



City of Dayton

City Plan Board

Minute Record Overview

February 14, 2023
4:30 P.M.

Planning Resource Conference Room, City Hall
101 W. Third Street, Dayton, Ohio

Members Present: Mr. William Allen, Ms. Rosie Miller, Mr. Matt Sauer (arrived 4:45 pm), Ms. Ann Schenking, Mr. Greg Scott

Members Absent: Dr. Julius Beckham, Ms. Geraldine Pegues

Mr. Scott called the meeting to order at 4:31 P.M. A motion was made by Mr. Allen, seconded by Ms. Schenking to approve the minutes of the December 13, 2022, meeting.

1. PLN2023-00011 – Subdivision Record Plan Located at 1833 Wayne Ave

Applicant: EAM GeoData Solutions
c/o Eric Moody
40 Pulaski St, DAYTON, OH 45402

Priority Land Use Board: Southeast

Planning District: Walnut Hills

Decision: Approved with Conditions

2. PLN2023-00013 – Subdivision Record Plan Located at 526 Grafton Ave

Applicant: EAM GeoData Solutions
c/o Eric Moody
40 Pulaski St, DAYTON, OH 45402

Priority Land Use Board: North Central

Planning District: Five Oaks

Decision: Approved with Conditions

3. PLN2023-00004 – Zoning Map Amendment Located at 25 Indianola Ave

Applicant: City of Dayton
c/o Todd Kinskey
101 West Third Street
DAYTON, OH 45402

Priority Land Use Board: North Central

Planning District: North Riverdale

Decision: Recommend Approval

4. PLN2023-00010 – Planned Development Located near the intersection of Bellefontaine Rd and Fishburg Rd

Applicant: Maronda Homes
6900 Wilcox Place
Dublin, OH 43016

Priority Land Use Board: Northeast

Planning District: Pheasant Hill

Decision: Recommend Approval

5. PLN2023-00012 – Work Session for potential Planned Development Located at Dartmouth Dr and W. Salem Ave

Applicant: National Church Residences Land Holding Inc.
2335 N. Bank Dr.
Columbus, Ohio 43220

Decision: No Action Required

Mr. Scott shared a report from the Downtown Dayton Partnership board meeting.

Planning staff shared information about the Greater Dayton Regional Transit Authority's public comment period, division staffing changes, and an announcement of a Notice of Funding Opportunity for new development at "The Point" in Old North Dayton.

The Plan Board meeting was adjourned at 6:50 P.M.

Minutes approved by the City Plan Board on March 14, 2023.

Susan Vincent, Secretary
City Plan Board



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1. PLN2023-00011 – Record Plan – Esther Price Candies Plan No. 2

Applicant: Eric A. Moody, P.S. / EAM GeoData Solutions
Priority Land Use Board: Southeast Planning District: Walnut Hills
Decision: Approved with conditions

Staff Comments

Jen Hanauer presented the staff report and recommended conditions. The request is for a reconfiguration of sixteen (16) City lots into two (2) City lots. The western lot requires a variance to allow a 0' front setback where a 10' minimum setback is required; otherwise the lots meet the minimum requirements of the T Transitional and EGC Eclectic General Commercial Districts. Ms. Hanauer noted that the two single-family homes on the property have come down in the time since the application was submitted, and the owner's plan is to pave that area of the property for additional parking. Future plans include a new structure for the southern-most lot that would be used for retail.

Mr. Sauer arrived during the presentation of the case.

Ms. Schenking asked about the comments received from the Division of Civil Engineering. Ms. Hanauer explained that "Eliminate owner references not used for existing lots" means to remove the street numbers previously assigned to the single-family homes that have been razed.

Mr. Allen asked for an explanation of the variance required for a 0' front setback. Ms. Hanauer explained that lots zoned T Transitional are required to have a 10' front setback, but since the existing building on the property is at the property line, a variance for the setback is required in order to approve the record plan.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Miller seconded by Ms. Schenking and carried to approve Case PLN2023-00011 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 AES, Centerpoint, City of Dayton Water, etc.
4. Variance approval for 1703 Wayne Ave. to allow for 0' foot front setback instead of the 10' minimum front setback.

