



City of Dayton

City Plan Board

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Summary Minute Record September 8, 2020

1. PLN2020-00382 – Record Plan – Three Brothers Express

Applicant: Mukahmmed Ismailov
2016 Troy Street
Dayton, OH 45404

Priority Land Use Board: Northeast

Planning District: Old North Dayton

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 city lot and dedicate right-of-way along Troy Street.

Public Comments

None.

Board Discussion

The Plan Board had no discussion.

Board Action

A motion was made by Mr. Sauer, seconded by Ms. Pegues and carried to approve Case PLN2020-00382 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. Provide an easement for the existing DP&L aerial facilities at the southwest corner of the site.

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 October 13, 2020.


Tony Kroeger, Secretary
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2. PLN2020-003 – Zoning Map Amendment – Establish Planned Development PD-175 for 4400 Old Troy Pike and Repeal Planned Development PD-78

Applicant: Oberer Land Developers
c/o Greg Smith
3445 Newmark Drive
Dayton, OH 45342

Priority Land Use Board: Northeast

Planning District: Kittyhawk

Decision: Approved

Staff Comments

Abigail Free, staff, presented the case. The applicant requests a zoning map amendment to eliminate PD-78/ SMF Suburban Multi-family and replace it with PD-175/ SR-1 Suburban Single-family zoning. The zoning amendment will allow for the development of 256 new single-family dwellings on the 100.6567-acre site at the 4400 block of Old Troy Pike.

Case Background

In 1994-95, roughly 89-acres just east of (4350) Old Troy Pike were rezoned from I-1 Light Industrial and R-1 Single-family to R-7 Multi-family with a Planned Development Overlay to establish a manufactured home development.

PD-78 limited the maximum number of manufactured homes to 300. The lots were to be consolidated to accommodate the mobile home park. Building requirements included minimum lot size 4,000-sf, minimum lot width 45-ft; minimum setbacks: side 10-ft, front 15-ft, rear 20-ft, maximum building height 30-ft, density 3.37 units/ acre with utilities located in the rear yard. Maximum dwelling area is 1,000-sf, with 2 windows on at least three exterior walls.

The development site required a 20-ft perimeter buffer (30-ft on south side) with a 3-ft tall mound landscaped with trees or hedges. At minimum, 10% of the site would be Community Recreational use. The Development Plan proposed two collector streets that were to be privately maintained, with a minimum width of 30-ft.

The Planned Development was approved by the City Plan Board in February 2019 and was heard by the City Commission in July 2020. The request to rezone was withdrawn by the applicant before the second reading, thus the Planned Development must be re-approved by City Plan Board and again presented to the City Commission for adoption. The site plan was revised slightly, but to the naked eye appears the same and the Development Standards remain the same as previously approved.

Proposed Site Plan

The site plan allows for two separate entrances to the subdivision off of Old Troy Pike. The southern entrance is within Dayton, while the northern entrance is within Riverside. A detention pond lies between both entrances. Riverside will allow for an entrance within their jurisdiction.

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The site plan allows for 256 residential lots. There are a number of short cul-de-sacs accessed by a two central streets that lead to the access points along Old Troy Pike. The new streets shall be public and will be dedicated through a Record Plan.

Right-of-way dedication will also be required along Old Troy Pike, as parcels extend to the center line. The developers have completed a trip generation study which confirmed the need to install a deceleration lanes (right-turn) from the south or a left turn lanes coming from the north for both entrances.

Green space at the north of the site will remain a natural wetland habitat. Four more detention ponds line the south and east sides and a green space is centrally located. The proposed residential development is generously buffered from abutting properties through the inclusion of the detention ponds and wetlands habitat.

The site will be subdivided in phases although a complete development plan was submitted. Construction of the public streets shall be done to City standards with exact layout reviewed and approved by civil and water engineering.

