



City of Dayton

City Plan Board

Page 1

Summary Minute Record October 12, 2021

1. PLN2021-00423 – Record Plan – 100 S Clinton Street

Applicant: Haley-Dusa Group

Priority Land Use Board: Northeast

Planning District: Historic Inner East

Decision: Approved with Conditions

Staff Comments

Abigail Free presented the staff report and recommended conditions. The record plan will consolidate six (6) City lots and a vacated alley into one (1) City lot. The lot meets the requirements of the of the I-2 General Industrial district.

Applicant Comments

None

Public Comments

No Comments

Board Discussion

Ms. Pegues asked why they were combining? Ms. Free clarified that the property was recently purchased and the use of the building was changing and the consolidation was likely being required by building department. Also, Mr. Sauer proposed to remove condition #4 as it was not necessary.

Board Action

A motion was made by Mr. Sauer seconded by Ms. Miller and carried to approve Case PLN2021-00423 with the following recommendations (condition #4 removed):

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. Jeff Payne	Absent	Mr. Matt Sauer	Yes
Ms. Rosalyn Miller	Yes	Ms. Ann Schenking	Yes
Ms. Geraldine Pegues	Yes	Mr. Greg Scott	Yes

Minutes approved by the City Plan Board on November 9, 2021.

Tony Kroeger, Secretary
City Plan Board



City of Dayton

City Plan Board

Summary Minute Record October 12, 2021

2. PLN2021-00432 – Work Session Cherrywood Development

Applicant: Tomas Cahalan
4894 Sheller Ave
Dayton, OH 45432

Priority Land Use Board: Northeast

Planning District: Pheasant Hill

Decision: N/A

Staff comments

Jeff Green presented the case, a work session seeking Plan Board input on a proposed single-family development at 5259 Kittridge Road. The site is 10.885 acres. It is currently zoned SR-2 (suburban single-family), with an existing PD (PD-42) overlay. The applicant is requesting PD-42 be revoked and a new one take its place under the SR-2 regulations. The underlying zoning of the property would not be changed.

Mr. Green described the proposal and noted that as this is a work sessions, no board action is necessary.

Comments/Board Discussion

Ms. Miller questioned whether or not the garage is attached and if it could be seen from the street. Mr. Green clarified that the garages would be attached and would be behind the front building setback.

Public Hearing

Mr. Richard Harrison, 8832 Seventh Avenue Golden Valley, MN 55427, had a presentation and explained the rationale and design on the development. He showed examples of other developments that he has done throughout the country as examples. Mr. Harrison gave the board a published book regarding the design philosophy of the development and noted that they have VR headsets for anyone who would like to virtually walkthrough the proposed development.

Ms. Schenking asked how the choice of trees was made. She noted that cherry trees are relatively short lived with 15 years.

Tomas Cahalan, 4894 Sheller Avenue Dayton OH 45432, (applicant) explained that he believes cherry trees are beautiful and that he got the idea from when he was living in Maryland.

Ms. Schenking noted that the trees are lovely, but for trees in the public right-of-way, the street trees would be more canopy and long lived. She further noted the code wanting a variety of trees and explained climate change and tree blight as potential concerns for the street trees. She would appreciate a tree plan.

Mr. Cahalan noted that the cherry tree was his initial idea but is open to looking at other types of trees. He further explained his rationale for the cherry trees.

Mr. Todd Kinskey (Director of Planning and Neighborhood Development), 101 W Third Street Dayton OH 45402, noted that with the proposed street connection to the to another jurisdiction, the applicant should reach out to confirm the street connection will work. He questioned a few aspects of the meandering sidewalks

Mr. Cahalan noted that he has not talked with Huber Heights as of yet, but explained that the owner of the land lives at the end of the street. Mr. Cahalan and Mr. Kinsky discussed the street connection with Huber Heights.

Mr. Cahalan and Mr. Harrison explained the meandering sidewalks and who/how they would be built.

Ms. Pegues questioned the proposed signage and where it will be placed.

Mr. Cahalan stated that he hasn't gotten to the stage of exactly where the signs would be placed exactly, but it would be created from standard materials such as wood.

Mr. Scott noted that it is a good idea to talk to the neighborhood upfront.

Ms. Schenking questioned if the utilities would be above ground or underground.

Mr. Cahalan stated they would be underground.

The board and staff went over the process for the proposal to remove the existing PD and establish a new PD in its place.

Mr. Kroeger noted that John Norton was also scheduled to speak on this proposal.

Mr. Norton stated that he is the engineer for this proposal and was open to any questions.

Board Action

No action from the board is required due to this item being a work session only.

Minutes approved by the City Plan Board on October 12, 2021.

Tony Kroeger, Secretary
City Plan Board



City of Dayton

City Plan Board

Page 1

Summary Minute Record October 12, 2021

3. PLN2021-00442 – Work Session – Homefull; 807 S Gettysburg Avenue

Applicant: LWC, Inc. c/o John Fabelo

Priority Land Use Board: West

Planning District: Fairlane

Decision: No Action

Staff Comments

Abigail Free presented the case; a work session for 807 S Gettysburg Avenue which is the old Carlson School site. The work session will only include the front 6-acres for the retail market and not the multi-family housing at the rear of the site.

