land Use Board meeting - recommended approval of the planned development with the condition that the property comply with the development standards put forth by Planning Staff, specifically a ratio of 1.5 off-street parking spaces per unit, landscaped community space, security, and compliance with City regulations for modifying structures located within a historic district.
- The applicant met with neighborhood representatives multiple times in this time period as well
- February 11, 2020 - that application was denied at Plan Board
- Since that February 11, 2020 meeting and before this submittal, additional properties acquired at 714 North Avenue and 632-634 North Avenue.
- June 12, 2020 - current application submitted
- July 6, 2020 land use board meeting – recommend continuance
- July 14, 2020 - Plan Board meeting at which the case continued.

Prior to the submittal of plans for this case, the applicant sought the assistance of App Architecture and also acquired property to the northwest and to the east.

#### Project Setting:

The area in which this site is located is somewhat eclectic, although the immediately predominant land use is single-family homes. That being said, Grafton Oaks Rehabilitation and nursing care is 60 feet to the northeast; the senior living facility Grand Place is 220 to the southwest; and a Dollar General store is 235 feet to the southwest.

**Proposed Use:**

The proposed Planned Development calls for the reuse of four vacant structures, including two apartment buildings.

Aside from the extensive rehabilitation of these vacant structures, the plan includes the following changes:

- Removal of two curb cuts at West Grand Avenue.
- The removal of the vehicular drive and the construction of a community courtyard between 633 Grand and 645 Grand.
- A new parking layout with additional parking area
- A metal, ornamental fence with brick piers at entrances is proposed around the site perimeter, with gates for vehicular entry

**Applicable Plans:**

**CitiPlan 20/20**

Goals

- We are the best at the 4Rs—redevelopment; reuse; revitalization of our neighborhoods, business districts, downtown, and undeveloped land; and retention of our job base.
- A diverse group of people and families live in safe, supportive neighborhoods; care for and respect one another; and succeed in school, the workplace, and life.

Community Development and Neighborhoods

- Ensure that Dayton neighborhoods are stable and diverse, welcome the middle class and are good places to raise families, housing retains its current value as well as grows in value, and Dayton neighborhoods nurture the human spirit and civic responsibility.
- Rehabilitate existing homes in the City's older, inner-ring neighborhoods.

Revised Land use Principles (2007)

- Encourage planned development overlays and other special controls to facilitate development in undeveloped areas, underdeveloped areas, and areas where the proposed use may require additional conditions to ensure compatibility with surrounding land uses.
- Encourage the adaptive reuse of existing structures.

**City of Dayton Zoning Code (Ord. 31752-19)**

Promote and uphold the public health, safety, and general welfare of the City through regulation of land and of the type, size, and use of structures.

**Neighborhood Planning:** Information about these plans, including the adopted Grafton Hill Strategic Plan from 2000, with excerpts has been included in the attachments with this report.

**Site Plan Information:**

There are 76 vehicular parking spaces proposed for 56 units. Additionally, 54 bicycle spaces are proposed, which would typically allow for a reduction of eight vehicular parking spaces. Therefore, the submitted site plan would meet the required 1.5 parking spaces per unit.

Vehicular transportation would be via North Avenue as the curb cuts from Grand Avenue would be removed at the expense of the applicant. Bicycles would utilize the street network, as well as a future bicycle “cycle track” on Salem Avenue.

No major changes are proposed to the exterior appearance of the buildings, aside from rehabilitation, maintenance, and repair. Modifications will have to follow the same Certificate of Appropriateness requirements as other properties in historic districts.

Exterior lighting must comply with 150.420.3 (Exterior lighting standards). Lighting is not significantly addressed in the plan, and an approvable plan for such must be submitted.

If Plan Board approves this Planned Development, staff recommends that it then would also approve the Final Plan for the development. In other words, it would not come back for site design review, as that review is essentially occurring concurrent with the PD approval.

**Staff Analysis:**

The applicant originally proposed a site plan that had 62 units and 85 parking spaces. Included among those parking spaces were visitor spaces that directly back onto North Avenue. Now, the site plan includes 56 units and 76 spaces – the directly-onto-North Avenue spaces have been removed, as has a parking space on the southeast part of the site, to allow for a greater setback from the property to the east.

As Plan Board will recall, staff made a number of recommended changes to that originally submitted plan. These are partially incorporated into the currently submitted plan, which the applicant feels is the minimum density necessary for this development to work.

