



City of Dayton City Plan Board

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Summary Minute Record March 9, 2021

Establish an Honorary Designation for East Monument Avenue (From North Main Street to North Patterson Boulevard) as “Det. Jorge Del Rio Way.” The official name of East Monument Avenue will remain. It is proposed to be a two-year honorary designation.

Applicant: Lt. Stephen Clark on behalf of Kathy Del Rio
335 W. Third St.
Dayton, OH 45402

Priority Land Use Board: Greater Downtown Planning District: Downtown
Decision: Approved

Staff Comments

Tony Kroeger presented the staff report.

Background: On November 4, 2019, members of the Dayton Police Department Narcotics Unit and the Drug Enforcement Agency (DEA) were serving a search warrant, and upon entering the residence, Detective Jorge R. Del Rio was ambushed by an armed suspect.

Detective Del Rio was shot in the ambush and succumbed to his injuries on November 7, 2019.

Detective Del Rio was a 30 year veteran of the Dayton Police Department and was a DEA Task Force Officer for 19 years.

Board Authority and Requirements:

According to the requirements of Resolution 5014-99, Amended Rules and Procedures for the Naming of Public Right of Way (and Public Facilities), the Plan Board shall review the request and make recommendation to the City Commission to approve the request or an alternate proposal.

Staff Analysis Regarding Determination and Findings:

Resolution 5014-99 details the process to be followed when bestowing an honorary designation on a public right-of-way. Staff believes the findings and determinations can be made, and recommends that the Plan Board send the proposal on to City Commission with a recommendation for approval.

Agencies and Groups Contacted:

Abutting property owners, the Greater Downtown Land Use Board, and the City’s Public Works, Police and Fire departments.

Impacts and Comments:

There should be no negative impact by implementing the proposal. This is an honorary designation, not an official renaming of this portion of Monument Avenue. The honorary designation will be recognized by

signs posted above the street signs. Attached are petitions signed by property owners representing more than the required 51 percent support thereof.

The Departments of Public Works, Fire, and Police have stated no objections to the designation. The honorary designation is also supported by the Greater Downtown Land Use Board.

Determinations and Findings:

Staff believes that the application meets the rules and guidelines set forth in Resolution Number 5014-99, and therefor recommends approval.

According to the resolution, honorary designations shall meet the following criteria:

- a. The designation shall be confined to the right-of-way within the vicinity of the home, business, or location associated with the person(s) or event.

Det. Del Rio had an office in one of the buildings on this segment of Monument Avenue.

- b. The designation shall not be an Arterial as listed on the Official Thoroughfare Plan.

Monument Avenue is not an arterial and has been determined by the Department of Public Works to be appropriate for an honorary designation.

- c. There shall be only one honorary designation per facility or right-of-way.

There is no current designation for this portion of Monument Avenue.

- d. An important community event, organization or well-known person(s) is a person or entity who has made a sustained contribution, over a long period of time, above and beyond the call of duty and demonstrated leadership relating to governance, human relations and development, or neighborhood development.

- A person(s) who has made specific and sustained contributions to an organization located in or in proximity to the facility.
- An event that recognized statewide or nationwide.

Det. Del Rio, through his 30 years of service to the City of Dayton Department of Police, made a sustained impact for the betterment of the community.

- e. The important community event, organization, or well-known person(s) shall be directly related to the public facility or the public right-of way, i.e. lived, worked, went to school, etc. at the location specified. Only one honorary designation shall be permitted for each person(s) or community event. Preference shall be given to intersections and other limited locations.

The presence of his office on this segment satisfies this requirement.

Public Comments

Lt. Stephen Clark spoke in support of the application and thanked the Plan Board for their consideration.

Board Discussion

The Board found that the application could be approved and endorsed based on the required standards in the allowing Resolution.

Board Action

The Plan Board unanimously (6 to 0) voted to approve the proposal to give a two-year honorary designation (“Det. Jorge Del Rio Way”) to East Monument Avenue from North Main Street to North Patterson Boulevard because the proposal meets the requirements outlined in City Commission Resolution 5014-99.

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

Minutes approved by the City Plan Board on April 13, 2021.

Tony Kroeger, Secretary City Plan Board



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2. PLN2021-00045 – Record Plan – Dayton Metro Library Burkhardt Branch

Applicant: Burkhardt Engineering

Priority Land Use Board: Northeast

Planning District: Springfield

Decision: Approved with Conditions

Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will consolidate three (3) City lots into one (1) City lot. The lot meets the requirements of the SR-2 Suburban Single-family Residential District.

This case will consolidate lots for the new Burkhardt branch of the Dayton Metro Library. The existing building will be demolished and a new library constructed on the combined lots.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Ms. Pegues seconded by Mr. Sauer and carried to approve Case PLN202-00045 with the following recommendations:

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. Revise the dedication statement as shown in the example provided by the City Engineer.

