



City of Dayton

City Plan Board

Summary Minute Record January 8, 2019

1. PLN2018-00710 – Record Plan — Flats at South Park Plat – Section 2

Applicant: Mr. Bill Hibner
Oberer Thompson Company
4197 Research Blvd.
Beavercreek, OH 45430

Priority Land Use Board: Downtown Neighborhood Planning District: South Park

Decision: Approved with Conditions

Staff Comments

Abigail Free presented the staff report and recommended conditions. This replat is a consolidation of many lots and vacated Hickory Street.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Pegues, seconded by Mr. Bradley and carried to approve Case PLN2018-00710 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. The Department of Water requires a 30-ft wide, easement for an existing 66” storm sewer and 8” sanitary sewer that runs along vacated Hickory Street (Ordinance 22038). Final location and offset of easement to be approved by Water Engineering in conjunction with review of construction drawings before final plat recording.
5. The Department of Water requires a 20-ft wide, centered easement for an existing 8” sanitary sewer that runs along the SW side of Nathan place within a vacated alley (Ordinance 22249).
6. The Department of Water requires the retention of a 20-ft wide, centered easement for an existing 8” sanitary sewer and 6” water main that runs through vacated Brown Street (Ordinance 22536).

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

Minutes approved by the City Plan Board on February 12, 2019.

Ann Schenking, Secretary
City Plan Board



City of Dayton

City Plan Board

Summary Minute Record January 8, 2019

2. PLN2018-00711 – Record Plan — Dedication Plan Belmont Park – Bike Path

Applicant: Mr. Joe Weinel
City of Dayton, Division of Civil Engineering
101 West Third Street
Dayton, OH 45402

Priority Land Use Board: Southeast Neighborhood Planning District: Belmont

Decision: Approved with Conditions

Staff Comments

Abigail Free presented the staff report and recommended conditions. This Record Plan will allow a bicycle path within Belmont Park to be established as an easement within the park. Creation of an easement for the bike path is a funding requirement.

Public Comments

Joe Weinel, City of Dayton Division of Civil Engineering, 101 West Third Street, Dayton, OH, explained the public involvement process used for the project, why the easement was needed, that the path will be asphalt with no lights, and that it will provide a close connection to the Iron Horse Trail.

Board Discussion

The Plan Board discussed the case.

Board Action

A motion was made by Mr. Bradley, seconded by Mr. Wright and carried to approve Case PLN2018-007111 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. Retain an easement for existing utilities within vacated Bennett Drive and Mayflower Avenue.
5. Retain an easement for existing facilities near part lots 61345. (See Ordinance).

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

Minutes approved by the City Plan Board on February 12, 2019.

Ann Schenking, Secretary
City Plan Board



City of Dayton

City Plan Board

Summary Minute Record January 8, 2019

3. PLN2018-00712 – Public Way Vacation: Alley West of Hopeland Street from Albany Street South to the Boundary Line of City Lot #9672

Applicant: Mr. Adam Korn
Kleingers Group
6305 Centre Park Drive
West Chester, OH 45069

Priority Land Use Board: West

Neighborhood Planning District: Carillon

Decision: Established Conditions

Staff Comments

Abigail Free presented the staff report and the proposed conditions. She said that with the proposed conditions, staff believes the determinations and findings can be made as outlined in the staff report. The owner of the property is the Montgomery County Land Bank.

Public Comments

None.

Board Discussion

The Plan Board discussed the case. In response to a question by Mr. Sauer, Todd Kinskey said the vacation is the first step in making the property available for development and will be followed by a lot consolidation request.

Board Action

A motion was made by Mr. Wright, seconded by Ms. Pegues and carried to find that the vacation proposed in Case PLN2018-00712 met the criteria cited in R.C.G.O. Section 150.445(B) as outlined in the staff report. The Plan Board also established the following conditions for the vacation:

1. An easement shall be established for the full width of the alley for the existing 8” sanitary sewer and electric facilities.
2. The area shall be marked in a manner acceptable to the Division of Civil Engineering to indicate that it is not public right-of-way.
3. The alley mouth at Albany Street shall be removed and replaced with curb and walk, or a driveway shall be constructed. All work shall be completed within 90 days of the date the vacation is finalized and to City of Dayton standards.

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

Minutes approved by the City Plan Board on February 12, 2019.

Ann Schenking, Secretary
City Plan Board



City of Dayton

City Plan Board

Summary Minute Record January 8, 2019

4. PLN2018-00716 – Zoning Map Amendment – Repeal Planned Development PD-78 and Replace It with a New Planned Development which Allows for a Maximum of 260 Single-Family Dwellings at 4400 Old Troy Pike on a 100.657 acre site. The Underlying Zoning for the Entire Site will be SR-1 Suburban Single-Family Residential.

Applicant: Mr. Greg Smith
Oberer Land Developers
3445 Newmark Drive
Miamisburg, OH 45342

Priority Land Use Board: Northeast Neighborhood Planning District: Kittyhawk
Decision: Closed Public Hearing and Tabled to February 12, 2019 Meeting

Staff Comments

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

In 1994-95, roughly 89-acres just east of (4350) Old Troy Pike was 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.

At the time, adjacent property owners were against a mobile home park development and preferred single-family dwellings. Over the last 25 years, the proposed development never came to fruition and remains vacant wetlands and agricultural land including several outbuildings.

When the current zoning code was adopted, the underlying zoning was categorized as SMF Suburban Multi-family Residential, but PD-78 development standards remained.