It is important to note that there are Planned Development Standards included with the site plan if it is approved. Those proposed standards are included immediately after this report, and become part of the Approval Ordinance. Noteworthy among those Planned Development Standards are the following:

- The site plan approved by Plan Board in conjunction with this Planned Development shall represent the required Final Plan of the Planned Development. As such, all parking lots, walkways, fencing, dumpsters, and all other features shall be implemented as shown on the plan and associated renderings.
- All approved site plan improvements shall be completed, with compliance verified by the City of Dayton, and all necessary Certificates of Appropriateness issued, before a Certificate of Occupancy can be obtained.
- Certificates of Appropriateness must be obtained for exterior modifications requiring such a permit.

This is a challenging case that has taken up an extraordinary amount of time and/or resources of the developer/property owner, staff, concerned neighbors, and volunteer boards since 633 and 645 Grand were first proposed as part of a Planned Development in November 2019.

Staff believes in the revitalization of vacant buildings, reuse of existing buildings, and staff believes in density. The primary question for Plan Board will be if the proposed site plan—with the associated Planned Development Standards—can meet the points of consideration put forth below.

**Public Comments**

Mr. Scott announced that public comments would be limited to five minutes per speaker. Mr. Kroeger said this time limit would not apply to Tim Bement, the applicant's architect and representative.

The following individuals spoke about the case:

1. Tim Bement applicant's architect and representative, App Architecture, 615 Woodside Drive, Englewood, OH, spoke about the project. He described the details of the project. It was the same plan as presented at the July 14, 2020 Plan Board Meeting. He also explained the outreach to the neighborhood that has occurred since that meeting. There was a discussion regarding how the project will be held to a specified number of housing units.
2. Bill Marvin of 319 Rockwood Avenue in Dayton spoke in opposition to the application. He explained concerns regarding the ability to carry out the project.
3. Loren and Emily Nelson of 623 Grand Avenue in Dayton spoke in support of the application. They are the immediately adjacent neighbors to the east. They noted that work has been done on the property. They felt it would be a positive for the neighborhood.
4. Dan Barton of 338 Central Avenue in Dayton spoke in opposition to the application. He reviewed the recent history of the property. He noted the momentum of Grafton Hill and the various funding mechanisms that are available of which this project is not taking advantage. He felt that the criteria for consideration could not be met.
5. Monica Snow of 426 East Sixth Street in Dayton spoke in opposition to the application. She felt that it did not align with the City's Comprehensive Plan, particularly to be the best at redevelopment. She felt that this building is substandard for several reasons.
6. Kristine Bertrand of 2443 South Dixie Drive, Dayton, spoke in support of the application. She is an appraiser, and noted the prevalence of vacant properties in the general area.
7. Eric Dye, Vice President, Grafton Hill Neighborhood Association, 308 Central Avenue, Dayton, explained the problems with the apartment buildings over the years. He doubts the ability to execute the plan and is not in support of the application.
8. Will Jacobs of 4015 Meadowsweet Drive spoke in support of the application and felt that it would be an improvement to the neighborhood.
9. Jim Wellman of 216 S. Torrence Street in Dayton supported the character of the applicant.
10. William Siedling of 735 W. Stroop in Kettering spoke in support of the rehabilitation of the buildings.
11. John Gipson was called to speak but could not be understood due to technology issues. He spoke later in the meeting.
12. Ed Hammond of 1020 Hidden Ridge Trail in West Carrollton spoke to the character of the application and supported the development.
13. Joe Moore of 262 James Bohanan Drive in Vandalia, representation for the Grafton Hill Association, noted a number of zoning code regulations that he felt could not be met, including the criteria in 150.350.1, finding that it did not comply with the intent. He noted 150.350.7 and did not feel that the application would safeguard the use and value of the area. It does not represent a harmonious grouping of buildings. He noted 150.350.14 as it relates to density, finding that the development at this density is not warranted.
14. Brian Huelsman of 262 James Bohanan Drive in Vandalia noted the purpose of the Planned Development section as it relates to consistent treatment, and felt that this does not achieve that purpose. He questioned why a traffic study was not required.
15. John Gipson of 151 Bluecrest Avenue in Dayton supported the plan by noting the challenges in Dayton and thought this would be a great addition. He spoke to the character of the applicant.
16. Alec Canterbury of 1 (unintelligible) Avenue in Dayton was concerned about vacancy in the city and felt the development should be supported.