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

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3. PLN2021-00046 – Record Plan – Lakeview Estates A

Applicant: CHA Consulting

Priority Land Use Board: West

Planning District: Lakeview

Decision: Approved with Conditions

Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will consolidate three (3) City lots into one (1) City lot and a dedication of right-of-way along Dearborn Avenue. The lot meets the requirements of the EMF Eclectic Multi-family Residential District.

This area was recently rezoned to MMF. It includes multi-family dwellings and will construct a management office onsite for the complex in the near future.

Public Comments

None.

Board Discussion

None.

Board Action

A motion was made by Mr. Bradley, seconded by Ms. Pegues and carried to approve Case PLN2021-0046 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. Add a date underneath the title block.
5. Include the lot numbers across from the new lot. Contact the City Engineer for clarification.
6. Dedicate 5-ft to ROW along Dearborn Avenue to comply with the Schedule of Thoroughfares requirement of 25-ft from centerline.
7. Retain a 20-ft easement, centered, on an existing 10" storm sewer that runs through the subject property. See submitted map for location.

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

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4. PLN2021-00047 – Record Plan – NP Dayton Building VIII

Applicant: Northpoint, c/o Marc Werner
Priority Land Use Board: N/A Planning District: Airport
Decision: Approved with Conditions

Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will subdivide one (1) City lot into two (2) City lots and a dedication of right-of-way along N Dixie Drive to the City of Vandalia. The lots meet the requirements of the AP Airport District.

The right-of-way to be dedicated will be within Vandalia.

Public Comments

Aaron Hujar, Northpoint, 3137 Sparrows Crest, Akron, OH 44319, stated that property will be split from the larger Dayton Airport as one large piece and will include the old fire station. (location map slightly incorrect). Marc Werner, Northpoint, 6867 Hurd Ave, Cincinnati, OH 45227, stated the property will be used for a speculative distribution facility. They don't currently have a tenant in place, but have requests for proposals geared toward e-commerce users.

Board Discussion

Ms. Pegues asked what the site will be used for once split.

Board Action

A motion was made by Mr. Bradley, seconded by Mr. Sauer and carried to approve Case PLN2021-00047 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. Revise the dedication statement as shown in the example provided by the City Engineer.
5. Add an owner's statement as shown in the example provided by the City Engineer.
6. Add Montgomery County Engineers signature line block as shown in example provided by City Engineer.
7. Establish a 10-ft easement, centered on the buried AT&T facilities. See submitted map for location.

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

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5. PLN2021-00048 – Record Plan – Salem-Kenilworth

Applicant: Cassandra & Shayn Hornik

Priority Land Use Board: North Central Planning District: Five Oaks

Decision: Approved with Conditions

Staff Comments

Abigail Free presented the staff report and recommended conditions. This record plan will consolidate eight (8) City lots into four (4) City lots. The lots meet the requirements of the ER-4 Eclectic Single-family Residential District. Three property owners are included on the Record Plan. They will be cleaning up part lots and also swapping some land.

Public Comments

None.

Board Discussion

Mr. Sauer asked about Coffman and Felkner as owners. They are missing on the owner's statement. Ms. Free clarified that one condition is to revise the owner's statement to include all three owners. Mr. Sauer asked if the fifth condition meets all the criteria? Or should it be changed to ensure all owners sign. Mr. Kinsky pointed out that if they don't have the signatures of all owners, then it can't be recorded. Mr. Scott wanted clarification if all of the owners were applicants. Ms. Free stated that Cassandra and Shayn Hornik were listed as the applicants. She also included "all" in the fifth condition to include the three separate property's owners. A revision to change it to "all three" or "all affected" in the fifth condition was recommended. It looks as though the Horniks were included three times, instead of the three separate owners.

Board Action

A motion was made by Ms. Miller, seconded by Ms. Pegues and carried to approve Case PLN2021-00048 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. Revise the dedication statement as shown in the example provided by the City Engineer.
5. Add all owner's statements as shown in the example provided by the City Engineer.

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

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6. PLN2021-00055 – Public Way Vacation – S Orchard Avenue

Applicant: Randall Lucas

Priority Land Use Board: West

Planning District: Roosevelt

Decision: Conditions Established

Staff Comments

Abigail Free presented the staff report and recommended conditions. This vacation shall establish conditions to vacate South Orchard Avenue from Home Avenue to US Route 35. Land on both sides of S Orchard Avenue is vacant. The Applicant owns land on each side of the street stub. The subject area is located within the I-1 (light industrial) zoning district.

The Plan Board established conditions for approval for this vacation in February 2019. Since more than a year has passed, the vacation requires re-approval.

Public Comments

None.

Board Discussion

Mr. Payne asked if the applicant explained why they did not complete the vacation in 2019. Ms. Free clarified that she was the staff person for the previous case and that the applicant was also present at that hearing. The property owner believed it wasn't able to be vacated. The Applicant stated that another staff person told him that the vacant was denied even though a decision memo for the case stated it was approved with three conditions.

