CITY OF FAIRBORN
PLANNING BOARD FORMAL SESSION
March 11, 2025 - 4:00 p.m.

Chair Ms. McCauley called the meeting to order at 4:00 p.m.

BOARD MEMBERS	**Present**	**Absent**
Marilyn McCauley, Chair	☒	☐
Pam Gayheart, Vice Chair	☒	☐
Michael Cox, Board Member	☒	☐
Kevin Knepp, Board Member	☒	☐
Gary Siembab, Board Member	☒	☐
Eli Smith, Board Member	☐	☒
Tim Steininger, Board Member	☒	☐

Ms. McCauley led the Pledge of Allegiance.

A motion was made by Ms. Gayheart, seconded by Mr. Steininger, and carried to excuse Mr. Smith.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

STAFF MEMBERS PRESENT
Kathleen Riggs, City Planner, Manuel Jacobs, City Engineer, Marie Gay, Planning Board Secretary

CITIZENS PRESENT
Tim Albro, Mike Reed

APPROVAL OF AGENDA
A motion was made by Ms. Gayheart, seconded by Mr. Knepp, and carried to approve the agenda for the March 11, 2025, Planning Board meeting.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

APPROVAL OF MINUTES
A motion was made by Mr. Knepp, seconded by Dr. Cox, and carried to approve the minutes with corrections for the February 11, 2025, Planning Board meeting.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

OLD BUSINESS
None

NEW BUSINESS
Ms. Riggs stated the applicant for Case 2025-04 has asked for this case to be tabled until the May 13, 2025, Planning Board meeting.

Mr. Siembab made a motion, seconded by Mr. Knepp to table Case No. 2025-04 until the May Planning Board meeting.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

CASE #2025-03

An application has been received by the Planning Board requesting approval for a Replat to split off approximately .5 acres from an existing 4.578-acre parcel creating two (2) new lots located at 1148-1178 Kauffman Ave. (City Lot 9262) in a CC Community Commercial Zoning District.

Owner: Skyway Plaza LLC
6601 Centerville Business Pkwy
Dayton, OH 45459

Applicant: Roman Shotashvili
9730 Breasemont Dr.
Houston, TX 77096

Ms. Riggs said this is a replat at the Skyway Plaza Shopping Center located on Kauffman Ave. The owner is and applicant is Skyway Plaza LLC and Tim Albro represents the owner. Ms. Riggs shared the map that outlines the replat and area the be split, which is the parking lot. She reviewed the aerial and zoning maps with the Board. The proposal is to split off and replat about half acre and sell it to the owners of the restaurant site. She said this area is being used as parking for that adjacent restaurant and this replat is intended to incorporate the existing parking lot with the existing restaurant. Ms. Riggs stated the remainder of this lot will be approximately 4 acres. She said I did receive one email asking for more information and an explanation of what this is about, they were fine with the proposal.

Staff recommends approval of the replat with two conditions.

1. The new City lot shall not front a dedicated street and shall access Kauffman Avenue and Garland Avenue through two existing dedicated easements.

2. Two (2) durable Mylar copies of the approved survey documents shall be submitted to the City for signature: both copies shall be signed and subsequently stamped as recorded within nine (9) months of City Council approval and one (1) Mylar copy shall be returned to the City of Fairborn's Engineering Division.

Board Questions

Mr. Knepp asked for clarification on the easements.

Ms. Riggs stated the current easements have been in place, so we want to make sure they continue when this new lot is created, and they remain with that property and they still has access to the access drive on Kauffman and Garland.

Ms. Gayheart stated it's my understanding that this provides better access for the restaurant that is currently there for parking.

Ms. Riggs agreed.

Mr. Siembab asked if they were going to do something with that parking lot, so it is not one big bump.

Ms. Riggs said we will let the owners know that.

Public Hearing
A motion was made by Dr. Cox, seconded by Mr. Steininger and carried to open the Public Hearing at 4:10 pm.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

Applicant
Mr. Tim Albro stated we lease and manage the property for the owners who are based in Houston, and they have owned the property for about 16 months. He said there is one more piece to the puzzle, the lot being replatted is on the south side of the property; there is another lot on the north side of this restaurant that is already platted and owned by the shopping center owners. He said as part of this agreement they are going to sell that parcel also to the restaurant so when it is finished, they will have just over an acre, which will include the building site and the parking area. He said this is a win for both parties, the restaurant owner is pleased as they will finally have parking, they own and the money that is received by the property owner will be reinvested in the shopping center and hopefully smooth out some of those bumps. He said last year they replaced the roof, and they are trying to make improvements.

Board Questions
Ms. McCauley asked if this includes two additions to the current lot.

