



City of Dayton

City Plan Board

Summary Minute Record March 13, 2018

1. PLN2018-00039 – Public Way Vacation – Alley South of Valley Street from the West Property Line of City Lot No. 7298 to the Eastern Terminus

Applicant: Mr. Domenico Stolfo
Synergy Building Systems
3500 Pentagon Blvd.
Suite 500
Dayton, OH 45431

Priority Land Use Board: Northeast

Neighborhood Planning District: Old North Dayton

Decision: Established Conditions

Staff Comments

Chido Moyo presented the staff report and the proposed conditions. She said staff recommended that the proposed conditions are established for the vacation because staff believes the determinations and findings could be made. She reviewed how the determinations and findings could be made as outlined in the staff report. Ms. Moyo said the applicant requested the vacation because the alley dead-ends into lots that the owner (Dayton Children’s Hospital) will be officially combining into one.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Pendergast, seconded by Mr. Bradley and carried to find that the proposed vacation (PLN2018-00039) met the criteria cited in R.C.G.O. Section 150.445 (B). Therefore the Plan Board established the following conditions:

1. That if applicable, AT&T reserves the right of easement or right-of-way in the vacated area.
2. That if applicable, the applicants shall contact Ohio811 at (800) 362-2767 to have facilities marked and located within the affected easements before any excavations are started.

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

Minutes approved by the City Plan Board on April 10, 2018.

Ann Schenking, Secretary
City Plan Board



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2. PLN2018-00066 – Record Plan — FW Grafton Plat

Applicant: Mr. John Haley
Haley Dusa Engineering
270 Regency Ridge Drive
Dayton, OH 45459

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

Decision: Approved with Conditions and Variance

Staff Comments

Abigail Free presented that staff report and recommended conditions. This record plan will consolidate four city lots into two city lots and approve a variance for rear setback for the smaller lot.

Public Comments

None.

Board Discussion

The Plan Board discussed the case and reason the variance for rear setback was needed.

Board Action

A motion was made by Ms. Pegues, seconded by Ms. Pendergast and carried to approve Case PLN2018-00066 with the following conditions and variance:

1. Approved variance shall reduce minimum rear setback from 30-feet to 5.7-feet for the southeast lot.
2. Revise the Record Plan and any Construction Drawings per the City of Dayton Subdivision Regulations and comments from the Division of Civil Engineering.
3. Ensure that the dimensions close to within a 1:10,000 ratio.
4. Add any easements required by DP&L, City of Dayton Water, etc.
5. Provide a 5-foot easement (not centered) along the western property line where utility poles and lines are found, except where the existing 2-foot Ohio Bell easement is located.

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

Minutes approved by the City Plan Board on April 10, 2018.

Ann Schenking, Secretary
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Summary Minute Record March 13, 2018

3. PLN2018-00071 – Record Plan — Miami Conservancy District Bank Street Levee Modification Plat No. 2

Applicant: Mr. Kurt Reinhart
Miami Conservancy District
38 East Monument Avenue
Dayton, OH 45402

Priority Land Use Board: West

Neighborhood Planning District: Five Points

Decision: Approved with Conditions

Staff Comments

Abigail Free presented that staff report and recommended conditions. This record plan will consolidate many City lots and vacated public right-of-way into three City lots.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Pendergast, seconded by Mr. Sauer and carried to approve Case PLN2018-00071 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. Show any easements created by City of Dayton Ordinance 31536-17, or add a title block to extinguish each.

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

Minutes approved by the City Plan Board on April 10, 2018.

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Summary Minute Record March 13, 2018

4. PLN2018-00019 – Zoning Map Amendment — Establish a Historic District (HD)-1 designation for Westminster Presbyterian Church at 125 North Wilkinson Street. The underlying zoning designation, CBD/POD 1, will not change.

Applicant: Mr. Craig Showalter
Westminster Presbyterian Church
125 North Wilkinson Street
Dayton, OH 45402

Priority Land Use Board: Downtown Neighborhood Planning District: Downtown

Decision: Recommended Approval

Staff Comments

Rachel Bankowitz presented the case. She said staff believed the determinations and findings could be made and recommended approval. Westminster Presbyterian Church is seeking a HD-1 overlay for its church building located at 125 North Wilkinson Street. The underlying zoning designation, CBD/POD 1, would not change.

The church *was* identified in the 1989 *Downtown Dayton Survey* as being potentially individually eligible for the National Register of Historic Places (NRHP), based on its architecture. It is the opinion of Staff that the church is individually eligible for the National Register of Historic Places under *Criterion C: Architecture*. The church is an excellent example of the Late Gothic Revival style in Dayton, as applied to a church, not to mention an iconic downtown building. It also retains importance for its association with the prominent local architectural firm of Schenck and Williams, as well as nationally-renowned architect, Ralph Adams Cram. Ordinarily, religious institutions or buildings used for religious purposes are not eligible for the NRHP; however, they may still be eligible, if their primary significance is derived from architecture. The building may meet *Criterion C* (architecture) and *Criterion Consideration A* (for religious properties); however the Ohio Historic Preservation Office (OHPO) has not officially concurred.

This designation would add another church to the City's list of historic landmarks and recognize the building's architectural/historical significance. Westminster Presbyterian Church is important to Dayton's architectural history and therefore is an important historical structure for the city.

Public Hearing Comments

The Landmark Commission recommends approval of the HD-1 designation.

The applicant, Craig Showalter, Westminster Presbyterian Church, 125 North Wilkinson Street, Dayton, OH, spoke in support of the HD-1 designation. He also spoke about the 1918 Tiffany Studios art glass window that is in the church sanctuary. It was given to the church in memory of John Stoddard by his wife and was originally installed in the church building that predated the current one.

