CITY OF FAIRBORN
PLANNING BOARD FORMAL SESSION
August 11, 2026 - 4:00 p.m.

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

BOARD MEMBERS	**Present**	**Absent**
Pam Gayheart, Chair	☒	☐
Kevin Knepp, Vice Chair	☒	☐
Bradley Clough, Board Member	☒	☐
Amy Davenport, Board Member	☒	☐
Jeannette Jack, Board Member	☐	☒
Gary Siembab, Board Member	☐	☒
Tim Steininger, Board Member	☒	☐

Mrs. Gayheart led the Pledge of Allegiance.

A motion was made by Ms. Davenport, seconded by Mr. Knepp, and carried to excuse Mr. Siembab and Ms. Jack.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

STAFF MEMBERS PRESENT

Kathleen Riggs, City Planner, Manuel Jacobs, City Engineer, Haley Myers, Assistant City Engineer, Cherise Schell, Development Services Director, Marie Gay, Planning Board Secretary, Meredith McDowell, Economic Development Department

CITIZENS PRESENT

Mark Van Gurp, Doug West, Donna West, Mike Salmons, Margo Salmons, Michell Stinson, Mellissa Stinson, Allyson Stinson, Sharon Butler, Sarah Butler, Lauren Butler, Timothy Beverly, Corrine Beverly, Brad Henrich, Dan Gutwald, Charlie Deer, Pam Deer, Paula DeLuca, Geoff DeLuca, Dennis Taylor, David Damore, Alicia Burke, Earl Dupre, Danielle Shanley, Tim Parker, Patrick Warnament, David Montgomery, Timothy Parker

APPROVAL OF AGENDA

A motion was made by Mr. Knepp, seconded by Ms. Davenport and carried to approve the agenda for the August 11, 2026, Planning Board meeting.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

APPROVAL OF MINUTES

A motion was made by Mr. Steininger, seconded by Ms. Davenport, and carried to approve the minutes for the July 14, 2026, Planning Board meeting.

Bradley Clough	Yes	Ms. Davenport	Yes

Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

OLD BUSINESS
CASE 2026-11
An application has been received by the Planning Board requesting approval of a Zoning Map Amendment from SR Suburban Residential to PUD Planned Unit Development, a Preliminary Planned Unit Development Plan, and Final Planned Unit Development Plan for the construction of 80 multi-family units and a clubhouse on 6 acres located at 2047 Beaver Valley Rd. in a SR Suburban Residential Zoning District.

Applicant: Jeremy Jordan
North of Jordan LLC

Ms. Riggs said this is a Zoning Map Amendment and Preliminary and Final PUD plan approval for a multi-family development on Beaver Valley Road. Ms. Riggs reviewed the aerial and zoning maps with the board and stated the site is located south of Dayton-Yellow Springs Road, west of Beaver Valley Road, north of Old Yellow Springs Road and east of Darrell Drive. She said the zoning is Suburban Residential surrounded by Suburban Residential, Medium Density Residential and Planned Unit Development for a mix of commercial and residential uses.

Ms. Riggs reviewed the site plan with the board and said the overall site is 6 acres and will include a total of 10 building, 8 residential buildings; each building will have 8 two-bedroom 2 bath units and are 1,375 square feet, each building will have 8 units with 4 units on the second floor and 4 units on the first floor with a total of 80 units. Ms. Riggs reviewed the site map and pointed out the amenities that include a clubhouse with a pool, outdoor seating, a park for the community and a dog park. She said the mail kiosk is located next to the clubhouse and there are 5 dumpster locations along the perimeter of the site. She stated there is a two-way access drive from Beaver Valley Road that serves this site leading to 200 parking spaces which is over the requirement of 2 spaces per unit. She said the site plan has been updated, and parallel parking was added along the western side which increased the setback and no longer needs to be a condition. Ms. Riggs said the landscaping includes an array of trees and shrubbery throughout the site with an effort to keep existing trees where possible. She said a privacy fence would also be added along the side buffering the adjacent residential uses. She said the parkland dedication will include the amenities such as the clubhouse, pool and the park to be recorded as dedicated community space.

Ms. Riggs said the site has been reviewed and approved by the Fire Department and the site allows access for our emergency services vehicles. Ms. Riggs said the stormwater plan is a more sustainable approach; the applicant plans to use permeable hard surface and bioswales to filter stormwater. She said the lighting plan is dark sky compliant and not only will light not emit onto the neighboring properties, but the lights are also faced downward to not significantly impact the night sky. She said the elevations match the multi-family design guidelines with 4-sided architecture and a combination of brick and composite siding; the floor plans are similar with 2 bedrooms, 2 bathrooms, laundry, kitchen living room, dining room and a balcony. She said the clubhouse is also a combination of brick and siding in a colonial revival style and will include a social lounge, restrooms and a management office.

