



# City of Dayton

## City Plan Board

Page 1

### Summary Minute Record September 14, 2021

**1. PLN2021-00395 – An Honorary Designation request for South Orchard Avenue from West Third Street to Home Avenue to be honorarily designated as “John McClendon, Jr. Way.”** South Orchard Ave. is adjacent to the McClendon Institute for Learning.

Applicant: Renee McClendon

Priority Land Use Board: West

Planning District: Roosevelt

Decision: Approved

---

#### Staff Comments

Tony Kroeger presented the staff report, which is included below:

**Background:** Renee McClendon has applied for a two-year honorary street designation for the segment of South Orchard Avenue adjacent to the McClendon Center. The McClendon Center was established by John McClendon, Jr. Biographical information regarding Mr. McClendon is attached to this report. Highlights of the biography include:

- Persevering through injustice to achieve an education that he had previously been dissuaded to achieve
- Using that experience to inspire others, and to teach that education is fundamental to achieving one’s ambitions
- Involvement in the transformative “Model Cities Planning Committee” which initiated valuable programs and institutions that elevated the African American community
- Playing a vital role in shaping what became the Charles R. Drew Health Center along with activating several programs focused on advancing educational attainment in the African American community
- Directing the Talent Search Program, an initiative linked to Central State University. This program provided an opportunity for Dayton community residents to pursue an undergraduate degree. During McClendon’s tenure, dozens of African American community members were able to receive financial aid and academic support.
- Serving as a teacher (for 35 years) in the Dayton Public Schools, while also conducting scholarly research on African American theologian and Morehouse graduate Dr. Howard Thurman.
- Founding of the McClendon Institute for Learning in 1983. This facility has had a significant impact on the community as a vital educational and cultural institution.

#### 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.

**Public Comments**

Darlene West – 2100 West Third Street/Dr. Martin Luther King, Jr. Way spoke in support of the application and noted the importance of the life of John McClendon. She noted that Renee McClendon would also be honored by this honorary designation She also corrected the slide presentation that inadvertently had a middle initial of “C.” Mr. Scott read from the application materials and complimented the narrative provided.

**Board Discussion**

Mr. Scott read from the application materials and complimented the narrative provided. The Board felt that the application could be approved, and all applicable criteria could be met.

**Board Action**

A motion was made by Mr. Payne, seconded by Ms. Pegues and carried to approve Case PLN2021-00395 to give a two-year honorary designation because the proposal meets the requirements outlined in City Commission Resolution 5014-99.

Rosalyn Miller	Absent	Matt Sauer	Yes
Geraldine Pegues	Yes	Greg Scott	Yes
Jeff Payne	Yes	Ann Schenking	Yes

Minutes approved by the City Plan Board on September 14, 2021.

Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 15, 2021

#### 2. PLN2021-00393 – Record Plan – Liberty Bravo III-B

Applicant: Willow Hills Developers

Priority Land Use Board: Northeast

Planning District: Kittyhawk

Decision: Approved with Conditions

---

#### Staff Comments

Tony Kroeger presented the staff report and recommended conditions. The record plan will subdivide one (1) City lot into two (2) City lots. The lots meet the requirements of the SR-1/ PD-175 Suburban single-family residential district with Planned Development Overlay. This subdivision is an interim step to subdividing the large parcels into residentially size lots for Willow Hills Section 2.

#### Applicant Comments

None

#### Public Comments

No Comments

#### Board Discussion

None

#### Board Action

A motion was made by Mr. Payne seconded by Mr. Sauer and carried to approve Case PLN2021-00393 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.

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

Minutes approved by the City Plan Board on October 12, 2021.

Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 14, 2021

**3. PLN2021-00338 – General Development Plan submittal for a new multi-family housing development proposed for the University Park planning district located at 410 Kiefaber Street within the Campus Institutional (CI) Zoning District.**

Applicant: Kevin Nels

Priority Land Use Board: Greater Downtown Planning District: University Park

Decision: Denied

---

#### Staff Comments

Susan Vincent presented the staff report.