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Dr. Julius Beckham	Excused	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Excused		



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2. PLN2023-00013 – Record Plan – O’Neill-Rice Plat

Applicant: Eric A. Moody, P.S. / EAM GeoData Solutions
Priority Land Use Board: North Central Planning District: Five Oaks
Decision: Approved with conditions

Staff Comments

Susan Vincent presented the staff report and recommended conditions. The request is for lot split and consolidation of three (3) City lots into two (2) City lots. The lots meet the minimum requirements of the MR-5 Mature Single-Family Residential District. Ms. Vincent explained that the house shown on the aerial map on the central lot has since been demolished and that the residential owners intend to split the central lot and create new side-yards for their homes.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Mr. Sauer seconded by Mr. Allen and carried to approve Case PLN2023-00013 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 AES, Centerpoint, City of Dayton Water, etc.

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Dr. Julius Beckham	Excused	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Excused		

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3. PLN2023-00004 – A Zoning Map Amendment application to change the zoning at 25 Indianola Street from Mature Neighborhood Commercial (MNC) to Mature Single-Family Residential (MR-5). The property owner (City of Dayton) is seeking to sell the property and proposes to first change the zoning to a more neighborhood-compatible zoning designation.

Applicant: City of Dayton c/o Todd Kinskey
Priority Land Use Board: North Central Planning District: North Riverdale
Decision: Recommended Approval

Staff Comments

Tony Kroeger presented the case information, which is a Zoning Map Amendment application to change the zoning at 25 Indianola Street from Mature Neighborhood Commercial (MNC) to Mature Single-Family Residential (MR-5).

Mr. Kroeger presented the background on the request and the rationale for it.

The City of Dayton owns the subject property, which is the former Whitmer Brothers Funeral Home. It is zoned Mature Neighborhood Commercial (MNC). The City wishes to sell the property, but before the sale, proposes to rezone the property to Mature Single Family residential (MR-5). The intent is to avoid potential land use conflicts that could arise if the property is zoned MNC. While zoned commercially, this property is in a residential area. It is not located directly on North Main Street.

The City intends to list the property on GovDeals, an auction-style site. The starting bid price will be \$55,200.00, approximately the assessed value. There will be a requirement to show proof of funds in the amount of \$50,000.00 plus purchase price. Bidders must meet certain criteria, such as not owing delinquent taxes on other properties in the County.

While MR-5 is a single-family residential zoning district, that is not to say a single-family home is the only thing that can possibly go here. There are some other uses permitted in this zoning district, and if someone has an idea that can be supported for a use that is not permitted, it could occur if approved through a public process.

The North Central Priority Land Use Board voted unanimously (6 to 0) to recommend approval of the zoning map amendment.

Staff received one email, which was from a resident on Elmwood Avenue East in support of the zoning map amendment request.

Board Questions for Staff

Mr. Sauer inquired about the potential for this seen to be a precedent for changing zoning from commercial to residential when such a change would not always be desired. To address this question, staff indicated that the Ordinance could specify how this does not set such a precedent. Ms. Schenking felt that the rezoning makes sense to avoid a corrosive use, and if a commercial use makes sense here, there are ways



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to allow that. Mr. Kinskey reiterated this potential course and answered a question about the condition of the property.

Public Comments

Deborah Coppess of 103 Indianola Avenue spoke in favor of the proposed zoning change. She expressed that the subject structure would make an excellent single-family home. Commercial uses are not desired at this location.

Board Discussion

The board found the requested rezoning to be appropriate and brought forth a motion to approve.

Board Action

A motion was made by Mr. Sauer seconded by Mr. Allen and carried to recommend to the City Commission that Case PLN2023-00004 be approved, based on the unique conditions and history of the site.

Mr. William Allen	Yes	Mr. Matt Sauer	Yes
Dr. Julius Beckham	excused	Ms. Ann Schenking	Yes
Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	excused		

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4. PLN2023-00010 – Planned Development Located near the intersection of Bellefontaine Rd and Fishburg Rd

Applicant: Maronda Homes

Priority Land Use Board: Northeast Planning District: Pheasant Hill

Decision: Recommended approval to City Commission

Staff Comments

Jeff Green presented the request which is to remove PD-81 from the subject property boundaries and replace it with a new PD for 196 detached single-family homes and an area for attached single family. Mr. Green noted that this request is not a final plan approval and will be brought back to Plan Board for approval of each phase.