17. Cheryl Bates of 221 Belmonte Park East in Dayton spoke in opposition to the application. She had performed research on properties owned by the applicant or potentially affiliated companies, and felt they were not well kept and had concerns about back taxes. She was concerned about the ability to carry out the project. This was followed by a discussion of items the applicant had said he would include, such as green space and a community room.
18. Tereasa Reedy of 3835 S. Dixie Drive in Kettering is an investor. She feels that Dayton is generally against development and should approve this application.
19. Dave Reynolds of 919 Superior Avenue in Dayton supported the project and spoke about the character of the applicant.
20. Steve Makovec, 6533 Pond Ridge Drive, Centerville, OH, President, Jane Reece Neighborhood Association, and Salem Avenue Peace Corridor representative opposed the application. He did not think there would be a community benefit, and had concerns based on other properties owned by this or affiliated companies.
21. Stephane Anderson of 1027 Epworth Avenue, Dayton, spoke in support of the application and spoke to the character of the applicant.
22. The applicant, David Lemberg, Mountain Lion, LLC, 2443 South Dixie Drive, Dayton, OH supported his application by noting the perseverance that this project has required. He finds it to be code compliant and will be a benefit to the neighborhood. He indicated the highlights of the site plan. He noted the additional land purchases that have been made, and green space added, as well as other changes. He refuted the attachment that showed images of other properties. He noted that he will be held to the standards and regulations of the Planned Development.

It was asked of those attending if anyone else wished to speak. No one else asked to speak; Mr. Scott closed the public hearing.

#### **Board Discussion**

The Plan Board discussed the case. Mr. Payne asked how occupancy will be frozen internally to the number allowed by the Planned Development. Mr. Bement said that can occur during the construction documents phase where the number of units is stipulated and tied to zoning approval.

Mr. Scott noted that 150.110.3(F)(7) calls for the Plan Board to review the standards listed in 150.120.10(D)(1) in this situation. He then discussed those standards.

Mr. Payne said that he did not support the proposed Planned Development. He noted there are compatibility issues, and that the site plans calls for it to be overdeveloped. He felt it is too intense. He expressed concern regarding the feasibility of the plan, and that perhaps the building arrangement is obsolete.

Mr. Sauer expressed a desire to see redevelopment when possible. He asked if perhaps there is a way to support a plan that is modified to achieve the desired goals, such as compatibility. The existing buildings on the site are a constraint that will not quickly go away. He felt that the site plan contains too much parking. The idea that the Board could approve a Planned Development, yet require a subsequent approval of the final plan was discussed.

Mr. Bradley expressed a desire for adaptive reuse if possible, while he still had concerns.

Mr. Payne felt that the required standards could not be met as the site plan was proposed at that time. He expressed a lack of confidence.

Mr. Scott reviewed the standards listed in 150.120.10(D)(1).

Mr. Payne expressed concerns regarding density. He reviewed the standards for consideration of a Planned Development. Specifically, he noted those regarding conformance with the comprehensive plan, the mitigation of impact, and consistency with the zoning code.

A motion was made by Mr. Payne, seconded by Ms. Pegues, but did not carry to deny the proposed zoning map amendment.

Mr. Jeff Payne	Yes	Mr. Paul Bradley	No
Ms. Geraldine Pegues	Yes	Mr. Matt Sauer	No
Mr. Richard Wright	Absent	Mr. Greg Scott	No

The motion to deny failed.

Mr. Sauer addressed whether modifications could be established that would achieve an approvable plan, such as stipulating the maximum number of dwelling units.

Mr. Scott noted earlier comments about the desire for a community room and open space.

Mr. Lemberg, the applicant, said that we would like the plan to proceed with modifications if necessary. He agreed to establish a community room.

Ms. Pegues expressed a desire for the modified plan to come back to Plan Board as a final plan.

Mr. Scott said that based on the standards, and with some adjustments to the Planned Development standards, perhaps a plan could be approved.

Mr. Sauer then reviewed previous expressions of what the board and community would like to see at this property, and those would be incorporated as modifications to the Planned Development standards.

The Plan Board discussed the necessary changes to the Planned Development standards that would mitigate impact and achieve a better outcome.

A motion was made by Mr. Sauer, seconded by Ms. Pegues, and carried to recommend City Commission approval of this case based on its ability to make the required determinations specified in R.C.G.O. Section 150.125.7 with the following modifications to the Planned Development Standards.