Ms. Riggs stated the site does meet most of the Preliminary and Final PUD Plan criteria. She said while the Land Use Plan calls for this to be single-family residential, the adjacent uses

permit multi-family residential; we use the Plan Use Plan as a guiding document and review other criteria to determine the impact of this use. She said after reviewing the other criteria we think this use meets the intent of the Zoning Code, is an effective land use and does not create a burden on services. She said that while the setback along 2 sides of the sire are less than 20 feet, the landscaping and fencing along with the orientation of the building on the site can permit this deviation from the code. She said the overall access through the side is lain out in a sage and efficient manner and can accommodate the anticipated traffic.

Ms. Riggs said we did receive feedback from nearby residents who have concerns about the habitat that will be driven out to neighboring properties and could become a nuisance, the existing landscape will be removed and there will be a direct view onto neighboring properties, the existing water on the site will worsen the flooding issues, construction traffic will impact neighbors and the proposal will negatively impact property values. In response to the feedback emailed to the applicant, Jeremy Jordan, provided feedback and stated that construction will occur in phases where practical, allowing wildlife to relocate naturally. He said the goal is to keep as much landscaping as possible along the borders of this site and plant new where appropriate; we attempted to place as many of the building facing inward to the site where possible' privacy fencing shall also be added along the north, west and southern boundaries as a buffer and overall, the site has been designed to reduce the impact on neighboring properties. He said the proposed development includes bioswales, landscaped planting areas and sustainable drainage features designed to reduce the rate and volume of stormwater runoff, encourage infiltration where appropriate, improve water quality through natural filtration and reduce the potential for localized flooding. He said the construction traffic will be temporary and work hours reflect other residential developments in the city.

Ms. Riggs stated the application has been reviewed by all appropriate internal staff and external community partners, and the applicant has addressed all the comments.

Ms. Riggs said, based on the review criteria, this proposal complies with the intent and purpose of the PUD Zoning District, the use is compatible with uses in the area and the site plan includes appropriate access, utility connection and building design. She said staff recommends approval of the proposed development with conditions:

1) The landscaping plan be updated with final building submittal, showing what will be kept and specifically added new to the site.
2) Parks & Clubhouses amenities included in the parkland dedication
3) Construction hours established
4) And the plat is to be recorded with Greene County.

Ms. Riggs asked if there are there any questions.

ALTERNATIVES:
1. Approve the proposed Zoning Map Amendment to PUD, Preliminary and Final PUD plans as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that they are consistent with the general criteria for approval.

2. Conditionally approve the proposed Zoning Map Amendment to PUD, Preliminary and Final PUD plans as submitted by the Applicant based on the Board's ability to make the necessary

determinations found in FCO Chapter 1123 & 1132, finding that, with the following conditions, they are consistent with the general criteria for approval:

1. The landscaping plan shall be submitted upon completion of the civil construction in accordance with the draft zoning code amendments for native plantings and approved by the City Planner.
2. The Parking along the western side of the site shall be parallel with a setback of approximately 20 feet from the property line.
3. The dedicated parkland shall include the parks and the clubhouse amenities associated with the site as approved by the City Planner and recorded with Greene County.
4. Civil plans shall include striping improvements on Beaver Valley Rd. as approved by the City Engineer.
5. Construction work hour operations should consider adjacent communities and residences' welfare. Infrastructure and home building work involving heavy operating equipment should not begin or extend beyond the hours of 7:00 a.m. and 8:00 p.m. on Monday through Friday, 8:00 a.m. and 6:00 p.m. on Saturday, and 9:00 a.m. and 6:00 p.m. on Sunday except in case of weather delays or other unexpected circumstances, and then only with approval from the City Engineer and or the Chief Building Official.
6. Two (2) durable Mylar copies of the approved documents shall be submitted to the City for signatures; 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.

3. Deny the proposed Zoning Map Amendment to PUD, Preliminary and Final PUD plans as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that they are inconsistent with the general criteria for approval.

Staff Recommends Alternative 2

Board Questions
None

Public Hearing
A motion was made by Mr. Knepp, seconded by Ms. Davenport, and carried to open the Public Hearing at 4:18 pm.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