Board Discussion

The Plan Board discussed the case. Mr. Scott said the church is a spectacular place in which to sing.

Board Action

A motion was made by Ms. Pegues, seconded by Mr. Sauer and carried to recommend City Commission approval of Case PLN2018-00019 based on the Plan Board's ability to make the determinations specified in R.C.G.O. Section 150.125.7 as outlined in the staff report.

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

Minutes approved by the City Plan Board on April 10, 2018.

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Summary Minute Record March 13, 2018

5. PLN2018-00053 – Zoning Map Amendment — Rezone two buildings of an existing 45 unit apartment complex located at 135-141 Cambridge Avenue and 206-220 Yale Avenue from MR-5 Mature Single-Family Residential to MMF Mature Multi-Family Residential. The complex consists of 3 buildings, one of which is already zoned MMF.

Applicant: Mr. Brian Coate
Cambridge Urban Apts, LLC
6000 Glenfinnan Court
Dublin, OH 43017

Priority Land Use Board: North Central Neighborhood Planning District: Southern Dayton View
Decision: Recommended Approval

Staff Comments

Abigail Free presented the case. She said staff believed the determinations and findings could be made and recommended approval.

The subject property is located within the Southern Dayton View Planning District. The majority of the area is zoned Single-family residential, with Southern Dayton View zoned MR-5 Mature Single-family and the adjacent University Row neighborhood, to the north, zoned ER-4 Eclectic Single-family. However, there is a small area zoned MMF Mature Multi-Family Residential. It covers almost three blocks between Cambridge and Yale Avenues, starting at N. Euclid Avenue heading east covering half a block after Bryn Mawr Drive. Within this MMF District there are a handful of multi-family structures, although there are a number of vacant lots that once had additional multi-family dwellings.

The subject property, currently owned by Cambridge Urban Apartments, is located at eastern border of the MMF District. It includes 3 buildings, 3-4 stories in height, totaling 45 units. The complex was built in the 1920's, with its most recent renovation in 1970's. The complex has been approved as affordable housing and subsidized using Section 8 since the voucher system has been in place.

The complex is 100% occupied and has been a fully functioning Multi-family use since construction, so it seems odd that the multi and single-family zones split the complex. One building lies within the MMF zoning district, but the other two are zoned MR-5. Although the buildings within the MR-5 District are considered legal non-conforming (use is grandfathered in), if the complex were to become vacant and abandoned, the use would not be permitted and to re-establish it would require BZA approval.

Research has found that the property was zoned R-6 Multiple-family Residence under the previous zoning code and map. The R-6 zone accommodated low intensity multiple-family development with a minimum lot area of 1,250-sf per dwelling. This is an interesting regulation and seems to fit with the existing complex and it includes a number of 3-bedroom units that are around 1,300-sf. The complex also includes studios, 1 and 2-bedroom units as well. The R-6 zone permitted single-family dwellings, which can be seen across the street from the subject property.

The Applicant has a contract to purchase the 3-building complex and has been approved for federal grant funding to renovate the dwelling units. Amending the zoning of the property will ensure that the use will be permitted without being subject to BZA approval and would help to make the purchase more smooth in terms of bank loan approval.

Staff believes the designation as MR-5 for a portion of the complex was done in error and an amendment to the zoning map and change it to MMF is necessary and will keep with spirit and intent of the zoning code.

Public Hearing Comments and Board Discussion

The North Central Land Use Board supports the zoning map amendment.

The applicant, Brian Coate, Cambridge Urban Apts, LLC, 6000 Glenfinnan Court, Dublin, OH, answered questions from the Plan Board concerning the case. He said the property will be renovated at a cost of \$2M, or \$40-45,000 per unit. ADA compliant parking spaces will be added in addition to a playground and air conditioning for the units. The units will be renovated as natural turnover occurs.

Mr. Payne and Mr. Scott asked if sufficient parking existed. Mr. Coate said only a handful of residents have cars so there is no demand for off-street parking; parking demand is met by on-street spaces. Mr. Payne said it was his recollection that parking was an issue for the complex in the past and said the lack of off-street parking may be an issue in the future. Mr. Sauer said that to construct the amount of parking required by the zoning code (which Mr. Daugherty, the Zoning Administrator, estimated on the spot to be 65 spaces) would be hugely detrimental to the neighborhood. He supports reducing parking requirements and increasing transit use. Mr. Daugherty said that the existing parking situation is non-conforming and at this point does not need to be brought into compliance with current code requirements.

Board Action

A motion was made by Ms. Pendergast, seconded by Mr. Sauer and carried to recommend City Commission approval of Case PLN2018-00053 based on the Plan Board's ability to make the determinations specified in R.C.G.O. Section 150.125.7 as outlined in the staff report.

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

Minutes approved by the City Plan Board on April 10, 2018.

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Summary Minute Record February 13, 2018

6. PLN2018-00045 — Urban Renewal Plan Expiration (Arcade Square)

Applicant: Mr. Brian Inderrieden, Acting Director
Department of Planning and Community Development
City of Dayton
101 West Third Street
Dayton, OH 45402

Priority Land Use Board: Downtown

Neighborhood Planning District: Downtown

Decision: None; None Needed

Staff Comments

Ann Schenking reported that the Arcade Square Urban Renewal Plan expired March 1, 2018. She said the expiration of this plan will not impact the redevelopment of the Arcade. Redevelopment of the Arcade will be controlled by the current zoning code and any development/funding agreements.

This information is presented to the Plan Board so a record is created that notes that the plan has expired. No action is required of the Plan Board on this issue.

Public Comments

None.

Board Discussion

None.

Board Action

None; none needed

Minutes approved by the City Plan Board on April 10, 2018.

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