Mr. Green went over the plans and development standards for the proposal as well as sharing the site plan. He compared the plan and standards for the proposed PD and existing PD-81 and noted they are similar in approach though the proposed PD and plans would be less dense in nature for the site overall. Mr. Green noted the inclusion of street trees, preservation of most mature trees, pedestrian connectivity, buffering and open space elements of the plan.

Mr. Green stated that the plan is proposed in 4 phases with each phase being required to come back for final approval by Plan Board. He reiterated that what was being requested of Plan Board is for the removal of PD-81 and replace it with new a new PD and standards. Mr. Green shared the buffering/landscaping package that is proposed around the entirety of the development with a 30' minimum perimeter buffer and examples of housing size and elevations.

For public comment, Mr. Green noted that the Northeast Priority Land Use Board met on February 7th, 2023, and voted (4-3) to recommend denial of the proposal due to changes in density. He stated that 6 comments were received in opposition to the proposal from individuals and gave a brief summary of each comment.

Mr. Green went over the standards for approval and noted staff believes they could be met. He reiterated that this request is only to remove PD-81 from the site and replace it with a new PD meaning each phase would have to come back to the board for approval. Mr. Green stated that staff would recommend the application be approved and based that recommendation on meeting the necessary standards, similarity to existing PD, and the ability to meet objectives of both the Northeast Neighborhood Visions Plan as well as the Comprehensive Plan.

Public Comments

Ms. Schenking asked for clarification on how much of PD-81 would be revoked. Mr. Green specified that PD-81 would only be revoked for the subject property, leaving the rest of PD-81 in place. Mr. Scott stated that should they move to approve; they would have to ensure the motion only impacts the subject property in question.

Mr. Allen asked about the impact Fishburg Road being a Huber Heights road would have. Mr. Green stated that the main impact would be Huber Heights dictating what road improvements would be required.



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Joanne Shelly, 5980 Wilcox Place Dublin OH, identified herself as the planner for the proposal. Ms. Shelly noted the intent is to provide a variety of housing types for the community. She discussed the concerns of density from the community and handed the board a chart showing potential densities with the existing Planned Development. Ms. Shelly stated that with the existing development standards for designated housing areas, up to 550 to 680 housing units could be built. She explained the proposed plan in her opinion is a better fit. Ms. Shelly handed out another document that showed the location of nearby emergency services facilities (fire houses 8 and 12) which could service the site. Mr. Shelly went over the other concerns from the public and other aspects of the proposed plan.

Mr. Sauer and Ms. Shelly had a discussion in regards to an open space area being placed adjacent to a street.

Michelle Hudnell, 1006 Yellow Springs-Fairfield Road Bath Township OH, identified herself as the Zoning Administrator for Bath Township. Present to answer any questions and is not for or against the proposal. Ms. Hudnell stated they have concerns in regard to traffic and stormwater running off to prime agricultural land. She stated she would like to keep the open line of communication, so the Greene County engineer has a chance to review the stormwater and traffic study plans.

William Troy, 6747 Stovali Dr Dayton OH, identified the main concern is stormwater becoming an issue and backing into their house. Mr. Troy noted he spoke earlier with the applicant who has confidence this will not be an issue. Has concerns about traffic but is glad to see the main connection is Stovali Drive.

Mark Ortega, 6374 Fishburg Road Huber Heights, expressed concerns with the loss of agricultural land to this type of residential development, traffic impact on Fishburg Rd, whether the land is considered a wetland, the storm water issues, amount of time given for a notice, and the meeting being held on Valentine's day. Believes the proposal should be taken to a place that is supported by the neighbors.

Artie Duffy, 6450 Fishburg Rd Huber Heights, noted she will probably be the most impacted property owner and will have 7-8 homes abutting her land. Agrees with the plan simply due to having a maximum of 200+ homes vs 500+ homes. Ms. Duffy is requesting a privacy fence along her property line to keep trash and people out of her property.