Ms. Riggs said the replat itself is taking a portion of this 4.5 acre total parcel and combining it with an adjacent parcel, now there is also a proposal that the parking lot to the north which is a separate parcel will be involved in this combination and it not associated with the replat decision but they are looking at acquiring that parcel also in the future.

Proponents
None

Opponents
None

A motion was made by Mr. Knepp, seconded by Dr. Cox and carried to close the public hearing at 4:14 pm.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

Board Action
A motion was made by Ms. Gayheart, seconded by Dr. Cox, and carried to approve Case 2025-03 with two conditions.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

CASE #2025-05

Request for approval of the 2025 Update to the City Codified Ordinances Part Eleven Planning and Zoning Code. This proposed amendment to the existing Planning and Zoning Code text and map shall implement the policies of the 2024 Comprehensive Land Use Plan, bring the code into compliance with state and federal law where applicable, correct on-going issues with respect to standards, regulations, processes, and streamline the document.

Ms. Riggs said this is a follow-up; the Comprehensive Land Use Plan was approved last December and is now effective and so this is a follow-up to approve the zoning text that was impacted with that update. She said I would like to introduce Jay Stewart, who has been our consultant for this entire project.

Mr. Stewart this is part two of this project that has been ongoing for a little over a year; if you recall the Land Use Plan was not a complete update, it was very targeted and strategic and the same with the Zoning Code, this is not a complete update or review of the entire Zoning Code but Staff had certain sections and chapters that needed updating.

Mr. Stewart said I will go through slides and text along with the outline and some maps, I provided the memo that gives the explanation and rationale on those items. He said I marked in red the strikethrough to show the proposed changes in terms of text. He stated to keep in mind that in my memo that we will talk about today will not touch on every single edit, I picked the larger more important changes.

Mr. Stewart reviewed the memo below with the Board and explained the changes to those districts.

Conservation Development Zoning District

The current Conservation development zoning district name is proposed to be changed to "Parkland" zoning district to more accurately reflect the types of parcels contained in this district. These parcels consist of park land or open space without the opportunity for future development. The conservation development characteristics, such as promoting lower density clustered housing developments and providing for open space, has been carried over into the new proposed East Residential zoning district which could be a primary zoning district proposed for future bath Township annexations.

East Residential Zoning District

A new zoning district is proposed to be added to the zoning code. The East Residential district would provide for slightly larger single family detached building lots and dwellings. The likely use of this new zoning district would be in Bath Township land areas that may join the city through future annexations. Below are the key lot and dwelling standards for this new district:

Minimum Lot Size	=	10,000 sq. ft. (Non-PUD Projects) Size Varies (PUD Projects)
Minimum Lot Width	=	75 feet
Minimum Dwelling Size	=	2,000 sq. ft.

New Downtown Subdistrict (Main Street)
The Downtown Zoning district is proposed to be split into two separate subdistricts to reflect subtle differences in the types of land uses envisioned for each subdistrict. The Main Street subdistrict would focus permitted land uses on destination and small-scale retail and office uses. The goal is to reserve the prime Main Street parcels for land use that complement each other and that promote the redevelopment of the Main Street core area. Upper floor residential units would be permitted, and larger scale office and service uses would be capped in size.

New Downtown Subdistrict (Broad Street)
The new Broad Street Subdistrict consists of an area adjacent to the Main Street core and includes parts of Broad Street and First Street area. The permitted land use will focus on medium to higher density residential developments with mixed use and commercial buildings fronting along Broad Street. Larger scale retail, service and office uses would be permitted in this district, without the size caps proposed for the Main Street Subdistrict. The goal is to create a more densely populated area in this district which has close proximity and walkability to the Main Street core area.

Minimum Dwelling Size
Currently, the zoning code does not contain any minimum residential dwelling size requirements. The new code edits propose adding minimum dwelling size standards as provided below:

Suburban Residential (SR) Mobile Home Park (MHP)	=	1,500 sq. ft (Ranch), 2,000 sq. ft (Two Story), 1,000 sq. ft. (Duplex Unit)
East Residential (ER)	=	2,000 sq. ft.
Urban Edge Residential (UER) Medium Density Residential (MDR) Civic Institutional (CI) Neighborhood Center (NCTR) Downtown Commercial (DC)	=	1,200 sq. ft. (Ranch), 1,600 sq. ft. (Two Story), 800 sq. ft. + 125 Medium for every other bedroom (Multi-Family Unit)
Neighborhood Commercial (NC) Community Commercial (CC) General Commercial (GC)	=	800 sq. ft. + 125 for every other bedroom (Multi-Family Unit)