The subject property at 410 Kiefaber Street is located within the “South Village” – a student housing area that serves the University of Dayton – which is within the University Park planning district and the Campus Institutional Zoning District (CI). The applicant requests Board approval for a general development plan to construct a 3-story dormitory (for five student roomers) including accessory parking (four enclosed spaces).

South Village is a dense, student-housing neighborhood. The applicant’s current and proposed land-use fit within the character of this environment and serve a necessary role in providing housing for University of Dayton students. While the use is appropriate, the design of the proposed new structure directly conflicts with the pedestrian nature of the street and the surrounding character of existing housing.

The three parcels and residential properties which comprise the general development plan have specific considerations due to their location and previous development patterns. 102 Lawnview Avenue is a corner property with a free-standing garage which fronts on Kiefaber Street. The entrance to the existing garage sits directly on the pedestrian sidewalk. The house on Lawnview Avenue and the garage fronting on Kiefaber Street are both contained within their own parcel (R72 03109 0012 thru 13). 412 and 414 Kiefaber Street are both located within R72 03109 0063, with 412 Kiefaber Street located in the rear of the property. A small parking pad is located on the alley. The houses which front on Lawnview Avenue do not have alley access.

The proposed general development plan includes the demolition of the existing 2-car garage and a deck built onto 102 Lawnview Avenue in order to accommodate the construction of a new 5-bedroom student-dorm house. A new surface parking lot is also added to the rear of 414 Kiefaber. These two actions eliminate both back yards for the existing properties.

In order to provide sufficient parking for the combined development site, the applicant proposes two new 2-car garages which would front on Kiefaber Street and provide a shallow front yard setback (four-feet). To determine precedent and design standards for proposed developments, our Zoning Code generally refers to the properties immediately surrounding the subject property (two on either side and four across the street). When utilizing that standard, the construction of two, front-loaded garages with such a shallow setback is inconsistent with the character of the street. When the boundary is extended further, there are very few front-loaded garages on surrounding streets; the few staff could identify within a three-block area are structures constructed under an earlier zoning code.

While application of the same standard indicates that the elimination of the rear yard for a surface parking lot is inconsistent with the neighborhood character, a more holistic review of the immediate area reveals a large surface parking lot immediately behind the subject property. Within the Campus Institutional Zoning District, developments may have 100% lot coverage and more recent University of Dayton housing developments have taken advantage of this regulation.

Outside of the parking challenge, the applicant has taken care in the design of the proposed building. Roof pitch, verticality of window openings, inclusion of bay/dormered windows, and including a street-facing front entrance are all sensitive to the architectural style of surrounding structures. In addition, the close proximity of the proposed structure to the existing homes (approximately 10 feet) is consistent with the density of the neighborhood. However, the overwhelming presence of the garage doors on the ground floor undermine the care taken in the design overall.

**Summary of units and parking spaces**

	<b>Current</b>	<b>Proposed</b>
<b>Student dorm units</b>	6 – 102 Lawnview 2 – 412 Kiefaber 4 – 414 Kiefaber <b>12 total units</b>	6 – 102 Lawnview 5 – 410 Kiefaber 2 – 412 Kiefaber 4 – 414 Kiefaber <b>17 total units</b>
<b>Parking spaces</b>	2 – 102 Lawnview (existing garage) 1 – 412 Kiefaber (lot on alley) 4 – 414 Kiefaber (lot on alley) <b>7 total spaces</b>	3 – 102 Lawnview (lot on alley) 4 – 410 Kiefaber (new garages) 1 – 412 Kiefaber (lot on alley) 4 – 414 Kiefaber (angled lot) <b>12 total spaces</b>

**Public Comments**

The Greater Downtown Priority Land Use Board will meet on Monday, September 13; their recommendation for the Board’s consideration will be shared during the board meeting on September 14th.

No additional comments were received from the community.

**Questions for Staff**

There was a discussion about the site standards, procedures regarding additional board reviews and process.

Mr. Payne discussed concerns regarding overbuilding.

There was a discussion about the process for approving a driveway and removing on-street parking.