Subject Site and Vicinity:

The subject property is located along the east side of (4400) Old Troy Pike. The site includes the 89 acres from PD-78 as well as street frontage of approximately 1,100 linear feet. The 2019 Planned Development Application proposes to eliminate PD-78 and replace it with new development standards and increased area totaling 100.657 acres.

Surrounding Land Uses:

Single-family dwellings are located along Old Troy Pike to the west and Schwinn Drive to the south. Needmore Road to the north is a fast moving arterial street with civic and commercial uses (church, funeral home, gas station). To the west is a small industrial park.

Proposed Site Plan:

The submitted development plans proposes the main entrance to the subdivision from Old Troy Pike, with secondary access from Lloyd Avenue, a short single-family residential street at the northeast corner of the site lying within the city of Riverside. Two detention ponds frame the main entrance, which is a typical water retention element found with suburban residential developments.

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. There are a number of short cul-de-sacs accessed by a central street and one collector. The new street shall be public and dedicated through a Record Plan.

Right-of-way dedication will also be required along Old Troy Pike, as parcels extend to the center line. A traffic impact study may be conducted to estimate if additional turn lanes should be constructed.

The site will be subdivided in phases although a complete development plan was submitted. Development along the central street will happen first with the cul-de-sacs to the north being last to allow visibility of available lots from Old Troy Pike. Also, subdividing the site will be done in phases as well as total build out may take multiple years. Construct of the public streets shall be done to City standards with exact layout reviewed by civil and water engineering.

The submitted development plan proposes 253 lots. The typical lot has a minimum width of 56-ft and an average size of 7,500-sf (56'x135'). 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 32.5%, or 32.763 acres of the site.

Land Use and Zoning:

Current underlying zoning is SMF Suburban Multi-family (majority), and SR-1 Suburban Single-family along Old Troy Pike. The Planned Development shall change the underlying zoning to SR-1.

Architectural Style:

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 and Screening:

Landscaping shall be typical of residential development. A minimum of one tree shall be planted within the front yard setback.

Analysis:

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 is proposed, which is 4-ft less than the minimum standard for SR-2 and 14-ft less than SR-1.

Conclusion:

Planning staff supports the proposed uses and development plan.

Public Hearing Comments

A letter from Karen Stewart Reed, 4471 Schwinn Drive, Dayton, OH was received. She prefers the single-family home development over a trailer park but is concerned about how storm water run-off from the development will be handled without causing damage to surrounding homes and land.

The Northeast Priority Land Use Board did not meet on the case.

Applicants Greg Smith and Robert McCann of Oberer, 3445 Newmark Drive, Miamisburg, OH spoke in support of the project and answered questions from the Plan Board. They said that they would support using Lloyd Avenue as a fire access only, rather than a secondary access if that was a condition of

approval. Mr. McCann said they believe that the ponds on the site will retain storm water and if access to the development from Old Troy Pike is blocked, in an emergency, homes in the subdivision can be accessed using the secondary access off Lloyd Avenue. Mr. Smith said water and sewer service will be provided in stages as the development is built out.

Chris Lohr, City of Riverside, 5200 Springfield Street, Suite 100, Riverside, OH, said Riverside supports the rezoning. The city supports using Lloyd Avenue as an emergency access; the street is not designed to handle secondary access traffic.

William Bullock, 4305 Old Troy Pike, Dayton, OH, said any upgrades needed to the storm sewer should be required. There is already water run-off through his property.

Anita Baker, 4418 Needmore Road, Dayton, OH, said the site is wet land; water is sitting in her back yard now. Building 250 houses will bring traffic problems.

Robert Baker, 4418 Needmore Road, Dayton, OH, said his back yard floods now and adding more houses will make the problem worse.

Edson Waite, 4535 Lloyd Avenue, Riverside, OH, said he was concerned about using Lloyd Avenue as a secondary access. They are downhill from the proposed subdivision and this development will increase their water problems. He suggested alternative sites for secondary access to the proposed development.

James Fetters, 4305 Old Troy Pike, Dayton, OH, said he did not get a notice about this hearing; a lot of people didn't. This site is wet land and won't hold run-off and the topography is steep. His whole back yard is flooded now. He is also concerned that water runoff will pollute their water supplies. Traffic will be a problem and there are already accidents all over the place on Old Troy Pike.

Brian Gaskin, 4231 Old Troy Pike, Dayton, OH, said there is no way Old Troy Pike can handle the traffic load of this development.

Robert Alan Baker, 4418 Needmore Road, Dayton, OH, asked what the access to Lloyd Avenue would be like if it is an emergency access only. Mr. Sauer said it could be structured grass.

Mr. Jason Isham, 4405 Old Troy Pike, Dayton, OH, said there is a wreck on Old Troy Pike now at least once a week and the road is blocked.

Board Discussion

The Plan Board closed the Public Hearing and discussed the case. Plan Board members said that based on concerns expressed at the meeting it would make sense to table action on the case to the February 12, 2019 Plan Board meeting. This would provide time for additional information to be collected regarding the concerns expressed including why some residents did not receive notice of the hearing. More information will help the Board make a better, informed decision.

Staff will notify those who registered to speak, those on the mailing list, and those who were missed (based on the Zoning Code's notification requirements) of the February 12, 2019 Plan Board meeting. Mr. Bradley said that he would be open to reopening Public Hearing at the February 12 meeting if members of the public wished to speak.

Board Action

A motion was made by Ms. Pegues, seconded by Mr. Wright and carried to table action on this case to the Plan Board's February 12, 2019 meeting to allow time for additional information to be collected and presented to the Board.

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

Minutes approved by the City Plan Board on February 12, 2019.

Ann Schenking, Secretary
City Plan Board