The proposed residential subdivision layout is similar to the City's Suburban Single-family Residential Districts with slight modifications to lot width requirements. Minimum setbacks for SR-1 and SR-2 are: front 25-ft, side 5-ft, and rear 30-ft. Minimum lot widths are 7,000-sf (SR-1) and 5,500-sf (SR-2) and minimum lots widths 70-ft (SR-1) and 60-ft (SR-2) and maximum lot coverage of 40%. Although the proposed development meets most of the lot and setback requirements, a minimum lot width of 56-ft and an average size of 7,500-sf (56'x135') is proposed, which is 4-ft less than the minimum standard for SR-2 and 14-ft less than SR-1. Proposed setbacks are front 25-ft, side 5-ft (15-ft total), and rear 30-ft. A density of 2.5 units per acre is proposed. Open space is 31%, or 31.133-acres of the site.

Dwellings shall be one or two-stories, with sizes ranging from two bedroom ranches (1,250-sf) to 5-bedroom family homes (2,300-sf). Slab and basement options are available. Dwellings will have vehicular access off of the main street with attached, front facing garages, similar to dwellings typically found in suburban neighborhoods. Landscaping shall be typical of residential development. A minimum of one tree shall be planted within the front yard setback.

Public Comments

Greg Smith, Oberer Land Developers (Applicant) stated that the site plan was similar to what was approved a year ago. The previous application was withdrawn due to concerns by Ryan Homes over the Coronavirus Pandemic slowing down needs. However, the pandemic has driven housing demand to all-time highs and they are wanted more time ultimately leading to withdrawal of the previous application and then resubmitting again. The only change in the plan is a shift in a road in the southwest corner slightly west and helped with the gravity fed sewer to help it work more efficiently. A lot of engineering has been done including a full traffic study along Old Troy Pike that has been submitted to both the City of Dayton and Riverside. They've started engineering improvements on Old Troy Pike including two new left-turn lanes into the subdivision. Nothing has changed regarding storm water detention, ponds will be adequately designed to standards. If approved, they will proceed to the City Commission and hope to start on construction this year, with asphalt in the spring.

James Fetters, a resident at 4305 Old Troy Pike, missed the call for public comment, so the public hearing was re-opened to allow him to speak. His property is across the street on the west side of Old Troy Pike, and owns about 16-acres and has in-laws living next door with 2-acres. Mr. Fetters is concerned with the road. The City engineer came out to look at the road and the subject property's ridge line and drainage issues last week. The engineers have not got back in contact with him yet about their findings. City Commissioner, Chris Shaw also came out to inspect the site and took photos and videos the week prior. Commissioner Shaw had a lot of concerns with the existing roadway and the piping because of the slant of the hill to the road. Runoff was also a concern, as most residents have wells and do not use City water. Traffic was also a concern. The two left two lanes to be installed – Can the builder clarify of the road and piping will be ripped out and install new? Traffic along the road is dangerous, and safety is a main concern. Dayton is growing and he is aware that development with happen.

Greg Smith addressed the concerns. Each entrance will have a left-turn lane and each will have a length designed for rush hour traffic and the speed of the road. The development of the subdivision will not add to the storm water issues. Water will be collected from the new streets into the new detention ponds and released at a slower pace which is not the case predevelopment.

Board Discussion

Mr. Payne asked if Riverside will honor the requirements of the PD. Greg Smith stated that only the roadway along Old Troy Pike was in Riverside and they required a traffic study. They addressed Riverside's comments and have approved the requested access point.

Mr. Sauer asked if the Applicant had any objections to the sidewalk provisions within the PD including a full sidewalk along Old Troy Pike. Greg Smith stated that a full sidewalk with be provided along the eastern side of Old Troy Pike after comments were received from Riverside.

Board discussion was reopened after Mr. Fetters spoke. No additional discussion. The original motion was restated. A motion was made by Mr. Bradley, seconded by M. Payne to approve the Planned Development, making the necessary determinations found in R.C.G.O. §150.125.7(1- 8) and 150.350.10 (A-V).