Applicant
David Montgomery stated he is representing North of Jordan LLC. He said I would like to thank Kathleen and her staff; this is a project that has been going on for about 18 months. He said there has been a considerable amount of back-and-forth discussions and design and accommodation to make this the product it is before the city today; it has not been a one-sided conversation that is being brought forward, this has been a collaborative effort. He said ou have

seen within the staff report packet there is a detailed narrative with illustrations provided by the developer and it contains the technical aspects of the project and the overall vision. He said the proposed use is consistent with what is immediately adjacent to the property on the south side and then across the street on the east side. He stated the developer has made considerable efforts to maintain the existing mature trees around the boundary of the property; this is an experienced developer and they are sensitive to maintaining a high end class development within the city. Mr. Montgomery stated that one of the unique features of this development is the storm water, they are using a combination of both pervious pavers and pervious surfaces which are a little different, so there will be some natural drainage as permitted by those types of features on this site just to take advantage of what would be predevelopment water flow on the site. He said in addition to that they have created natural drainage swales which add an amenity to the property, they are drainage features but also a natural filtration, so the idea is, instead of an on-site pond, this is a natural flow of the water and native plants and species are placed in the swale which will than filtrate the water. He said those familiar with retention and detention ponds I would consider this an amenity of the site as they are features that run adjacent to the sidewalks and provide a green space, natural vegetation and it is not a retention or detention pond. He said the most recent site plan on the western side of the site, the parking spaces were adjusted based on staff comments, they are now parallel spaces and this allowed the project to have a greater setback along the side and there is also going to be privacy fencing in addition to the perimeter landscaping. He said I would like to answer any questions you may have.

Board Questions

Mr. Steininger asked what is your target audience or rent range; do you have something established yet or targeting. Mr. Montgomery stated if you look within the developer supplement that was provided, they have a breakdown of the target audience. He said it will be younger professionals, younger families perhaps some retirees with the amenities available and the property is a fairly level piece of ground so from an ADA compliance perspective or from an age limit standpoint, you are not going to be dealing with a lot of topography changes. He said within the report there is some analysis done on the expectation on the impact of local schools and it is not to say there will not be families with children that would go to the schools but that number is a relatively small number, there is a low, medium and high impact within the report.

Mr. Clough said with the stormwater plan, where does it drain to? Mr. Montgomery said there is a filtration and the strata of the system itself and there is a stormwater drain that will go into the storm system. He said the project is not allowed to discharge at a greater rate than what predevelopment is so the applicant and the City Engineer will work together to ensure whatever discharge does go into the storm system is pre-existing development rates or improved. Mr. Clough said so the stormwater will be filtered and will then enter into the city stormwater and not onto adjoining properties. Mr. Montgomery said with the impervious surface and this type of system in addition to the pervious paver system the water will naturally drain and caught within the bioswales and discharged into the city storm system; there is not a detention pond or retention pond but it the natural flow of water be maintained and this has been designed to allow that to happen with potential improvement and with this system there could be less discharge than what is existing at pre-development levels. Ms. Riggs stated the stormwater plan is approved by the City Engineer and staff so it will have to meet all of our requirements in the codified ordinances for stormwater.

Mrs. Gayheart said with the privacy fencing and the neighbors directly is that the expanse of the property? Mr. Montgomery said the fence will be placed around the property with landscaping and keeping some of the mature trees if they can be maintained with a two-layer buffering.

Mr. Steininger said you talked about building in phases, do you have any idea what those phases are and what they include. Mr. Montgomery said the clubhouse will be built first for the management and rentals and then the buildings will follow. He said this will be a gradual construction schedule. Mr. Steininger said when you do the phases is the intent to strip the land completely and then start building in phases or do you intend to allow the natural part to stay like if you are going to build the first third you will take the trees down in the first third and then build or what is your plan on site development. Mr. Montgomery said we would build the road and then start on the buildings.

Proponents
None

Opponents

Timothy Beverly	Concerned about an increase in traffic on Lawndale to avoid the intersection. Concerned about pedestrian traffic, poorly lit and no sidewalks. Concerned about the left turn off Lawndale onto Beaver Valley with the increase in traffic. Too dense and would like to see houses, property values will decrease.
Donna West	Concerned about noise. Concerned about where the deer will go. Does not feel that we need more apartments.
Bradley Henrich	Concerned about two-story apartments in my backyard, I do not want to see people or have people looking back at me. Concerned about the deer and relocation. Concerned about privacy with removal of trees. Concerned about the pool being located near his property and the noise. Concerned about the wildlife and water drainage. Does not want apartments. Does not want out of state business here. Concerned about traffic and safety. Concerned about trees, dog park disturbing his dogs.
Allyson Stinson	Concerned about the setback and fencing on Lawndale. Concerned about the wildlife needing to relocate. Concerned about permeable surface not being as good as plants absorbing water. Wants property to remain a forest. Concerned about the noise.
Margo Salmons	Concerned about heavy traffic and safety. Concerned about the relocation of wildlife. Concerned about using Lawndale as a cut through to avoid the intersection. Concerned about water runoff and flooding issues and responsibility for drainage issues. Concerned about home values.

	Concerned about children walking to school with no sidewalks, no lights and traffic.
Sarah Butler	Would like to keep the forest in place. Concerned about setbacks for two-story buildings. Concerned about noise pollution. Does not want view to be blocked.
Michael Salmons	Concerned about if the target audience is not met does it lower the standards of who can move in like Fairborn Apartments. Backdoor deal including the drive-thru down the street. Concerned about speeding and increase in traffic on Lawndale. Concerned about the decrease in property values.

