



City of Dayton

City Plan Board

Summary Minute Record June 8, 2021

1. PLN2021-00234 – Record Plan – The Flight

Applicant: RLF Architect & Associates c/o Robert Fiorita
Priority Land Use Board: Downtown Planning District: University Park
Decision: Approved with Conditions

Staff Comments

Abigail Free presented the staff report and recommended conditions. The record plan is will consolidate three (3) City lots and a vacated alley into two (2) City lots and a dedication along Alberta and Wyoming Streets. The lots meet the requirements of the CI Campus Institutional District. The site was a former school and is now vacant land.

Public Comments

None

Board Discussion

Mr. Sauer asked about the “L” shaped dashed line on the west property line and if it is an existing easement? Ms. Free clarified that will be an easement.


Board Action

A motion was made by Mr. Payne seconded by Ms. Miller and carried to approve Case PLN2021-00234 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. Show lot lines and lot numbers across the streets (Wyoming, Alberta, and O’Bell) from the proposed record plan.
5. Make sure all dates are 2021.

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

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


Tony Kroeger, Secretary
City Plan Board

CITY OF DAYTON PLAN BOARD MINUTES

JUNE 8, 2021 MEETING

2. PLN2021-00199 – UD Center for the Arts

Applicant: Champlin Architects

Priority Land Use Board: Downtown Planning District: University Park

Decision: Denied

Staff Comments

Susan Vincent presented the staff report and recommended conditions. Ms. Vincent presented the case background including the original site plan submitted by the applicant compared with the revised plan submitted for consideration. She reviewed the original conditions and how the applicant proposed to meet or address the conditions including restricting vehicular access at a new Stewart St. curb cut, adding pedestrian egress along the eastern boundary of the arts center, increasing the landscaping planned for the northern façade, and mitigating the loss of the existing trees by planting 57 new trees on site.

Ms. Vincent pointed out that the revised plan met the spirit, or the letter, of three of the four original conditions and that the core question for the Board's review was the removal of the existing mature ginkgo trees. While the applicant argued that the trees would not survive with the building in its current configuration, Ms. Vincent stated that the original condition to incorporate the trees into the site plan was determined based on that reality that if the building location or design did not shift, the trees would need to be removed. She further stated that strong urban design and preservation of existing features are not mutually exclusive and shared her difficulty in evaluating the applicant's long-term programmatic needs for the property based on UD's current General Development Plan which is out-of-date. She further asked if removing the trees would end up being a temporary solution versus a long-term need.

Ms. Vincent indicated that if no new information was provided by UD, that her original recommendation would remain the same with four conditions. However, if UD were to provide additional information regarding the permanence of the site plan and the long-term nature of the configuration then the board would need to weigh the mitigation plan provided against the loss of the existing mature trees. If the board determined the mitigation plan was sufficient, she proposed two new conditions for approval for the Board's consideration:

- That the multi-use path shall continue uninterrupted, on a level plane, across the E. Stewart Street curb cut; and,
- That removable bollards shall be installed to restrict E. Stewart Street access to when only necessary for emergencies and/or deliveries and signage shall be installed to express this restriction. The final quantity and locations of bollards and signage shall be subject to approval by the Director of the Department of Planning and Community Development prior to installation.

Public Comments

Mark Thurnauer, Champlin Architecture (720 East Pete Rose Way, Ste 140, Cincinnati, Ohio 45202), spoke as the applicant on the case. Mr. Thurnauer shared additional details regarding the breath of the existing tree canopy, the implications to the project if the trees were to remain, and the inability for the applicant to shift the site plan due to the programmatic and spatial needs of the band field. Mr. Thurnauer further explained the mitigation plan to accommodate for the loss of the mature trees including an increase in the number of trees, an increase in the caliper of tree included, and a focus on native species. In response to a question raised by Mr. Sauer, Mr. Thurnauer clarified that the changes proposed to the western sidewalk that runs along the S. Main frontage would be restricted to the site and not continue south. In response to a question posed by Carl Daugherty, Mr. Thurnauer confirmed that the building meets the Zoning Code's requirement for a 25 ft setback.

Rick Krysiak, University of Dayton (201 Brown Street, Dayton, Ohio 45410), addressed questions raised about the band field. He stressed that the field is indeed an outdoor classroom and requires the full amount of the space allocated to it on the site plan. He further shared that the band practice field is planned to be a permanent location for the field partly due to its proximity to the Fitz Center in which all the arts programming is housed. He stressed that there are no plans for the practice field to move. In response to a question raised by Mr. Payne regarding future plans for Rubicon Street and for an updated master plan, Mr. Krysiak shared there are no plans to change anything on Rubicon. He further shared that a plan was put forth to budget an updated master plan in 2019 but was delayed due to COVID. The current plan is to update the master plan in FY22. In response to Mr. Scott's questions regarding the project's ability to find 25' within the building or on the site plan, Mr. Thurnauer shared the complexity of the building's mechanical and acoustic design and the level of difficulty of attempting a redesign at this juncture.

Mr. Sauer raised a question regarding who is responsible for maintaining the Rubicon right-of-way. Mr. Daugherty shared that the right-of-way is privately owned.

Brian Stewart (136 High Street, Dayton, Ohio 45402) spoke on the nature of Main street as a primary entrance into downtown, his personal connection to UD as a graduate, and his opinion that allowing UD to remove the existing trees would be a slippery slope. He asked for the Board to consider keeping the trees as a condition of approval.

Todd Wales (Kliengers Group, 6219 Centerpark Drive, Westchester) spoke as the landscape architect for the project. He shared the impact any construction at the site would have on the existing ginkgo trees and the likelihood that they would eventually die. He stressed the mitigation plan's inclusion of fifty-seven (57) new trees.

Board Discussion

Mr. Payne and Mr. Scott raised questions about the procedural process regarding if the Plan Board should be reviewing this re-submission. Mr. Kroeger explained that the current plan is materially different from the original submission and so Planning staff were required to bring forth the application for the Board's consideration. Mr. Scott shared his perspective regarding setting precedents with reconsidering applications and his desire to respect the finality of Plan Board decisions.

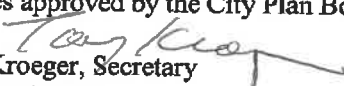
Mr. Scott asked the applicant regarding the option of shifting or reducing the width of the lobby area indicated on the floor plan. Mr. Thurnauer explained that the lobby is also a programmatic space that has spatial requirements and is not able to be easily altered.

Board Action

A motion was made by Mr. Payne seconded by Mr. Sauer and carried to deny Case PLN2021-00199 based on their inability to make the necessary determinations found in R.C.G.O. §150.115.10.

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

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