Board Discussion

The board had no further discussion on the proposal

Board Action

A motion was made by Ms. Miller seconded by Mr. Sauer and carried to recommend City Commission approve the request to remove Planned Development-81 from the sections presented on the attached map dated February 2023 for 74.578 acres 1,308 feet east of the intersection of Bellefontaine Road and Fishburg Road, leaving the rest of Planned Development-81 in place, and having a new Planned Development (PD-186) placed on the subject property by finding that the applicable criteria in R.C.G.O. §150.125.7(1-8) and R.C.G.O. §150.350.7 can be met.

Mr. William Allen
Dr. Julius Beckham

Yes
Excused

Mr. Matt Sauer
Ms. Ann Schenking

Yes
Excused



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Ms. Rosalyn Miller	Yes	Mr. Greg Scott	Yes
Ms. Geraldine Pegues	Excused		

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5. PLN2023-00012 – A work session for a proposed Planned Development zoning overlay and to change the underlying zoning from Eclectic Single-Family Residential (ER-4) to Eclectic Multi-Family (EMF) for property between Princeton Dr. and Harvard Blvd. on the west side of Salem Avenue (approx. addresses 1000-1056 Salem Ave.) allowing for a two-phased multi-family residential development of approximately 183 units for seniors.

Applicant: National Church Residences Land Holdings, Inc.
Priority Land Use Board: North Central Planning District: University Row
Decision: No decision (work session only)

Staff Comments

Tony Kroeger presented the case information, which is a work session for a proposed Planned Development zoning overlay and to change the underlying zoning from Eclectic Single-Family Residential (ER-4) to Eclectic Multi-Family (EMF) for property between Princeton Dr. and Harvard Blvd. on the west side of Salem Avenue (approx. addresses 1000-1056 Salem Ave.) allowing for a two-phased multi-family residential development of approximately 183 units for seniors.

Mr. Kroeger presented information regarding the proposed development.

This is a two-phased proposed residential development just north of Grace United Methodist Church. The proposal includes two phases of residential development. The first phase is a four-story senior living building with 115 apartments made up of 88 one-bedroom and 27 two-bedroom units. The second phase is a four-story senior living building with approximately 68 apartments made up of one- and two-bedroom units. Approximately 45 parking spaces will be provided for this second phase.

The housing is for seniors. It is independent living with a suite of amenities and services.

The proposed site plan requires the vacation of Dartmouth Drive. Dartmouth would remain open from Amherst Pl. to about halfway between Amherst Pl. and Salem Avenue. How Dartmouth terminates at that point will be subject to public works input and Plan Board approval. The vacated part of Dartmouth would be incorporated into the site plan. There are no major utilities under this segment of Dartmouth.

Street trees are shown along the Salem Avenue frontage of the Phase 1, however none are shown for Phase 2. The applicant states street trees will be provided; the phase 2 plan is more preliminary and will be subject to Final Plan approval from the Plan Board.

The site plan indicates a building setback of 15 feet from Salem Avenue. It appears that the parking lots are setback 10 feet. Given the typical preference for parking to be located behind the front line of the building, Plan Board may wish to consider ensuring that there are no parking spaces closer to the right-of-way than the building.

As for parking counts, approximately one space would be provided per unit. This would meet typical zoning code requirements, except for the typical additional one space provided for every 10 units. Given that the housing is for seniors and many will not have vehicles, this seems like a reasonable number. This is substantiated by the developer's experience and what we see with other senior housing developments in



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Dayton. Phase 2 has a lower parking ratio; of course, what is ultimately provided in Phase 2 can be informed by what happens in Phase 1.

Vehicular access is proposed from Salem Avenue (two curb cuts). It is typically preferred to avoid direct vehicular access from corridors like Salem Avenue when possible. However, alternative options are not necessarily better given that they would be rather indirect and circuitous, adding vehicular traffic to the single-family residential area.

Phase 2 includes the removal of the gymnasium and classroom/daycare buildings that are located north of the church space itself. These spaces are no longer needed by the church.

A meeting with neighborhood residents and stakeholders hosted by Grace Church and National Church Residences occurred on January 31, 2023. While there were some questions from the audience regarding items such as phasing, circulation, and impact to the church, the overall feeling was one of support.

Ms. Miller asked if there would be vehicular access to Dartmouth. She explained that may be something drivers desire.