Applicant

David Montgomery stated a traffic study was done and that was submitted to the city engineer and he reviewed the plans and we fell below the traffic count that would require a Traffic Impact Study so the developer went above and beyond in regard to that but there is a traffic study that shows what improvements that were required to roadway which are none, other than striping, but there does not need to be any roadway improvements. He said from the overall development standpoint, consideration was given for the adjacent properties and the orientation of the buildings facing those properties to minimize, if you look on the northern boundary of the site the buildings are not facing the houses, a bay of windows are not looking out, the developer stated he will protect as many mature trees as possible in addition to that it will be further augmented by an official landscape plan the sole purpose of which is to minimize the impact to the neighboring properties; if people want higher fences that would be a variance process to go through with the city. He said you did hear from some of these property owners that they already have fences on their side, so we are talking about a fence on their side, mature tree growth, a landscape plan and then additional privacy fencing. He said the general noise of the clubhouse I would submit to you that irrespective of whether this is a multi-family development or a single-family development that had a clubhouse, the clubhouse would be located somewhere on the property and the noise that is generated from that which I don't anticipate being anything out of the ordinary would still be the same, you will see within the developers submittal there is on-site management, there will be a phone number that residents of the community can call, there will be a phone number published that people from the broader community can call if there is noise or issues, the city has its own noise ordinances that any developer or property owner must comply with in addition to the myriad of other regulations that come into the city. Mr. Montgomery said while it is wonderful to have a vacant piece of land adjacent to you, if and when that property develops many of the comments you have heard today are developer driven comments, so wildlife for example, we have talked about the project gradually constructed over a period of time so there is the ability for some natural migration of that wildlife but that is a far cry from a developer coming in, clear cutting the site, which most developers do when they first come into a project, and then go through and do an entire grading plan at once, that is the disruption of an entire site, and what you have heard today is that this is going to be a gradual process. He said for those who are familiar with development it is not uncommon for a developer to come in grade the entire site, clear cut the entire site, and in that instance the land is stripped; from a development standpoint and a monetary standpoint it makes sense for a developer to mobilize a project that way but you have in this instance who is not proposed that, the developer has proposed a more gradual development to minimize the

impact, the developer is being very conscientious of the surrounding neighborhood and the community as a whole.

Board Questions

Ms. Davenport asked what the draw is specifically for this developer versus other places in Fairborn. Mr. Montgomery usually when developers come in no matter what the project is be it a residential subdivision, a commercial project, an industrial project or whatever the case may be there is a market study or some type of metrics that are done on the due diligence side where a potential buyer has made a determination that not only from a price point for the real estate but also from a business standpoint that there is a means and a method for them to be successful. He said I understand there were some comments made by the public as it relates to other apartment building within the community and the city and there is a difference in both business model and in cost and expenses and a myriad of other issues, if a developer goes in and rehabilitates an apartment complex that is otherwise dilapidated or below market standards, so in this instance what you have is a developer that has come in and gone through a similar analysis and made the determination that they can be successful and want to be successful and it has been an 18 month with planning and staff to bring forward what you have today.

Ms. Riggs stated there were some concerns about traffic, just to add the peak trips that were submitted for this proposal do not meet the minimum requirements for a Traffic Impact Study for this site, but as our City Engineer does evaluate all the traffic along Beaver Valley and with new traffic counts coming in from different developments, he will continue to evaluate intersections and thoroughfares throughout the city.

A motion was made by Ms. Davenport, seconded by Mr. Knepp and carried to close the public hearing at 5:09 pm.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

Board Action

Mr. Clough stated from the things I have heard, there are concerns about traffic, and we have a response that a traffic study has been done that as numbers continue to come traffic can be reevaluated, so it is going to be a thoughtful process. He said the drainage concerns to me it doesn't sound like there were answers, the questions about why another apartment building I think we have WPAFB and we have 12,000 students at WSU and we heard a laundry list of apartment buildings that exist in the city, it is not like there are a lot of empty apartment buildings, as we are a growing city there is a need for young professionals to stay in the city.

A motion was made by Mr. Knepp to deny Case 2026-11 based on the criteria that I do not agree with the required setback being deviated from within the single-family homes.

Ms. Riggs stated that you could allow staff the opportunity to work with the developer as another option if the setback is the only issue.

A motion was made by Mr. Knepp, seconded by Ms. Davenport, and carried to table Case 2026-11 to review the stormwater plan and setbacks to the September 8, 2026, meeting.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	No		

NEW BUSINESS
CASE 2026-13

An application has been received by the Planning Board requesting approval of a Final Planned Unit Development (PUD) Plan for a proposed 510 square foot drive-through beverage shop with a 280 square foot detached cooler doing business as 7 Brew, located on Lot 1 of the Valle Greene Subdivision on .76 acres of Skyhawk Court in a PUD Planned Unit Development Zoning District.