1. The Final Plan(s) as described in 150.350 of the zoning code shall be submitted for review and approval of the City of Dayton Plan Board. The Final Plan is not included in this approval.
2. A community room of at least 2,500 square feet shall be located in one of the buildings within the Planned Development Boundary.
3. There shall be no parking spaces located between the building at 632-634 North Avenue and the West Grand Avenue right-of-way. The curb cut, apron, and entire driveway area shall be removed.
4. There shall be no parking spaces located to the south of the building located at 632-634 North Avenue and this area shall be comprised of open space (green space/landscaping) for the development.
5. There shall be a minimum of 24 bicycle parking spaces provided in accordance with methods described in 150.700.13(B) of the zoning code.
6. The maximum number of total dwelling units within the Planned Development Boundary shall be 56.

7. The minimum number of surface parking stalls within the Planned Development Boundary shall be 63.

Mr. Jeff Payne	Yes	Mr. Paul Bradley	Yes
Ms. Geraldine Pegues	Yes	Mr. Matt Sauer	Yes
Mr. Richard Wright	Absent	Mr. Greg Scott	Yes

Minutes approved by the City Plan Board on September 8, 2020.



Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Minute Record Overview

August 11, 2020

4:30 P.M.

Due to COVID-19 Health Emergency  
Meeting Held Remotely via the Zoom Meeting Application

Members Present: Ms. Geraldine Pegues, Mr. Matt Sauer, Mr. Jeff Payne, Mr. Paul Bradley, Mr. Greg Scott,

Members Absent: Mr. Richard Wright (Motion to excuse by Mr. Bradley, seconded by Mr. Payne)  
Mr. Scott called the meeting to order at 4:30 P.M. A motion was made by Mr. Sauer, seconded by Mr. Pegues and carried to approve the minutes of the July 14, 2020 meeting.

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**1. PLN2020-00292 – Zoning Map Amendment: HD-3 Historic Overlay for 1.4325-acres at 59 Central & 714 Plymouth Avenues (Hallmark & Meridian Apartments)**

Applicant: Greater Dayton Premier Management  
c/o Kiya Patrick  
400 Wayne Avenue  
Dayton, OH 45410

Priority Land Use Board: North Central Planning District: Grafton Hill

Decision: Approved as Submitted

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**2. PLN2020-00304 – Record Plan – Taqueria Mixteca**

Applicant: Admiral Engineering & Surveying  
c/o Charles Halsey  
14 W First Street  
Dayton, OH 45402

Priority Land Use Board: Northeast Planning District: Springfield

Decision: Approved with Conditions

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**3. PLN2020-00305 – Record Plan – Sillin**

Applicant: Sarah Sillin  
2950 Ridge Avenue  
Dayton, OH 45414

Priority Land Use Board: Northeast Planning District: DeWeese

Decision: Approved with Conditions

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**4. PLN2020-00306 – Record Plan - Belue**

Applicant: Haley-Dusa Group  
c/o Thomas Dusa  
270 Regency Ridge Drive, Suite 203  
Dayton, OH 45459

Priority Land Use Board: North Central Planning District: Five Oaks

Decision: Approved with Conditions

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**5. PLN2020-00307 – Record Plan – 348 & 350 Park Drive**

Applicant: Larry Hemmelgarn  
350 Park Drive  
Dayton, OH 45410

Priority Land Use Board: Downtown Planning District: South Park

Decision: Approved with Conditions

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**6. PLN2020-00308 – Record Plan – Dwight Oglesbee**

Applicant: Dwight Oglesbee  
1115 N Main Street  
Dayton, OH 45405

Priority Land Use Board: North Central Planning District: Riverdale

Decision: Approved with Conditions

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**7. PLN2020-00182 – Work Session – Wright Factory Planned Development**

Applicant: Todd Kinskey, Director  
City of Dayton, Planning & Community Development  
101 W Third Street  
Dayton, OH 45402

Priority Land Use Board: West

Planning District: Arlington Heights

Decision: No Action

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**8. PLN2020-00181 – Zoning Map Amendment – Planned Development for 1.43-acres at 633-645 W Grand Avenue & 632-634, 702-704 North Avenue**

Applicant: Mountain Lion LLC  
c/o David Lemberg  
2443 S Dixie Drive  
Dayton, OH 45409

Priority Land Use Board: North Central Planning District: Grafton Hill

Decision: Approved with Modifications

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The Plan Board meeting was adjourned at 8:45 PM.

Minutes approved by the City Plan Board on September 8, 2020.



Tony Kroeger, Secretary  
City Plan Board