Mr. Sauer wanted clarification on the second sentence within the first condition. Ms. Free brought up the water map showing the water utilities within S Orchard Ave. The condition asks for 10-ft from the corner of the outside water utilities which is roughly 40-ft. Mr. Sauer recommends the condition be more specific and not simplified.

Ms. Free also provided some additional backstory about a recent BZA case abutting the ROW. The vacation will allow the property owner to combine lots on both sides of the ROW to increase the size of his lot to better comply with the proposed use. The proposed use is motor vehicle repair and truck terminal for dump trucks. The truck terminal requires 3-acres and motor vehicle repair requires 1-acre. The BZA case was denied due to the small lot size. The owner would need to consolidate the lots before reapplying to the BZA. However, consolidation of the lots will not provide any guarantee that the proposed uses will be approved in the future.

Board Action

A motion was made by Mr. Payne, seconded by Mr. Sauer and carried to approve Case PLN2021-00055 with the following conditions (*condition 1 revised*):

1. ~~An approximate 40-ft wide, centered easement shall be established for the water utilities within S Orchard Avenue. The east and west easement boundaries shall have a minimum of 10-ft clearance from the nearest water utility.~~ Establish an easement with boundaries of 40-feet wide for the 113'x72" storm sewer and 10-feet east of the 6" water main and 10-feet west of the 30" sanitary main, with the utility centered in the easement.

2. That 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. That the alley mouth at Home Avenue 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 vacation and to City of Dayton standards.

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

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PLN2021-00053 – Northeast Neighborhood Vision Plan

Applicant: Todd Kinskey
101 W. Third St.
Dayton, OH 45402

Priority Land Use Board: Northeast Planning District: N/A

Decision: Approved

Staff comments

Jeff Green presented the Northeast Dayton Neighborhood Vision. Mr. Green went through key features and components of the plan and described its purpose and how it was developed.

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 September 2020 by Urban Design Associates (UDA) in collaboration with the Department of Planning and Community Development staff, CityWide staff, and many stakeholders, residents, and business owners. The public involvement is indicated below:

Phase 1: Kickoff and Understanding

- Sharing of data, base-mapping, and drawing of proposed ideas
- Tour of Northeast Dayton neighborhoods
- Meetings with any key stakeholders, such as business owners and neighborhood institutions, who have been active or will be central to executing the vision in the future

Phase 2: Building the Vision

Residents, stakeholders, and city staff helped develop the vision in a four-day workshop that included:

- Coordination of existing plans for catalytic projects
- Live illustration of the vision
- Discussions about revitalizing commercial corridors and nodes
- Explore sequencing and prioritize projects for implementation
- Host open houses for the community to provide feedback and build support
- Final Workshop Presentation - community members and stakeholders participate in the final presentation.

Phase 3: Documenting the Vision

- Incorporation of input from the workshop Summarize the previous work, community engagement process, and catalytic housing and development strategies.
- Further refinement of catalytic housing and development strategies

Because one of the primary purposes of the Northeast Neighborhood Vision was to bring together previous and ongoing plans into one document, the following were among those that informed this effort:

- Riverfront Master Plan
- Da Vinci Plan
- Da Vinci Transportation Strategy
- Five Rivers MetroParks Island Park Master Plan
- Keowee/Webster Corridor Rehab and Market Analysis
- McCook Field Neighborhood Strategic Plan
- Old North Dayton Neighborhood Plan
- City's Transportation Plan
- City's Urban Design Guidelines
- City's Livable Streets Policy
- Valleycrest Landfill Reuse Assessment
- Behr Dayton Thermal VOC Plume Environmental Study

Through this plan, a number of common themes emerged, such as connectivity, corridors, open space, and placemaking.

Key geographic focus areas include: McCook Field (Including Webster Street Corridor); Kettering Field and Keowee Street; DeWeese Neighborhood; Old North Dayton (Including Troy Street Corridor and Valley Street Corridor); Historic Inner East (Including The Flight Line, E Third Street Corridor, and Burkhardt/Eastern Hills); and various existing, emerging, and future parkways, trails, and parks.

The document concludes with an implementation strategy, including a list of projects, lead agency, time frames, and potential funding sources.

Public Input

The North East Land Use Board met on Tuesday, February 4th and recommended proposed Northeast Neighborhood Vision Plan be approved.

Michael Herrlein, DeWeese Ridgecrest Civic Association President, recommends the proposed plan be adopted.

Staff has received one other comment from the public who agreed with aspects of the plan but asked that more emphasis be put on the tornado cleanup, petty crime, and the potential addition to sidewalks along Ridge Avenue.

Recommendation

Staff would recommend the Northeast Vision Plan be approved with the following additions to the text:

- On page 26 (DeWeese Recommendations), add the following text under a new bullet point "Ridge Avenue pedestrian infrastructure be improved and added as the opportunity presents."