Applicant: Patrick Warnement
Wawa Midwest, LLC

Ms. Riggs said this is a Final PUD Plan for Wawa, Patrick Warnement is the applicant. She reviewed the aerial and zoning maps with the board and stated the site is located south of N. Broad Street and west of Spangler Road in a Planned Unit Development zoning district; surrounding by Light Industrial, Suburban Residential and Bath Township.

Ms. Riggs stated In May of 2025, City Council approved Ordinance 31-24 with a couple conditions that included the annexation of an acre of land from Bath Township; this annexation was completed and the new 7.29-acre lot was recorded with Greene County in May of this year. She said while the overall site remains mostly the same, Wawa has decided they would like to adjust their site plan with a few changes, these changes triggered a modification that requires Planning Board approval. She stated that the changes include reducing the convenience store size from 8,397 square feet to 7,424 square feet; reducing the number of diesel fueling dispensers from six to four; reducing on-site parking from eighty-three to seventy-nine vehicle parking spaces and reducing from ten to one semi-truck parking space. She said a modification to their stormwater plan will add another detention basin on the south side of the site. Ms. Riggs said the overall access points from Broad Street and Spangler Road remain unchanged; the location of the convenience store, fueling canopies, drive aisles, loading zone and dumpster locations around the site remain the same. She said the overall landscaping plan remains the same with a total of 440 plantings that include a mix of evergreen and deciduous trees and shrubs and grasses that will include 34 deciduous trees, 129 evergreen trees, 88 deciduous shrubs, 135 evergreen shrubs and 54 low-growing grasses.

Ms. Riggs said the elevations are similar as well with four-sided architecture that includes brick and stucco with metal canopies over the doors & windows; the diesel canopy remains the same just smaller because it will only cover four pumps; and the vehicular fueling canopy is unchanged.

Ms. Riggs stated this adjusted site continues to meet the Final PUD Plan criteria, with a couple criteria not applicable as there are no deviations from the code and this is a single site development; this site plan matches the PUD criteria by matching the approved Preliminary PUD Plan approved last year and the applicant has met the conditions of the Preliminary PUD Plan; the development conforms to the Land Use Plan and is an appropriate use for this area. She said Wawa will continue to be open 24/7 with approximately 40 employees and construction will likely begin this fall and be completed by the end of 2027.

Ms. Riggs stated that staff does recommend approval and asked if there are any questions.

ALTERNATIVES:
1. Approve the proposed Final PUD Modification Plan as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that they are consistent with the general criteria for approval.

2. Conditionally approve the proposed Final PUD Modification Plan as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that, with the following conditions, they are consistent with the general criteria for approval:

3. Deny the proposed Final PUD Modification Plan as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that they are inconsistent with the general criteria for approval.

Staff Recommends Alternative 2

Board Questions
None

Public Hearing
A motion was made by Mr. Steininger, seconded by Ms. Davenport, and carried to open the Public Hearing at 5:24 pm.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

Applicant
Mr. Warnement stated that what was approved before, this plan is less impactful, we have used data from other travel center sites and believe that we achieve the same amount of sales with fewer the diesel lanes and slightly smaller buildings, there is less truck parking that was previously discussed. He said overall the plan looks very similar; we had all our permits in hand for the previous design and so now we will need to update those.

Board Questions
None

Proponents
None

Opponents
None

A motion was made by Mr. Clough, seconded by Mr. Knepp and carried to close the public hearing at 5:26 pm.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes

Mr. Steininger	Yes

Board Action
A motion was made by Mr. Steininger, seconded by Mr. Clough, and carried to approve Case 2026-13.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

CASE 2026-14
An application has been received by the Planning Board requesting approval for a Preliminary Planned Unit Development Plan, for the construction of a new residential community to be known as The Villas at Copperleaf with 114 multi-family units and a clubhouse on 15 acres located at 1524 Commerce Center Blvd. in a PUD Planned Unit Development Zoning District.

Applicant: Jacob Sheilds
Grey Fox

Owner: Jon Orr
Oberer Companies

Ms. Riggs said this is a Preliminary PUD Plan for multi-family development on Commerce Center Boulevard. She said the owner is Oberer Companies, and the applicant is Jacob Sheilds of Grey Fox; Timothy Parker is here this evening representing the applicant and future landowner.

Ms. Riggs reviewed the aerial and zoning maps with the board and stated the site is located south of Garland Avenue, east of Commerce Center Boulevard, north of E. Dayton-Yellow Springs Road and west of Trebein Road. She said the zoning is Planned Unit Development surrounded by Planned Unit Development for both residential and commercial uses.