**Applicant Comments**

The applicant, Kevin Nels, was given the opportunity to speak. Mr. Nels shared a presentation with information about the proposal, site plan, and options for design.

**Board Discussion**

There was a discussion about the height of the building, parking options, preference for the exclusion of the parking garage, change in student body behavior regarding car ownership, and parking regulations.

Mr. Kinskey asked the applicant to clarify how the applicant would preserve greenspace if the garages were not included in the plan. Additional discussion included other parking configurations.

Mr. Payne expressed his opinion that no development at this location is appropriate.

Mr. Scott asked a procedural question regarding how the Plan Board should review the submitted plans and how to ensure what they approve is what is presented to the Board of Zoning Appeals.

Ms. Schenking stated her inability to support the general development as submitted.

**Board Action**

A motion was made by Ms. Schenking, seconded by Mr. Payne and carried to recommend denial of the general development plan based on the Board's inability to make the necessary determinations found in R.C.G.O. §150.335.12 (C)(2)(b).

Ms. Rosalyn Miller	Yes	Mr. Matt Sauer	No
Ms. Geraldine Pegues	Yes	Mr. Greg Scott	Yes
Mr. Jeff Payne	Yes	Ms. Ann Schenking	Yes

Minutes approved by the City Plan Board on October 12, 2021.

Tony Kroeger, Secretary  
City Plan Board



# City of Dayton

## City Plan Board

### Summary Minute Record September 14, 2021

#### 5. PLN2021-00357 – Zoning Map Amendment for 2532 E Third St Rezoning

Applicant: NCI Dayton RA LLC  
c/o George Novogroder  
875 N. Michigan Ave Suite 3612  
Chicago, Illinois 60611

Priority Land Use Board: Northeast

Planning District: Burkhardt

Decision: Approved

---

#### Staff comments

Jeff Green presented the case, a zoning map amendment request by NCI Dayton RA LLC to rezone 1.094 acres for the property located at 2532 E. Third Street, Dayton OH 45403 from T (Transitional) to MNC (Mature Neighborhood Commercial). Per the application submitted, the property would continue to be utilized as a retail store (Rite Aid).

Mr. Green described the background of the case and presented plans and current photos. Staff recommended approval of the request.

#### Comments/Board Discussion

Mr. Sauer asked about the MNC district located a block away. Mr. Green noted that the MNC zoned parcel just down the street holds a gas station and would have likely been carved out when the code changed and many of the nearby properties were rezoned to MNC. Mr. Kroeger noted staff would look at the Third Street corridor in the future once the comprehensive plan and future land use plan was created. Mr. Kroeger further noted that this specific property is, by far, the largest lot around this stretch so it is a bit of an outlier comparable to the other nearby lots. Mr. Scott noted it would make sense to look at some of the other adjacent lots and see if they should be rezoned so it zonign map wouldn't look spotty.

#### Public Hearing

Mr. Steve Mchugh, 33 W First St, Dayton, OH, applicant introduced himself as counsel for the applicant. Mr. Mchugh advised that the intent is to continue to keep the current Rite Aid in operation at this site and further went over the history noting that the Rite Aid was constructed to meet the requirements of the code at the time. The owner would like to have the property back into conformance and seek a long term lease for the site so it can remain for some time.

Ms. Pegues asked about the status of the current lease and if it was up. Mr. Mchugh noted that the lease is not up and again reiterated that if approval were granted the owner would seek a long term lease for the Rite Aid. Ms. Pegues further questioned if the long term intention is to keep the property as specifically a Rite Aid. Mr. Mchugh confirmed that this was the intent.

City Plan Board  
September 14, 2021 Summary Minute Record

Mr. Payne questioned why the need to change the zoning of the property now as it has been a legal non-conforming use for some time. Mr. Mchugh reiterated the why the owner is seeking the map amendment and is looking for the property to remain in compliance with the code.

Mr. Sauer noted should this be approved, the development standards are different the the existing zoning districts. Mr. Kroeger noted that the intent of the application is primarily to be in conformance with the use and that the applicant was advised the standards for the proposed MNC district would be higher then what is currently present.