The overall site is 16-acres total, fronting on S Gettysburg Ave with US Route 35 abutting at the north. Two principal uses were approved in July 2021, a retail grocery and multi-family housing. Two vehicular access points are proposed, one existing and one new.

There have been some changes to the site plan since July 2021. The area for the retail grocery and accessory uses has increased in size from 4-acres to 6-acres. The uses proposed within the building are: retail grocery, food hub, clinic, pharmacy, community room, storage, laboratory and greenhouse, community garden, outdoor market, administrative offices, and 200 parking spaces.

A traffic study was also submitted. The proposed uses on site including the retail market, offices, and housing will generate 2,813 daily trips (1,406 entering and 1,406 exiting). The traffic study determined that no signalization is warranted. The north access will be right-in and right-out only and also be utilized for truck deliveries. The south access will have a dedicated left-out and right-out and a left turn lane will be utilized on S Gettysburg Avenue.

The updated site plan shows the market building footprint shifted north and the open market moved to the south along the side of the building. A lab and greenhouse has been added and additional parking is located at the south side of the building. There is a new dedicated drive to access the future multi-family housing.

The revised floor plans have mirrored the uses inside due to the loading dock moving from the south side to the north side of the building. Now, the community services are on the south side and more parking has been added to the south for employees and community service users. The food hub, and retail storage is now on the north side to utilize the loading dock area. Also, the second floor administrative offices has increased in area from 6,500-sf to 14,000-sf. The outdoor market has moved to the south side as well and has a more cohesive transition to the community garden space at the rear (west side) of the building.

One Staff concern is the new north vehicular access point which is right-in and right-out only and also is the access point for trucks deliveries and closest to the loading dock. It is great access for trucks entering the site coming from US Route 35, but will not allow for trucks to exit left onto S Gettysburg Avenue to return to US Route 35.

Applicant Comments

John Fabelo with LWC, 434 E First Street, and Tina Patterson with Homefull, 411 Water Street are present. John Fabelo discussed that 5 partners are locked in and Sinclair is still in discussion as a partner. The loading dock has been separated from the existing and future residential uses and they have clarified



City of Dayton

City Plan Board

Page 2

Summary Minute Record October 12, 2021

how the food hub and deliveries will work and at what times. The Food Hub and delivery service times are different than those of customers, at around 5:00-6:00am. The lane in front of the retail market has been made as heavy-duty concrete to allow for a fire lane and also circulation for large trucks to utilize to exit at the south end.

The open market on the side creates a courtyard area with garden and lab and will be used for horticulture classes and storage and prep is for food grown at the garden. The front porch has been reduced in depth once the open market was moved. Kettering Health is the clinic partner and will have separate entrance and the pharmacy will have a walk-up exterior window.

They have set up the site for a future traffic signal if needed. They have not fully designed the pedestrian ways within the site. They are working with a new developer on the housing component which has decreased the number of proposed units to 144, including townhouses and apartments.

Ms. Patterson added that they met with the neighborhood leadership and incorporated their housing ideas, including the townhouses to make it look less institutional. Ms. Patterson added that the lab will teach students how to farm and is part of the agriculture department. Also, the storage and prep area will be for produce that is not gap certified that must be kept separate from the Hub food distribution. The gardens will be open and include pedestrian circulation.

Ms. Patterson described the second floor as having an open "hoteling" space for employee to work freely and allow for enjoyment of the windows overlooking the garden. The community services space will have its own restrooms, kitchen and entrance on the side to allow for separate events and partner programming, some after hours.

Board Discussion

Mr. Payne asked why a single, centralized entrance was not considered, due to the proximity to US Route 35. It is a concern that large trucks can not exit the site going north towards US Route 35 and may need to find another route down Germantown Street. Mr. Payne believes there will be too much confusion. Mr. Sauer believes that the truck drivers will figure it out. The south access point as the main entrance is far enough away from the existing traffic signals and US Route 35 to allow for left turn exiting.

The turning radius for the trucks needs to be investigated to see if the front fire lane will be accessible and landscaping islands are accessible for truck exiting. Mr. Scott asked about RTA service. It was determined that RTA stops exist on the west side just south of the site.

Ms. Schenking referenced Austin Landing and how there are too many driveways and not enough sidewalks. Mr. Fabelo added that the double wide island in the center will connect pedestrians to S Gettysburg Ave.

Ms. Pegues asked about the balcony in the back. Mr. Fabelo pointed out the front overhang was reduced but the large overhang at the rear is for administrative use. Ms. Pegues also asked if the size of the open market has changed due to it being moved. Mr. Fabelo clarified that it stayed the same size.

Board Action- No Action

Minutes approved by the City Plan Board on November 9, 2021.



