



# City of Dayton

## City Plan Board

### Summary Minute Record September 10, 2019

#### 1. PLN2019-00414 – Public Way Vacation: 16.5-ft. Wide Alley East of Brown Street from Wyoming Street to the North Property Line of City Lot #84003

Applicant: Mr. Thomas Schwade  
RE NVC Dayton II, LLC  
4242 Tuller Road  
Dublin, OH 43017

Priority Land Use Board: Downtown

Planning District: University Park

Decision: Established Conditions

#### Staff Comments

Abigail Free presented the staff report. She said that with the recommended conditions, staff believes the determinations and findings can be made as outlined in the staff report.

The proposed alley vacation meets Wyoming Street, just east of the Brown Street intersection. Although the right-of-way remains, the majority of the alley is no longer intact and grass exists. Just south of the grass alley area, a small section of intact alley is used by a parking lot accessed off of Brown Street. Another small portion of the alley has already been vacated to the south, but the vacated portion visually remains an alley but is private property and provides secondary access to Obell Court from that same parking lot with an entrance on Brown Street.

#### Public Comments

None.

#### Plan Board Discussion

None.

#### Board Action

A motion was made by Mr. Wright, seconded and carried to find that the proposed vacation (Case PLN2019-00414) met the criteria cited in R.C.G.O. Section 50.445(B) as outlined in the staff report. Therefore, the Plan Board established the following conditions:

1. The Department of Water requires an easement, the full width of the alley (16.5-ft.) for the 8” sanitary sewer running through the alley.
2. DP&L requires a 10-ft. wide easement for existing aerial lines running through the alley.

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

Minutes approved by the City Plan Board on October 8, 2019.

Ann Schenking, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 10, 2019

#### 2. PLN2019-00471 – Record Plan – 1654 Springfield Street

Applicant: Mr. Bret Mefford  
Judge Engineering  
1201 E David Road  
Kettering, OH 45429

Priority Land Use Board: Northeast

Planning District: Springfield

Decision: Approved with Conditions

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#### Staff Comments

Abigail Free presented the staff report and recommended conditions. This is a replat to consolidate eight lots into one lot.

#### Public Comments

None.

#### Board Discussion

None.

#### Board Action

A motion was made by Ms. Pegues, seconded by Mr. Wright and carried to approve Case PLN2019-00471 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.

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

Minutes approved by the City Plan Board on October 8, 2019.

Ann Schenking, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 10, 2019

#### 3. PLN2019-00472 – Record Plan – Smithville McDonald’s

Applicant: Mr. Mark Hazel  
Site Engineering, Inc.  
7453 E Main Street  
Reynoldsburg, OH 43068

Priority Land Use Board: Northeast Planning District: Eastern Hills

Decision: Approved with Conditions

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#### Staff Comments

Abigail Free presented the staff report and recommended conditions. This is a replat to subdivide two lots and create one lot.

#### Public Comments

None.

#### Board Discussion

None.

#### Board Action

A motion was made by Mr. Wright, seconded by Mr. Bradley and carried to approve Case PLN2019-00472 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.

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

Minutes approved by the City Plan Board on October 8, 2019.

Ann Schenking, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 10, 2019

#### 4. PLN2019-00473 – Record Plan – 1501 E Fifth Plat

Applicant: Mr. Charles Halsey  
Admiral Engineering and Surveying  
14 W First Street  
Dayton, OH 45402

Priority Land Use Board: Northeast

Planning District: Historic Inner East

Decision: Approved with Conditions

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#### Staff Comments

Abigail Free presented the staff report and recommended conditions. This is a replat to consolidate two lots into one lot.

#### Public Comments

None.

#### Board Discussion

The Plan Board discussed the case.

#### Board Action

A motion was made by Ms. Pegues, seconded by Mr. Wright and carried to approve Case PLN2019-00473 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.

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

Minutes approved by the City Plan Board on October 8, 2019.

Ann Schenking, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 10, 2019

**5. PLN2019-00470 – Establish a Two-Year Honorary Designation for a Portion of North Wilkinson (from West Third Street north to West First Street) as “Betsy B. Whitney Way.” The official name of North Wilkinson Street will remain North Wilkinson Street**

Applicant: Ms. Audrey Starr

YWCA

141 W Third Street

Dayton, OH 45402

Priority Land Use Board: Downtown

Planning District: Downtown

Decision: Recommended Approval

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#### Staff Comments

Ann Schenking presented the staff report and said staff believed the requirements of Resolution 5014-99 are met and recommended approval.