Ms. Riggs said the overall site is 15 acres; the site includes 20 residential groupings of 4-7 units; all the units on the perimeter of this site are 1-story ranches and there are some 2-story townhomes in this inner portion of the development. She stated that all the units have attached 1 and 2 car garages. She said there are 12 one-bedroom units at 805 square feet, 89 two-bedroom units at 1270-1500 square feet and 13 three-bedroom units at 1530 square feet. She said the density of this develo9pment is about 7 units per acre, less than half of what is permitted in the PUD zoning district. Ms. Riggs said the amenities include 2 clubhouses, with an outdoor seating area as well as sidewalks and walking paths throughout the development. She said the overall site has 2 access points from Commerce Center Boulevard, with the attached garages and driveways and extra parking areas throughout the site, it can accommodate 441 parking spaces. She stated there are 2 detention ponds on the north and south side of the site surrounded by a walking path to handle the expected stormwater runoff. Ms. Riggs said the site has been approved by the Fire Department and allows for access for emergency services vehicles.

Ms. Riggs stated the landscaping plan includes an array of trees, shrubbery throughout the site with an effort to keep existing trees where possible; decorative fencing is also provided along Commerce Center Boulevard. She said a more detailed landscape plan will be included with the

Final PUD Plan. Ms. Riggs said the building elevations include a majority of 1 story cottages; they will meet the architectural design standards for multi-family units listed in our zoning code and include a combination of brick and siding.

Ms. Riggs stated as for the PUD standards, in our Comprehensive Land Use Plan it calls for this area to be professional office space, but this area of the plan wasn't updated with our last revision, it also called for some of the Arden Development to be Professional Office. She said while this use doesn't meet the Comprehensive Land Use Plan it is compatible with the surrounding uses and we believe it meets the overall intent of the PUD Zoning district. Ms. Riggs said while it may not meet the minimum setback the entire development is half of the density that is permitted; the overall layout and design provide adequate access, circulation, and parking. She said the number of trips at peak hours did not meet the zoning code threshold for a traffic study, nor did it warrant one by the City Engineer. She said we as staff do recognize the increase in traffic along Commerce Center and will continue to evaluate nearby intersections.

Ms. Riggs stated that the Planning Board held a Work Session on June 9, 2026, and provided the following questions & comments regarding; density, impact and buffering next to Arden, any existing wetlands, shift units away from the southeastern corner of the site and increase buffering and add mounding and additional landscaping. She stated that based on the Planning Board feedback the applicant did make changes. She stated that we also received feedback from nearby residents regarding the impact of the additional traffic, not only in the immediate area, but at nearby intersections, the construction traffic conflict, impact on existing nature and environment as the land is currently undeveloped, the removal of the existing tree line along the easternmost side of the site that is adjacent to single-family homes with no tree line, recommend 10 feet of the existing tree line remain, the development is too dense, the development will negatively impact property values and an increase drainage problems.

Ms. Riggs said the application has been reviewed by all appropriate internal staff and external community partners, and the applicant has addressed all the Planning Board and citizen comments. She said based on the review criteria, this proposal complies with the intent and purpose of the PUD Zoning District; the use is compatible with uses in the area and the site plan includes appropriate buffering access, utility connections and building design.

Ms. Riggs stated that Staff recommend approval of the proposed development with a few conditions that the landscaping and lighting plan will be updated with the Final PUD Plan and set some parameters on construction work hours like we have done with other developments.

Ms. Riggs asked if there were any questions.

ALTERNATIVES:
1. Approve the proposed Preliminary PUD plan as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that they are consistent with the general criteria for approval.

2. Conditionally approve the proposed Preliminary PUD plan as submitted by the Applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that, with the following conditions, they are consistent with the general criteria for approval:

1. The landscaping and lighting plans shall be Finalized with the Final Development Plan in accordance with the draft zoning code amendments for lighting and native plantings.

2. Construction work hour operations should consider adjacent communities and residences' welfare. Infrastructure and home building work involving heavy operating equipment should not begin or extend beyond the hours of 7:00 a.m. and 8:00 p.m. on Monday through Friday, 8:00 a.m. and 6:00 p.m. on Saturday, and 9:00 a.m. and 6:00 p.m. on Sunday except in case of weather delays or other unexpected circumstances, and then only with approval from the City Engineer and or the Chief Building Official.

3. Deny the proposed Preliminary PUD plans as submitted by the applicant based on the Board's ability to make the necessary determinations found in FCO Chapter 1123 & 1132, finding that they are inconsistent with the general criteria for approval.