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

Minutes approved by the City Plan Board on October 13, 2020.


Tony Kroeger, Secretary
City Plan Board



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3. **PLN2020-00339 – Zoning Map Amendment with Planned Development Overlay and Dayton Metro Library Final Plan approval at Wright Company Factory Development site (W. Third and Abbey)**

Applicant: Mr. Todd Kinskey, Director
Department of Planning and Community Development
101 West Third Street
Dayton, Ohio 45402

Priority Land Use Board: West **Planning District:** Arlington Heights
Decision: Approved

Staff comments

Susan Vincent presented the case – a zoning map amendment request to rezone 34 acres from General Industrial (I-2) to Mixed-Use Hub (MX) with a Planned Development (PD) overlay and the review and approval of the final plans for the Dayton Metro Library's new West Branch. The property is currently vacant and surrounded by a mix of uses including local commercial, single-family, vacant industrial sites, and a vacant school.

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.

Vincent presented the Dayton Metro Library's Final Plan for the West branch library. At this time, the Dayton Metro Library is the only development partner ready to move forward with a final site plan for review and approval. She shared staff's opinion that the Final Plan is consistent with the overall intent and purposes of the proposed Planned Development.

She recommended approval of the underlying zoning change from I-2 to MX, the adoption of the Planned Development Overlay, and approval of the Dayton Metro Library's Final Plan with the condition that street trees be planted 30' on center along the Abbey Avenue frontage and that the final external light fixtures selected meet City requirements.

Vincent shared that the Planning Division held a community meeting on August 27 during which community members and neighbors of the development site asked questions about the future development and were generally supportive of the redevelopment plans. The West Priority Land Use Committee met on September 3 to review the case and voted unanimously to support the proposal.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Mr. Payne, seconded by Mr. Sauer and carried to find that the Zoning Map Amendment application to rezone the property at the southeast corner of Abbey Ave and W. Third St from General Industry (I2) to Mixed-Use Hub (MX) with a Planned Development Overlay (PD) met the criteria cited in R.C.G.O. §150.125.7(1- 8) as outlined in the staff report and that the Dayton Metro Library's Final Plan met the criteria found in R.C.G.O. §150.350.8 (A-L) as outlined in the staff report with the following conditions:

1. That landscaping shall meet the planting requirements for street trees along the Abbey Avenue frontage and shall include 2.5" caliper shade trees planted 30' on center.
2. The final external light fixtures selected shall meet City requirements.

Mr. Richard Wright	Not present	Mr. Paul Bradley	Yes
Ms. Geraldine Pegues	Yes	Mr. Matt Sauer	Yes
Mr. Jeff Payne	Yes	Mr. Greg Scott	Yes

Minutes approved by the City Plan Board on October 13, 2020.


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4. PLN2020-00346 – Zoning Map Amendment request to modify existing Planned Development 174 (PD-174)

Applicant: The Flats At South Park II LLC (Bill Hibner)
4197 Research Blvd
Beavercreek, Ohio 45430

Priority Land Use Board: Greater Downtown

Planning District: South Park

Decision: Approved with conditions

Staff comments

Susan Vincent presented the case - zoning map amendment request to modify the existing Planned Development 174 (PD-174) adopted in 2017 to reflect the revised site plan and use as follows: change use from condos to apartments, change number of units from 27 to 51, and change the number of surface parking spaces from 64 to 70 located on the 600 block of Warren Street. The property is currently vacant and is the first phase of PD-174.

Vincent described the phasing for PD-174. It was adopted with two phases; the subject of this case is Phase I: the development plan for a multi-family residence at the 600-block of Warren St (area bordered by Adams St, Warren St, Cline St, and Nathan Pl). The subject site is currently vacant and zoned for MNC Mature Neighborhood Commercial with a Planned Development Overlay (PD-174). The proposed multi-family dwelling is a permitted use in the underlying MNC District. No changes are being proposed for the land use or zoning.