The Dayton YWCA is requesting that an honorary designation is established for a portion of North Wilkinson Street which runs on the west side of their location at 141 West Third Street. The designation would be “Betsy B. Whitney Way”. The official name of North Wilkinson Street would remain North Wilkinson Street.

Mrs. Whitney’s contributions to YWCA Dayton, and the greater Dayton community, are extremely significant. In 1952, she applied for a job at NCR’s recreation department and was turned down because of her gender. Undaunted, she turned her talents toward YWCA Dayton, where the 88-year-old continues to make a difference today. She first volunteered at YWCA Dayton in 1957 and later joined its Board of Directors in 1969. She has served on the Board continuously for 50 years and is the YW’s longest-serving volunteer having donated an estimated 80,000 hours of volunteer service.

In compliance with the requirements of Resolution 5014-99, sufficient support was received from properties abutting the proposed designation. The City of Dayton Engineer, the Public Works Department, and the Police and Fire Departments have no objections to the designation. The honorary designation is also endorsed by the Downtown Priority Board and the Downtown Dayton Partnership which provided letters of support.

#### Public Comments

Shannon Isom, CEO, Dayton YWCA, 141 W Third Street, Dayton, OH, spoke in support of the designation. She highlighted Ms. Whitney’s contributions to the YW. She also said the Dayton YW was the second YW to open up a domestic violence shelter and that is due to Ms. Whitney’s work.

Representatives of two churches that abut the portion of Wilkinson Street which is proposed for the honorary designation spoke in support of the designation:

- Craig Showalter, Westminster Presbyterian Church, 125 North Wilkinson Street, Dayton, OH, spoke in support of the designation. He said the Whitneys are devoted members of Westminster and Ms. Whitney is deserving of this designation.
- Pastor Richard Freudenberger, First Lutheran Church, 138 West First Street, Dayton, OH, spoke in support of the designation.

**Board Discussion**

None.

**Board Action**

A motion was made by Ms. Pegues, seconded by Mr. Wright and carried to recommend City Commission approval of the proposal (Case PLN2019-00470) to establish a two-year honorary designation for a portion of North Wilkinson (from West Third Street north to West First Street) as “Betsy B. Whitney Way.” The official name of North Wilkinson Street will remain North Wilkinson Street. The Plan Board found the proposal consistent with the requirements found in City Commission Resolution 5014-99 as outlined in the staff report.

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

Minutes approved by the City Plan Board on October 8, 2019.

Ann Schenking, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 10, 2019

#### **6. PLN2019-00460 – General Development Plan Approval – A Residential Development to be Constructed in Two Phases at 258 Wyoming Street, which Formerly Contained Patterson-Kennedy School**

Applicant: Mr. Robert Fiorita  
Robert Lois Fiortia Architects and Associates  
4242 Tuller Road  
Dublin, OH 43017

Priority Land Use Board: Downtown Planning District: University Park

Decision: Continued to October 8, 2019 Plan Board Meeting

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#### **Staff Comments**

Tony Kroeger presented the case.

This is a proposed two-phase project. The first phase would be 113 units with 168 surface parking spaces – a ratio of 1.49 parking spaces per unit. This phase is located on the eastern part of the site, to the southwest of the intersection of Wyoming and Alberta streets. The unit breakdown brings the total number of occupants to 304. Based on the number of bedrooms in phase 1, we see that a ratio of 0.55 parking spaces per occupant is being provided.

Regarding phase two, 119 additional units will be constructed, in a second building. This phase would also bring the construction of a parking garage (between the phase one and phase two buildings) and the removal of the surface parking lot from phase one. After phase two is completed, 0.56 spaces of parking per occupant will be provided based on the number of bedrooms in the total project.

The question becomes: is 0.56 parking spaces per actual resident sufficient? Under normal circumstances – that is, with traditional apartments units not targeting towards students—1.5 parking spaces per unit is sufficient. But this is a unique development, with a different unit mix than in a traditional apartment building. To staff, the applicant must demonstrate how about one parking space per two residents is sufficient—and that’s before accounting for visitors. Certainly, no city should want to require more parking than is needed. Still, parking represents a concern for staff.