Staff Recommends Alternative 2

Board Questions
None

Public Hearing
A motion was made by Ms. Davenport, seconded by Mr. Clough, and carried to open the Public Hearing at 5:45 pm.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

Applicant
Tim Parker stated Grey Fox is a mixed-use developer focused on residential development, we focus on providing the right product for each development community in which we work, our purpose to find the right site and understanding the community needs and the market while remaining as flexible as possible throughout the development process. He said we have had major success in developing single family lots, retail, commercial and luxury apartment home communities similar to what I am presenting today. Mr. Parker reviewed a site map and stated the existing conditions of the site; the site is about 15 acres and fronts Commerce Center Boulevard and directly across is the new high school along with the middle school. He said the center portion of the site is relatively open with very few trees and vegetation and around the perimeter of the site is a mix scrub brush and undergrowth as well as those low-lying quality trees. He shared an ariel map with the board that showed the land before the Arden development was in place and stated but it does show all the lot lines and tress that were in place before their development started. He shared a topography map with the board and said this is important to discuss, if you look at Arden Bend the existing elevation along the eastern property line is at 904 and as it goes east to west along Commerce Center Boulevard the elevation is 868 so essentially from the bottom to the top the site is going down about 35' in elevation. Mr. Parker reviewed the total units, acreage and density which were discussed and is well below the allowed buildable density on the site. He said parking spaces are primarily garage spaces attached to the building and on the driveway along with some strategic locations for visitor parking. He said our intended resident profile and product type which is important to discuss, most of the product on this site will be single-story ranch around the perimeter with a

mix of townhomes and through our discussion with the city, one item that we kept hearing was providing housing opportunities for aging in place residents and we believe this development can address that; we have had much success throughout the state of Ohio with a similar type product, we have close to 20 communities that focus on this demographic. He stated our communities are intended for empty nesters and active adults who are looking to downsize but live within the community in maintenance free environment. Mr. Parker said to support those demographics, these are a single-story ranch style townhomes with zero barrier entry into the units.

Mr. Parker said going through some of the changes from our Planning Board Work Session we had in June to show what we had before and to summarize what we have changes; the main items are we had started with one driveway entrance in the middle of the site and based on those discussions we have a second entrance for access, we have also added school signs that will be flashing indicators to match school traffic patterns for the beginning of the day and end of the day for school. He said we also significantly increased the number of one-bedroom units from 4-5 units to up to 12 units that are single-story, one-bedroom and one bathroom to help with the aging in place demographic. He said we also removed an entire building to help support the open space buffer and one distinguisher I would like to make is there is a big setback between the building setback and the landscape buffer, I believe we meet all setback requirements which I believe are 25’ and 35’ respectively. He said the variance is within the landscape buffer.

Mr. Parker said we want to be a good neighbor and are certainly open to preserving existing trees where it is feasible to do so, for example if there is a nice oak tree on site and it outside of a buildable are and will look to keep that however we are limited by existing topography and engineering design requirements to meet our site requirements and I said earlier we have about 35’ of elevation fall throughout the site and our site does sit significantly lower than the adjacent development, every home along the property line will be single-story so it feels much more like a neighborhood than it does a 3-4 story apartment building up against the property line. He said the clubhouse has a full suite of amenities such as a leasing office for on site property management, on site maintenance, fitness center, resident event space with a full kitchen and an outdoor patio; the center courtyard area may include a pickle ball court a swimming pool but this is within the center of the development and not on the edge of the site.

Mr. Parker shared photos of the elevations with the board and said this shows the transition between a townhome in the middle with ranches on the end. He said the roofline is a mix for design. He shared photos of recently completed projects and stated the inside of our units with the kitchen, living and dining area and the resident event space at one of our completed projects. He said we have typical monument signage with a split-rail fence along the frontage of Commerce Center with plantings and we do try to keep existing planting, but it is tough when you have invasive species and you are trying to bring in new plantings in a new development along with a new fenceline. Mr. Parker said he can address any questions.

Board Questions
None

Proponents
None

Opponents

Dennis Taylor	Had questions if this will be is a 55 and older community, are these units for sale, are these luxury apartments, what is the rent. Concerned about what will happen if the target market does not materialize. Concerned about heavy traffic volume with the high school, residents are frustrated, exits onto Trebein did not materialize. Asked to revisit the exit on Trebein for Arden residents Asked what are the expected start and finish dates will be. Concerned about setbacks and buffers.
Paula DeLuca	Concerned about trees and the focal point throughout her house wants the trees to remain as a guarantee that was a prerequisite without conditions attached. Concerned about privacy and promised sound barrier. Concerned about health benefits from natural surroundings, watching birds. Concerned about setbacks. Concerned about drainage.
Alicia Burke	Asked what criteria is used to determine no reason for a Traffic Impact Study. Was the school arrival and dismissal traffic when conducting that the study wasn't warranted? Can the Planning Board suggest having a traffic study?
Dan Gutwald	Concerned about the two entrances coming onto Commerce Center. Concerned about noise. Concerned about noise barrier being removed.
Danielle Shanley	Concerned about the tree line being removed. Was charged more for this lot because of the tree line.