Vincent described the proposed changes to the adopted site plan including the increase in density and the reduction in overall parking. The summary of changes to the site plan includes changing condos to apartments, increasing the number of units from 27 to 51, and eliminating the underground parking garage. The approved PD-174 included a 28-space underground parking garage and two surface parking lots with an additional 64 spaces, for a grand total of 92 spaces for 27 units. Standard zoning code requirements (Section 150.700.7 (1)(j)) call for 1.5 parking spaces per unit with an additional 1 parking space per 10 units for visitors, in addition to a 25% of total bedrooms requirement for bicycle parking spaces. PD-174 required 3 parking spaces per unit plus an additional 10 spaces for visitors in addition to required bike parking.

Revised plans show a 70-space surface parking lot for 51 units and 63 bedrooms. Staff proposes a minimum parking requirement of 1 parking space per unit plus 3 parking spaces per 10 units for visitors and the required 25% of total number of bedrooms for bicycle parking. The minimum off-street parking spaces required would total 66 vehicle spaces and 16 bicycle parking spaces. The revised site plan exceeds these minimum standards. Bicycle parking spaces are located on the south elevation of the building.

Vincent shared that the Greater Downtown Priority Land Use Board met on August 9 and August 19th to discuss the case. On August 19th the Historic South Park neighborhood president also attended. The Land Use Board voted to support the amendment to the Planned Development with the recommended condition that parking meet the minimum zoning code standards.

Comments/Board Discussion

Mr. Sauer asked for clarification regarding the way Planned Developments (PDs) are modified and if PDs supercede design standards from the underlying zoning code. Mr. Kroeger provided guidance on the nature of Planned Developments and how they are typically modified.

Mr. Payne asked for the rationale for the change from condos to apartments and asked if there are any anticipated changes for the balance of the PD. Bill Hibner (Greater Dayton Construction, 4197 Research Blvd, Beavercreek, Ohio 45430) answered the question about why they are requesting a use change from condos to apartments by sharing the difficulty of selling all of the condos at once and explaining that the market for apartment is strong and were determined to be the appropriate use for the site.

Mr. Sauer asked if the corner at Warren and Adams could be a development parcel in the future. Mr. Hibner explained the location of an easement that splits the site which may make a development difficult and that there are no development plans for this corner at this time.

Mr. Scott asked for clarification on the garbage totes stored in the interior of the building and if there would be recycling. Mr. Hibner explained that the garbage and recycling totes are commercial units or small dumpsters that are stored inside the building and will be wheeled out once or twice weekly.

Mr. Scott expressed concerns regarding the change from condos to apartments. Mr. Hibner explained that there was some interest in condos but there was not enough interest to sell all 27 condos planned. In contrast, there is strong interest and demand for the apartments.

Mr. Scott asked for further details on the amenity room including justification for the size of the room. Mr. Hibner explained that it is a small game room with kitchenette that may be used by the tenants for private gatherings. It is not a public space but meant for tenants only. There are also storage units in the basement. Mr. Hibner assured the Board that the amenity room is sufficient in size in addition to the roof-top terrace.

Mr. Scott requested explanation on the parking needs for the full PD, how on-street parking will be incorporated, and how many bike parking spaces will be included on site. Mr. Hibner explained that the second phase of development will include individual garages for the single-family homes, that there have not been any parking issues so far, and does not expect future issues based on the number of off-street parking spaces that will be provided. Chris Godfrey (Oberer Thompson, 4197 Research Blvd, Beavercreek, Ohio 45430) shared that there are 16 bike parking spaces shown on the south elevation.

Ms. Pegues asked for clarification regarding the location and size of the roof-top terrace and for more information about the basement use. Mr. Hibner explained that the roof-top terrace is only on the south-side of the building and that the south-end of the basement is just foundation due to the elevation change of the site.