City of Dayton

City Plan Board

Summary Minute Record October 12, 2021

4. PLN2021-00441 – 2021 Proposed Zoning Code Amendments Work Session

Applicant: Todd Kinskey, City of Dayton

Priority Land Use Board: all

Planning District: all

Decision: None, work session only

Staff Comments

Tony Kroeger presented the proposed text amendments, which are summarized here:

Item Number	Amendment
1	Make Plan Board and BZA cases require 20 day public notice
2	Add a definition for "Urban Agriculture"
3	Add additional regulations for self-storage in the UBD zoning district.
4	Clarify the definition for "abut" as it pertains to properties across streets and alleys.
5	Allow work-live units as a Permitted use where logical
6	Allow Live-work units in the SR-1 and SR-2 districts as C uses to be consistent with the ER and MR districts.
7	Add a standard that covers the path to the front door
8	Update the permitted uses in the Urban Business District zoning districts
9	Remove reference to Chief Building Official and replace with Zoning Administrator where appropriate.
10	Clarify where medical marijuana uses may be permitted
11	Billboard regulations and corridor protection
12	Review design regulations for CBD/UBD
13	Change directive to place an item on "the next regularly scheduled meeting" because there may not be enough time for proper public notice.
14	Change Priority Board to Land Use Board where appropriate
15	Changes to trees and streetscapes
16	Improve bicycle parking regulations
17	Clarifying when parking lots in Historic Districts constitute a minor or major modification
18	Allow a broader range of land uses within the "T" Transitional Zoning District
19	Update parking regulations for daycare uses and multi-family dwellings
20	Remove the ability to add conditions to an otherwise straight rezoning.
21	Allow "Mixed use/residential" as a Permitted* use in Commercial Districts
22	Conditional use requirement and regulations for accessory dwelling units
23	Remove "Trucking/Motor Freight Terminal" from allowable uses in the I-1 Zoning District.
24	Clarify ability for staff to amend and update Landmarks "Blue Book" standards

25	Replace all references to “The Department of Planning and Community Development” with “The Department of Planning, Neighborhoods & Development.”
26	Cryptocurrency Mining Zoning Regulations
27	Extending the time in which a major modification must be heard by the Landmarks Commission.

Through the course of the presentation the following items were discussed:

- Item 3: Suggestion to specify that the proposed regulation to avoid large mixed-use streets as indicated in the Transportation Plan only applies to the UBD zoning district.
- Item 11: Do the corridor protection areas need to extend further from the right-of-way?
- Item 12: Suggestion to consider that avoiding crossing bike lanes should apply to all zoning districts, not just UBD.
- Item 12: Question about where proposed regulations will be inserted.
- Item 16: Question for Mr. Sauer about whether one should be able to get a vehicular parking reduction for being located near a bicycle hub or a bus stop, rather than the current proposed language that can grant a vehicular parking reduction if one has a bike share hub as part of their development/property.
- Item 16: There was a conversation, with concerns from Mr. Payne, about the ability to reduce vehicular parking minimum by 25 percent.
- Item 16: Suggestion by Mr. Scott that the definitions for various types of bicycle parking come before they are used in the regulations.
- Item 19: In the parking requirement table for multi-family dwellings, if we proposed to remove the words “for visitors” we should do that for all.
- Item 22: Discussion regarding Accessory Dwelling Units, including inquiry from Mr. Sauer about flexibility from the 900 sq ft maximum size if they are accessible units.
- Additional Item for Consideration: That the ability to consider variances for General Development Plans in the Campus Institutional Zoning District be granted to the Plan Board and added to the Powers and Duties section of the code.

Public Comments

There were no members of the public registered to speak.

Board Action

There was no formal action taken on these zoning code text amendments, as it was just a work session. Plan Board indicated general support for the proposed changes.

Minutes approved by the City Plan Board on November 9, 2021.

Tony Kroeger, Secretary
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City of Dayton

City Plan Board

Summary Minute Record October 12, 2021

5. PLN2021-00444 –Southeast Dayton Neighborhoods Vision for Adoption

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

Priority Land Use Board: Southeast

Decision: Approved

Staff Comments

Tony Kroeger presented the case a request for review and approval of the Southeast Neighborhood Vision.

The primary purpose of the effort was to synthesize previously adopted plans, and take a closer look at those projects and areas that would be especially impactful and catalize additional investment.

This plan was completed in August 2021 by Urban Design Associates (UDA) in collaboration with the Department of Planning, Neighborhoods and Development staff, CityWide staff, and many stakeholders, residents, and business owners.

Mr. Kroeger reviewed the major components of the plan and described the process.

Comments/Board Discussion

The Plan Board supported the Plan. No one was registered to speak on this item.

Board Action

A motion was made by Ms. Schenking, seconded by Mr. Payne, and carried to recommend approval of the Southeast Dayton Neighborhoods Vision based on its conformance with the City's comprehensive plan.

Ms. Rosie Miller	Yes	Ms. Ann Schenking	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 November 9, 2021.

Tony Kroeger, Secretary
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