Applicant

Mr. Parker said I do sympathize with the residents and change that could occur and I can't speak to anything that happened with the home builder and what was advertised. He said this is not a strictly 55 and older community but we do target empty nesters, and it is for rent and not for sale; in the past 20 communities we have built it is typically from 1 in75 to 1 in 100 have children. He said luxury is definitely and overstated work but the rents for this are between $100 and $2450 for the larger 3 bedroom units; we work with PMC Financial Services and do all of our impact studies for every market we enter, they are very up to date with public financing and funding and they look at all different demographics to help support our communities and to my knowledge every community we have entered we have hit the target demographic and rental rates that we have looked for. Mr. Parker said for traffic we submitted what was required, we did add flashing indicators at both entrances, and I feel that with our demographic being more empty nesters and aging in place that won't directly affect the morning and afternoon school times. He said the start date for the project would start in the spring of 2027 with site work and that usually takes 8-10 months depending on weather conditions, but full construction will be anywhere from 18-24 months. He said I do understand Arden Place is a newer development and we try to be good neighbors, most of the plantings that were shown on the plan on the

perimeter along the bump out in the corner, all the evergreens will be between 5'-7' tall when planted and the difference in elevation change of 15' to 20' lower with mounding and additional landscaping this will feel more like a neighborhood and not multi family buildings along the property line; our product is not traditional multi-family but much more of a neighborhood feel with single story ranches and cottages. He said we are happy to work with staff and the residents on input, I spoke to Mrs. DeLuca yesterday and I am happy to have a conversation with anyone on what we can do to help out, and I would like to be a good neighbor. He said Arden was built in the last few years and that was all vegetation as well, so change does happen and we do want to work with you. He said we are trying to build what has already been established.

Board Questions

Ms. Davenport said you are going to try and work with the homeowners in Arden and try to keep as many trees as possible. Mr. Parker said we are flexible; we can have a conversation about fencing and keeping trees but in our experience putting a blanket 10' buffer is difficult to keep because as you impact those roots in the ground with site work, over time those trees deteriorate, so we prefer to go back with higher plantings, better quality, our evergreens are 5'-7' tall and if there are trees, we can keep we would certainly try to keep those. He said the density is far less than what can be built here, and we have tried to listen to city staff and address feedback.

Staff Comments

Ms. Riggs said we do have a development plan chapter in our Zoning Code that says 100 traffic trips at peak traffic times is the trigger for a full Traffic Study; this proposal did not meet that 100 level that would require a traffic study.

Manuel Jacobs stated when it comes to what triggers a traffic analysis or Traffic Impact Study, our code leans on the Zoning Code, we have in the past in certain instances used Greene County guidance in terms of figuring out what the traffic impact analysis warrant is going to be such as the middle school which covered all of it, we are constantly evaluating traffic from these developments. He said for this development, there are 114 units with a number of accommodating parking spaces but from a functional perspective when we are looking at that and the expectation or the traffic analysis from that is that not all residents are going to be waking up 7am in the morning and driving out; we don't look at traffic as a simple numbers game we do evaluate from demographic perspective and an engineering perspective that take into account what the actual flow of the residential is going to have and we use this from past experience or prior engineering comparisons that is what generally dictates whether traffic is going to be high enough that it warrants further improvements to Commerce Center; he said that is why we do not see traffic impact being needed for developing here or anywhere else on Commerce Center because Commerce Center is a arterial to our one of our busiest road in the city, Dayton-Yellow Springs Road, and its already from its inception built and sized in order for the entire corridor to be developed, built and driven it was just a matter of time before it becomes fully developed. Mr. Jacobs said it already handles the traffic and the issues we are seeing here and we are constantly working on is the size of the school zone, which is considerably sized as school regulations dictate that the school zone has to match the property. He said this development is well within the school zone which is why they are implementing the flashers and to the comment with the Arden Bend and Heathgate entrances not having school flashers, as part of the last phase approval for Arden they will be installing those at the entrances so when you are trying to exit your community you will know when the school zone is active. He said we have been engineering and taking a close look at Commerce Center, how it

functions where the intersections are, where the problems are and what improvements we do particularly on Dayton-Yellow Springs Road.

A motion was made by Ms. Davenport, seconded by Mr. Clough and carried to close the public hearing at 6:17 pm.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

Board Action
A motion was made by Mr. Steininger, seconded by Mr. Knepp, and carried to table Case 2026-14 based on the setbacks. The case will be heard at the September 8, 2026, meeting.

Bradley Clough	No	Ms. Davenport	No
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

OTHER BUSINESS
None

ADJOURNMENT
A motion was made by Ms. Davenport, seconded by Mr. Clough, and carried to adjourn the meeting.

Bradley Clough	Yes	Ms. Davenport	Yes
Mr. Knepp	Yes	Mrs. Gayheart	Yes
Mr. Steininger	Yes		

The meeting was adjourned at 6:34 p.m.