Mr. Sauer asked about the setback along Warren and if the front entrance on Warren is functional. Mr. Hibner explained that the setback is 13' and the entrance on Warren is directly

opposite the rear entrance and will be tied into the same lobby. Guests and residents will be able to utilize the Warren Street entrance to access the building.

Mr. Sauer asked if there is any branding for the building and if it would be possible to include signage over the Warren Street entrance to re-enforce the urban design of the building. Mr. Hibner shared that the branding is not final but that they are willing to incorporate signage on the Warren Street entrance.

Mr. Scott asked for clarification regarding any feedback received from the South Park residents. Ms. Vincent shared that while Mark Keller attended the August 19th meeting no written statement was submitted for the Board's consideration.

Mr. Sauer asked Mr. Carl Daugherty if the multi-family district sign regulations as identified in the PD make sense for the current building and if it would allow signage on the frontage of the building. Mr. Daugherty confirmed that the sign code is appropriate for this location and would accommodate whatever branding desired for the building.

Board Action

A motion was made by Ms. Pegues, seconded by Mr. Payne and carried to find that the amendment to Planned Development 174 (PD-174), with Planned Development Standards, to change the use, density, and parking for 1.26 acres referenced as Phase 1 meets the required standards found in R.C.G.O. §150.350.7 (A-H) as outlined in the staff report with the following conditions:

1. Building branding signage shall be installed at the Warren Street pedestrian entrance to reinforce the urban character of the building;
2. Updated landscaping plan shall be submitted for review and approval by City Staff indicating the revised front entrance as presented in the elevations; and,
3. A lighting plan shall be submitted for review and approval by City Staff.

Mr. Richard Wright	Not present	Mr. Paul Bradley	Yes
Ms. Geraldine Pegues	Yes	Mr. Matt Sauer	Yes
Mr. Jeff Payne	Yes	Mr. Greg Scott	Yes

Minutes approved by the City Plan Board on October 13, 2020.


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PLN2020-00182 – Work Session – Downtown Wayfinding Plan

Applicant: Mr. Scott Murphy
Downtown Dayton Partnership
10 W. Second Street, Suite 611
Dayton, OH 45402

Priority Land Use Board: Greater Downtown

Planning District: Downtown

Decision: None; Work Session

Staff comments

Susan Vincent introduced the work session topic – an update on the status of the Downtown Dayton Partnership's (DDP) wayfinding plan for Downtown and a request for comments from the City Plan Board. DDP hired Guide Studio and has been working through a design process of research, outreach, exploration, and strategy development with the ultimate goal of creating a wayfinding master plan. At this time, the background research and conceptual framework for a comprehensive signage program are complete. Upon collecting feedback from the City Plan Board, DDP will begin the final design work.

Public Comments

Scott Murphy provided an overview and summary of the work completed to date and requested comments and feedback from the Board. Mr. Carl Daugherty asked if Civil Engineering had been part of the planning process; Mr. Murphy confirmed that Civil Engineering is part of the steering committee.

Board Discussion

The Plan Board discussed the proposal. Mr. Sauer asked if visibility for all users, including cyclists, is being considered in the planning process. Mr. Murphy shared that the planning is not quite there yet for cyclists but that some considerations include specific bike maps and directional signage are part of ongoing discussions.

Mr. Scott asked for the overall cost of the program. Mr. Murphy shared the original estimate from Guide Studio included a range from \$700,000 - \$900,000. DDP is focused on logical phasing that will fall within the range of \$300,000 - \$400,000. COVID19 impacted the timeline for implementation and has shifted the wayfinding plan to 2021.


Mr. Payne expressed his appreciation for the project and supported the decision to phase the implementation. Mr. Sauer talked about how as Downtown changes and grows, a signage plan with call-outs for specific attractions becomes more important.

Board Action

None; work session.

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