Architectural Design Guidelines
The current zoning code has architectural design requirements for the Downtown District only. The new code proposes adding architectural design standards to all residential and commercial zoning districts. The goal is to provide design consistency across the city for future buildings and ensure the quality and sustainability of the new buildings being constructed. Below are some of the proposed standards:

Single Family Dwellings See Section 1122.05(f)
- Roof Pitch = 8/12
- Exposed Foundation Walls

• 2 Car Attached Garage
• Building Materials = Minimum 50% of Front Face shall Brick, Stone, Cultured Stone
• Permitted Exterior Materials = Brick, Stone, Cultured Stone, Wood, Cement Siding, Stucco
• Prohibited Exterior Materials = Aluminum & Vinyl Siding

Multi-Family Buildings in the MDR & UER Districts See Section 1122.07(g)
• Building Materials = Minimum 75% of the front building face and 50% of all other facades shall be brick, stone, cultured stone.
• Aluminum and vinyl siding are prohibited.
• New buildings up to two stories shall have a minimum 8/12 pitch roof.
• New buildings three stories or over may be permitted a flat roof with architectural treatment screening.

Commercial / Office Buildings in the DC, GC, CC, NCTR, PO districts See Section 1122.12(f)
• Building facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
• Compliance for several architectural design requirements are proposed to be changed to mandatory language ("shall") versus the current use of voluntary language such as "may" and "should."

Lighting & Driveway Standards
The illumination standards have been upgraded as well as residential driveway standards dealing with maximum driveway area and garage requirements.

• Upgraded Lighting Standards	See Section 1128.23
• Upgraded Residential Driveway Standards	See Section 1130.05

BZA Procedure & Variance Standards
Various edits are proposed for the BZA section, including the following:

• Area Variance Defined and Use Variance Prohibited	See Section 1132.03(c)
• Clarify Area Variance Standards of Review	See Section 1132.03(c)(4)
• New Administrative Appeals Procedure	See Section 1132.03(f)

New Development Plan Chapter
A new chapter (1133) is proposed to be added to the code that provides standards and procedure for the review of development plan submissions. These edits include the following:

• Clarify Development Plan Review Procedure
• Require Mandatory Pre-Application Meeting
• Access Management & Traffic Impact Study Standards

Updated Definitions
New and modified definitions have been proposed for certain terms. The current zoning code does not provide consistent or up to date definitions for the various types of group homes, as well as the types of senior living uses. Please review the Definitions chapter to see the other proposed definition edits. The following definitions are some of the proposed terms to be changed or created:

• "Family"
• "Group Home"
• "Family Home"
• "Independent Care"
• "Senior Care Facility"
• "Downtown Retail"
• "Livable Square Footage"
• "Mixed Use"
• "Assembly Hall"

Subdivision Regulations Review

We performed a review and analysis of the current subdivision regulations that included the City Engineer. Ultimately, it was decided that the subdivision regulations are sufficiently up to date. The one key proposed change is new standards requiring for the screening of new utility boxes. See Section 1116.18(a)(1)

Zoning Map Edits

The current zoning map and proposed zoning map are provided for your review. There are a few proposed zoning map edits which we will review with you next Tuesday. These updates follow the recently updated Comprehensive Land Use Plan. A majority of the edits are about the parks and open space changing from Conservation Development to Parkland.

Downtown Update – Dayton Drive
Xenia Dr. Neighborhood Commercial to Downtown Commercial
Conservation Development to Parkland
E. Dayton Yellow Springs Road. Light Industrial to General Commercial
Pierce Dr. Conservation Development to Community Commercial

Board Questions

Mr. Knepp said I have a question about the housing sizes and room sizes that are recommended, if someone in the city wants to build pods for senior living or create something for homeless people or affordable housing for first homes, is this limiting a lot of that in some way? Mr. Stewart said it is because now there are minimums, but my suggestion would be if that is the policy goal of City Council my suggestion would be to look at creating a separate zoning district or looking at the zoning districts where those small homes might be appropriate; because that type of home is probably going to more appropriate in some residential districts than others. He said that is just a suggestion if that were what Council would like to do, that's how I would look at it. Mr. Knepp stated so now you are saying this is not set in stone this is a working map and if the City Council does go that way they could change it. Mr. Stewart said it's the law, if this is approved it's legal and it's the law; I do get this a lot where people think you can't or shouldn't edit the Zoning Code; I say do edits each year if you find things that need changed. He said going back to the small houses I would step back and figure out how do we do that; is it a new zoning district or do we just take two of the five residential zoning districts and make a change to them.