Both buildings are proposed to be five stories. The maximum height for a building in this district is 65 feet, which the proposed building meets. To be sure, this building will be taller than those immediately around it. This, of course, is not a unique situation, as there are a number of buildings within the general vicinity that rise above others, such as the Miami Valley Hospital patient tower, the Warren Flats apartment building, and institutional buildings such as those at the University of Dayton and churches. With a sufficient setback from the right-of-way and the inclusion of street trees along Wyoming Street, the building height is still a concern, but one that staff feels may be acceptable.

Interestingly, if this CI-zoned property were adjacent to residential zoning, the maximum height would be 50 feet. There is residential zoning across Wyoming Street – however, districts that are across the street from one another are not considered adjacent.

In terms of design, the building appears to be somewhat of a contemporary look. It is not located in a historic district. It utilizes a substantial amount of glass, most notably on the ground floor.

The applicant has stated his intent to comply with zoning code regulations. This shall include the phase one parking lot—including setback, landscaping islands, and street trees.

According to the applicant, the exterior material of the building is projected to be 50 to 75 percent brick, along with a balance of hardi-plank and “random pattern flat panel.” These materials can be observed in the 3D renderings of the buildings.

Staff is generally in support of this development. However, there are still questions that the Board will need to consider; one might be related to parking quantity. Another that may arise is related to time for neighborhood consideration. To be clear, the applicant easily made the application deadline, and notices were sent more than the required two weeks prior to the Plan Board meeting. However, if the Plan Board feels there has not been sufficient input, a Continuance is an alternative.

### **Public Comments**

The Downtown Land Use Board submitted a letter to the Plan Board stating its concerns about the project: insufficient parking, the mass of the building, its architectural design, the number of bedrooms per apartment, and that the applicant had not met with the neighborhood. The Land Use Board tabled action on the case for these reasons.

James Wahl, 33 Park Drive, Dayton, OH, provided the Downtown Land Use Board (of which he is a member) an email outlining his concerns about the project. This email was provided to the Plan Board.

Thomas Ostendorf, South Dayton Properties, 242-250 Obell Court, Dayton, OH, said he was concerned that the proposed development was not providing sufficient parking, was not providing the kind of housing UD students preferred, and said on-street parking needs to remain on Obell Court.

The applicant, Robert Fiorita, 4242 Tuller Road, Dublin, OH, spoke in support of the development and answered questions from the Plan Board. He described the project, its phases, and a similar project he developed at Miami University. He said parking space needs are trending downward as car ownership declines and people rent cars when they need one. He said the building design is meant to be clean, crisp and new which is why it’s not traditional red or tan brick.

Hilary Lerman, 249 Wyoming Street, Dayton, OH, said he has lived across the street from the site of the proposed project for 35 years. He said when the elementary school was at the site, parking was a problem.

James Wahl, Downtown Land Use Board, 33 Park Drive, Dayton, OH, said this is an important project for South Park and the city. It looks like something you would see downtown and not in a residential neighborhood. This looks like a big box apartment complex that isn’t compatible with the South Park historic neighborhood.

Mark Keller, President, Historic South Park, 243 Morton Avenue, Dayton, OH, asked the Plan Board to postpone action on the case to allow time for the neighborhood to meet with the developer on the project.

Tracy Kraft, 627 Warren Street, Dayton, OH, said she lives across the street from the Warren Flats and that the Warren Flats struggles with a lack of sufficient parking which causes parking to overflow into the neighborhood. She was concerned about parking with this project and the proposed five story height of the project which is across the street from cottages.

### **Board Discussion**

The Plan Board discussed the case including parking needs, the future of parking, the benefits of the project, building design, and the desire of the neighborhood to have additional time to review the case.



**Board Action**

A motion was made by Mr. Wright, seconded by Mr. Bradley and carried to continue this case until the Plan Board's October 8, 2019 meeting to allow time for the applicant to meet with the neighborhood about the project.

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

Minutes approved by the City Plan Board on October 8, 2019.

Ann Schenking, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 10, 2019

**7. PLN2019-00461 – General Development Plan Approval – Two contiguous properties located at 123 and 127 Evanston Avenue. A building addition is proposed to each existing structure. Each addition would house two students. Two new off-street parking spaces are proposed at each address.**

Applicant: Mr. Matt Fisher  
Matt Fisher Architect  
1212 Opal Avenue  
Miamisburg, OH 45342

Priority Land Use Board: Downtown

Planning District: University Park

Decision: Approved with Condition

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#### Staff Comments

Tony Kroeger presented the case. He said the plan conforms with the spirit and intent of the campus-institutional zoning district, the design maintains the intended architectural design of the structures, and parking needs have been creatively met. Therefore, staff recommends approval.