The board discussed the appropriateness of the request and pockets of retail in neighborhoods that residents seem to enhyoy due to convenience.

**Board Action**

A motion was made by Mr. Sauer, seconded by Ms. Schenking, and carried to recommend approval of the proposed map amendment application finding that on R.C.G.O. §150.125.7(1- 8) has been met.

Ms. Rosie Miller	Yes	Ms. Ann Schenking	Yes
Ms. Geraldine Pegues	Yes	Mr. Matt Sauer	Yes
Mr. Jeff Payne	Yes	Mr. Greg Scott	Yes

Minutes approved by the City Plan Board on October 12, 2021.

Tony Kroeger, Secretary  
City Plan Board





# City of Dayton

## City Plan Board

### Summary Minute Record September 14, 2021

**PLN2021-00400** – Work session for the Southeast Neighborhood Vision. The purpose of this work session is to give the Plan Board an opportunity to review and provide comments on the plan.

Applicant: Todd Kinskey, Director Planning, Neighborhoods & Development  
Priority Land Use Board: Southeast  
Decision: None (work session only)

---

#### **Staff Comments**

Tony Kroeger presented the main elements of the Southeast Neighborhood

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 August 2021 by Urban Design Associates (UDA) in collaboration with the Department of Planning, Neighborhoods and Development staff, CityWide staff, and many stakeholders, residents, and business owners. The public involvement is indicated below:

#### **Step 1: Kick-off & Understanding**

- In-depth download from City and CityWide staff about planning work-to-date
- Sharing of data, base-mapping, and drawings of proposed ideas
- Meetings with key stakeholders, such as business owners and neighborhood institutions, who have been active or will be central to executing the vision in the future
- Public Forum for all members of the community to provide input

#### **Step 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
- Discussions about revitalizing commercial corridors and nodes
- Virtual public meetings for the community to provide feedback and build support

#### **Step 3: Documenting the Vision**

- Further refinement of catalytic housing and development strategies
- Final Public Forum for the community

#### **STAKEHOLDERS & PARTNERS**

The planning process connected stakeholders and helped to leverage potential partnerships within the neighborhood. The stakeholders and partners who participated are active neighborhood leaders who will be engaged in the implementation of projects.



# City of Dayton

## City Plan Board

### Summary Minute Record September 14, 2021

- Residents
- City of Dayton
- CityWide
- Schools
- Bike Miami Valley
- W.A.T.T. Business Association
- Walnut Hills Neighborhood Association
- Linden Heights Community Council
- Twin Towers Neighborhood Association
- Dayton Metro Library
- Belmont-Eastmont-Hearthstone Community Council
- East End Community Services
- Belmont Business Association
- Patterson Park Civic Association
- East End Community Services
- Belmont Business Association
- Patterson Park Civic Association

#### **ASSEMBLING PREVIOUS PLANS**

The plans, projects, and other relevant information were consolidated into a single drawing that served as the base to begin to think about how the neighborhoods could be strategically stitched and linked together.

Through this plan, a number of common themes emerged, such as investing in existing parks and connecting neighborhoods to trails, enhancing neighborhood retail nodes, improving access and visibility, and building on the strength of desirable, healthy neighborhoods.

Key geographic focus areas include: Xenia Avenue corridor, Wayne Avenue corridor, Walnut Hills Park, Steve Whalen Boulevard, the former Belmont High School site, Belmont business district, Eastown, the Patterson and Shroyer intersection, the Patterson and Wilmington intersection, and Jane Newcom park.

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

#### **Board Discussion**

The board supported the plan. Ms. Schenking noted that need for histories in plans such as this to include the impact of redlining and other discriminatory policies. Mr. Scott recognized the importance of Highland Park, and its potential. Additional discussion occurred regarding the history and potential of Steven Whalen Boulevard and vicinity. Mr. Payne asked about the direction of Wayne and Wyoming, to which Mr. Kroeger expressed the approach in the plan.

#### **Board Action**

None

Minutes approved by the City Plan Board on October 12, 2021.

Tony Kroeger, Secretary  
City Plan Board