Mr. Knepp said group homes were discussed at Council and we were told that we couldn't really do anything but in the news another community has set a moratorium on group homes because the Dayton area compared to the whole state they had so many group homes and we had some group homes that came in to communities and one is around the corner from my house and one is in a more upscale neighborhood and there was a lot of contention so when you set out that group home section what exactly did than entail? Mr. Stewart said what we did was update the

list of definitions, we broke it out into two types and this tracks identically to the Ohio Revised Code; so you have a residential home and you have group home, the residential home is up to five to six individuals and the group home which is the larger is about six to sixteen residents; what you have to do with the smaller residential home is anywhere you permit single-family residential to go in you have to allow residential homes and this is coming from the Ohio Revised Code. He said the O.R.C. also says for the larger group homes you only have to allow those where you allow multi-family, meaning you don't have to but you can zone them out of single-family districts; so what we did is after the definition update then we went back through all the zoning districts and looked for multi-family where the code needed to be more specific. He said you must allow them based on the Ohio Revised Code. Mr. Knepp asked if we have any of those areas that allow or don't allow them. Mr. Stewart said wherever there are single-family homes you can allow the smaller residential home and where there is multi-family you can allow group homes. Ms. Riggs stated that the Urban Edge Residential and Medium density Residential group homes would be conditional uses because multi-family is a permitted use in that district. Mr. Knepp said so if a person wanted to have a small group home less than six in a residential area that would be permitted and Mr. Stewart agreed. He said you cannot change that as that is state law and there are constitutional reasons.

Dr. Cox said there was something in the code about chain link fence not being allowed and asked where does that come up. Ms. Riggs said there were not any text amendment changes related to chain link fences; we did add some fencing requirements to the Downtown Commercial district, but we are not making any changes to chain link fences.

Dr. Cox asked about the updated lighting standards and asked if there is any requirement or encouragement for motion sensitive lighting instead of lights that stay on. Mr. Stewart said we did not add anything like that; it could be a comment from staff during the review process, possibly the Engineering Department. City Engineer Manuel Jacobs said that most of the lighting in the photometric plan reviews for sites and properties are reviewed by Kathleen Riggs, our main aspect for reviewing is for the site layout, drainage and elevations. Dr. Cox asked what the update for the lighting was. Mr. Stewart said in the new code section most of that there is a detailed listing of what the City Planner is going to need for a photometric analysis plan; right now, you are asking for them, but it is not specific to what is needed in that plan. He said we want that to be consistent and there are other updates like the light pole heights, but the main point is to define and detail what is needed in a photometric analysis. Dr. Cox said I would like to think that motion sensor lighting would be encouraged rather than just have lighting all night whether there is any reason for it or not just for energy prevention and species that exist in and around Hebble Creek or other areas that wildlife, constant lighting is not good for or light lighting but we probably don't have any of those details and that is unfortunate. He said I also have a question about one of the definitions listed; we didn't define the family unit; it's just a classification that you are talking about. Mr. Stewart reviewed the new definition of a family unit. He said we had to modernize that due to a lot of court decisions over the years that have broadened what the definition of a family must be.

Dr. Cox said my last comment is about the required minimum pitch of the roof, I really find that to be picky and not necessary; I argued about that last time and gave an example of a very interesting house right now that exists that would not fit into that new requirement. He said we are still holding onto that pitch requirement, for what reason because we want it to look like houses are supposed to look, I can understand some of things like vinyl siding, but I don't understand pitches and I don't think that is necessary. Mr. Stewart said this is a design guideline that is subjective in terms of the pitch, that's a traditional look and if City Council wants to change that they can. Dr. Cox said you are saying the City Council and not the Planning Board

that the discussion of pitch heights doesn't really belong here, that would be for City Council. Mr. Stewart said I am saying is when this gets to City Council, they will have to vote on this; and if they want to change the pitch, they could make an amendment to these proposed changes. Dr. Cox said so that is not relevant here, we are deciding that here today, making changes or adding conditions, it would be City Council's role to do that not us. Mr. Stewart stated I think it is fair that if the Planning Board wants part of your motion to change this you could recommend approval with a condition.

Public Hearing
A motion was made by Ms. Gayheart, seconded by Mr. Knepp and carried to open the Public Hearing at 4:57 pm.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

Proponents
None

Opponents
None

A motion was made by Mr. Knepp, seconded by Mr. Siembab and carried to close the Public Hearing at 4:59 pm.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

Board Action
A motion was made by Ms. Gayheart, seconded by Mr. Steininger, and carried to approve Case 2025-05.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

Other Business
None

Adjournment
A motion was made by Mr. Steininger, seconded by Mr. Knepp, and carried to adjourn the meeting.

Dr. Cox	Yes	Ms. McCauley	Yes
Ms. Gayheart	Yes	Mr. Siembab	Yes
Mr. Knepp	Yes	Mr. Steininger	Yes

The meeting was adjourned at 5:00 p.m.