Todd Kinskey noted that a development of this nature was envisioned in the adopted Northwest Neighborhoods Vision Plan – including the vacation of Dartmouth.

Kevin Brown, the applicant of National Church Residences at 2245 North Bank Drive, Columbus, Ohio, spoke about the proposed development.

Mr. Brown described the plan and how it follows through on the Northwest Neighborhoods Vision. He noted:

- The number of units, the amenities
- The phasing
- Access from Salem Avenue with a road around the building
- The porte cochere location at the south entrance
- That trash would be handled interior to the building
- The topography of the site and how it impacts the structure

Mr. Sauer asked about the southeast corner of the building. Mr. Brown noted that is where a lot of the non-residential supporting elements would be located.

Continuing, Mr. Brown noted:

- The conformance with the Northwest Neighborhoods Vision Plan
- That vehicular access was not proposed from Dartmouth
- The structures that will be demolished
- The spaces of the Grace property that are included in the PD would remain while Phase 1 is being constructed and would be used for things like a construction office
- The community meeting on Jan 31, 2023, with about 60-70 people in attendance



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An additional community meeting would occur after approval by the City, he said. If things go well, they are looking to start end of 2023 or first quarter of 2024, with first residents in 2025.

Mr. Allen said that the project seemed very large. He asked if National Church has other such sized properties of this nature in or around Dayton.

Mr. Brown said, not in Dayton. He gave background on the company and noted the 646 units managed by National Church in the Dayton area. He described residents as 75 and up who want all the amenities of a development like this; it is not assisted living—it is independent living.

He noted that National Church is part of the renovation of Grand Place, also on Salem Avenue.

Mr. Allen asked how this development fits into the area, given the size. Traffic was a concern – specifically as it relates to the busy Salem Avenue. It is just a big concentration of people, he felt.

Mr. Brown said that the size of phase 1 is aligned with the market study. Second phase would occur in the future and would be informed by the first phase. He felt that if traffic studies were performed, they would not indicate a major impact, because seniors tend not to travel at peak times.

Mr. Sauer expressed that he did not have concerns with density.

Mr. Scott inquired about the relationship of the parking and building. The typical preference is to have parking behind the front line of the building. He also suggested that the Phase 2 building maybe ought to address the street more and have the parking behind it – could the phase 2 building be turned to be hide the parking? Mr. Scott asked if the property could be accessed from Harvard. It was again discussed if vehicles can come from Dartmouth. Mr. Brown said that had not been considered but could be studied. Mr. Sauer asked if the driveway widths on Salem can be minimized. Mr. Sauer inquired about the orientation of the building – should the U-shape be flipped, so that the courtyard faces Salem Avenue? Mr. Brown said that the proposed design is preferred for the street presence it provides and for the enjoyment of the courtyard.

Brad Pauling of pH7 Architects at 448 West Nationwide Boulevard in Columbus, Ohio, spoke about the project. Mr. Pauling explained why the orientation of the building has been proposed, indicating that a more private courtyard environment is preferred.

There was a discussion about the porte cochere and how it relates to Salem. Mr. Sauer also noted the tudor-esque façade design in the Northwest Neighborhoods Vision plan, and he felt that flipping the orientation of the building to a courtyard apartment-type design would be more aligned with the character and time in which much of the corridor was built.

Mr. Sauer noted that main entrances to the street as well as front porches and stoops are typically required in the zoning code.

Ms. Miller noted that Huffman Place is managed by National Church and compared that housing development with the one proposed.



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There was additional discussion about the orientation of the building, and the impacts of the proposed layout vs. one where the courtyard faces Salem Avenue.

There was additional discussion about the courtyard, as well as the age range of the prospective residents.

Susan Vincent of the Planning staff inquired about pedestrian access to Dartmouth. It may make sense to allow residents easy walking access to the neighborhood. Mr. Brown indicated a willingness to explore that idea.

Mr. Scott thanked the applicants and indicated that they have some concepts to think about when bringing forth the Planned Development for approval.

Board Action

As this was just a work session, there was no vote of the board.

Minutes approved by the City Plan Board on March 14, 2023.

Susan Vincent, Secretary
City Plan Board