This case is a general development plan for two contiguous properties located at 123 and 127 Evanston Avenue. A building addition is proposed to each existing structure. Each addition would house two students. Two new off-street parking spaces are proposed at each address. The case revisits a previous case with this new plan. In the previous case, up to six additional students were proposed in each building, with virtually no new parking spaces. In this case, four total new parking spaces (two on each property) are proposed for four new residents (two in each building).

At 123 Evanston Avenue, a 572 square foot addition to the residence is proposed. It would create a “carport” area by virtue of the addition being to the second floor of the building, but not the first. This creates a situation where there are eight spaces for five residents; however, the proposed addition comes at a ratio of one space per one resident.

At 127 Evanston Avenue, a 582 square foot addition is proposed. Similar to 123 Evanston Avenue, the addition will occur on the second floor, creating a carport for surface parking.

Staff finds that the site plan has been creatively proposed to add an additional parking space for each proposed resident. While it is somewhat of an unconventional arrangement to fit them in, it seems as though it will satisfy the parking need.

The modified plan conforms with the spirit and intent of the campus-institutional zoning district, the design maintains the intended architectural design of the structures, and parking needs have been creatively met. Staff recommends approval.

#### Public Comments

The applicant, Matt Fisher, Matt Fisher Architect, 1212 Opal Avenue, Miamisburg, OH spoke in support of the project, described the plans, and answered questions from the Plan Board.

Tom Kendo, 7925 Paragon Road, Dayton, OH, said he was the attorney for the landowners and spoke in support of the project. He asked for Plan Board approval.

**Board Discussion**

The Plan Board discussed the case. Mr. Scott asked Mr. Fisher and Mr. Kendo if they would support a condition that no more than 8 tenants shall be permitted to reside in 123 Evanston and no more than 8 tenants shall be permitted to reside in 127 Evanston. Mr. Fisher and Mr. Kendo said attaching that condition to case approval would not pose a problem.

**Board Action**

A motion was made by Mr. Wright, seconded by Mr. Sauer and carried to approve with one condition the General Development Plan for 123 and 127 Evanston Avenue (Case PLN2019-00461) based on the Board's ability to make the necessary determinations found in R.C.G.O. §150.335.12(C)(2)(b). The condition is:

- No more than 8 tenants shall be permitted to reside in 123 Evanston and no more than 8 tenants shall be permitted to reside in 127 Evanston.

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

Minutes approved by the City Plan Board on October 8, 2019.

Ann Schenking, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 10, 2019

#### **8 PLN2019-00435 – Work Session – Redevelopment Concept for the Former Montgomery County Fairgrounds Site**

Applicant: Mr. Buddy LaChance, CEO  
onMain  
110 North Main Street  
Dayton, OH 45402

Priority Land Use Board: Downtown

Neighborhood Planning District: University Park

Decision: None; Work Session

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#### **Staff Comments**

The purpose of the work session was to review the proposed Planned Development regulations for the former Montgomery County Fairgrounds site with onMain representatives in advance of Plan Board review of the Planned Development application for the site in October.

#### **Public Comments**

onMain representatives, Buddy LaChance, CEO, onMain, 110 North Main Street, Dayton, OH, Greg Dale, McBride Dale Clarion, 5725 Dragon Way, Cincinnati, OH, and Jamie Greene, planning Next, 75 West Third Avenue, Columbus, OH, said the proposed Planned Development regulations were developed with input the Plan Board provided at the August 13 work session. They answered questions from the Plan Board.

The development's streets will be private; there will not be dedicated interior bike lanes; on-street parking regulations will be enforced by onMain.

#### **Board Discussion**

The Plan Board and onMain representatives discussed the proposed regulations including gateway locations, outdoor café seating and parklets, bike lanes, building phases and public space provisions. The consensus of the Plan Board was that the proposed regulations were ready to return to the Plan Board next month as part of the Planned Development case for the project.

#### **Board Action**

None; work session.

Minutes approved by the City Plan Board on October 8, 2019.

Ann Schenking, Secretary  
City Plan Board