

PLANNING COMMISSION MEETING
STAFF REPORT
WEDNESDAY, FEBRUARY 21, 2024

CASE NO: PC #24-0002
PROJECT NAME: 4766 AIRWAY CONDITIONAL USE
PROJECT ADDRESS: 4766 AIRWAY ROAD, RIVERSIDE, OH 45431
PARCEL ID: I39 00123 0037
APPLICANT INFORMATION: GHASSAN J. DEEK, DEEK LAW, 156.3 E. DORTHY LAW, STE 204, KETTERING, OH 45429
OWNER INFORMATION: BENYAM AMBAYE, 3036 BRIGHT BOUNTY LANE, DAYTON, OH 45449
ZONING DISTRICT: B-2 GENERAL BUSINESS DISTRICT
CURRENT USE: VACANT COMMERCIAL STRUCTURE & LOT

REQUEST: A Conditional Use Application for an automobile sales business in the B-2 General Business Zoning District.

CASE BACKGROUND:

The subject site is located on the south side of Airway Road. The property is outside the Source Water Protection Area. The applicant is requesting a conditional use for a used car lot on a 1.02 acre parcel. The proposal includes repurposing the existing 1,520 sf former K.C. Lounge building and parking lot. The proposed used car lot will include 24 parking spots for vehicle display and utilize the existing principal structure as the administrative office. The remaining seven (7) parking spaces will be reserved for employee and customer parking. The adjacent auto repair business currently parks vehicles in these spaces. They will need to park their vehicles elsewhere in order for this property to remain in compliance with the parking requirements.

This case was brought before the Planning Commission in May 2023 and denied. The applicant has outlined how this new application addresses the previous concerns of the Commission. Additionally, the site has not been cited for a code violation for the past year.

INTERESTED PARTY COMMENTS:

A neighborhood meeting was held on February 01, 2024 and 4 people attended. A summary of the neighborhood meeting was received by the staff and is attached to this report.

STAFF REVIEW/FINDINGS:

Staff finds that the *conditional use application* is adequately justified and meets the standards for approval. Staff recommends **approval with conditions** of the conditional use application, because:

- The car lot can be operated and maintained to in a manner which will not be detrimental to neighboring properties,
- The existing site arrangement will be utilized for this proposal, and
- The recommended conditions will ensure the spirit and intent of the code and comprehensive plan are met.

Recommended Conditions:

- There shall be at least seven (7) parking spaces available for customers and employees of this used car lot during regular business hours per Section 1113.11.F.
- The conditional use shall be in accordance with the approved site plan, all applicable sections of the Unified Development Code (UDO) and agreed upon conditions of approval. Any changes/additions/alternations of the approved site plan shall be submitted to the Planning Commission or the Community Development Department Staff for review and approval; any changes/additions/alternations not so referred shall not be valid per Section 1105.09.E(2)(c).
- A Certificate of Zoning Compliance must be obtained from the City of Riverside Community Development Department.
- A Certificate of Occupancy must be received from the Montgomery County Building Regulation Division prior to occupancy of the structure.
- Landscaping and screening shall be installed according to the approved plan within three (3) months of obtaining a Certificate of Occupancy.
- The grass area shall remain undisturbed and the lot shall not be used for a junk or salvage yard.

The question(s) before the Planning Commission is:

- **Does the proposal meet the standards for approving the proposed conditional use established in Section 1105.09(E)?**

In order to answer this question, the Planning Commission should consider:

- information in the staff report (standards for approval, attachments, land use plan, etc.), and
- testimony and/or evidence provided at the public hearing which directly relates to the conditional use application.

CONDITIONAL USE STANDARDS OF APPROVAL AND STAFF ANALYSIS FROM SECTION 1105.09 (E):

The following criteria shall be followed when approving Conditional Use application.

1. The Conditional Use is a use that may be permitted with conditions, in the District for which it is proposed;

Yes, automobile sales are permitted in the B-2 General Business District with an approved Conditional Use.

2. The Conditional Use will be in conformity with the Comprehensive Land Use Plan;

The comprehensive plan identifies this area as one of the key commercial corridors – the Airway/Woodman Commercial Corridor. The essential commercial corridors have many elements necessary for the city to accelerate improvements, including ideal location, available funding, and active development interest. This particular property falls into the Regional Commercial land use category. The land use plan recommends “*drive-up and automobile-focused businesses in the **proper locations**, providing all **necessary retail** options for residents, employees, and visitors to Riverside*”.

Staff finds the proposed use does not align with the comprehensive plan. The Regional Commercial category is intended to provide for businesses serving the regional area including primarily a variety of commercial and professional activities, retail services, and community entertainment venues which serve those using various methods of transportation. The proposed car lot will be located in an area that is saturated with other used car lots and automobile centered uses.

3. The Conditional Use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

Staff has recommended conditions to ensure the proposed car lot is operated and maintained to be harmonious and appropriate in appearance with the existing and intended character of the Airway/Woodman commercial corridor.

4. The Conditional Use will not be hazardous to or unreasonably disturbing to existing or future neighboring uses;

The proposed conditional use will not be hazardous nor unreasonably disturbing to existing or future neighboring uses. The applicant will need to apply for all the required permits and approvals from the City, County, and State of Ohio.

5. The Conditional Use will be served adequately by existing public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such services;

Yes, this is an existing site that will be adequately served by the existing infrastructure and current services available to the proposed car lot.

6. The Conditional Use will not create excessive additional requirements, at public cost, for public facilities and services and will not be detrimental to the economic welfare of the community;

The proposed car sales lot will not create additional requirements for public services or facilities.

7. The Conditional Use will not involve uses, activities, processes, materials, equipment and conditions or operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, negative appearance, or odors;

No, staff does not find that excessive traffic, noise, smoke, fumes, glare, or odors will be generated from this proposed use.

8. The Conditional Use will have vehicular approaches to the property, which shall be designed so as not to interfere with traffic on surrounding public thoroughfares;

The pre-existing vehicular approaches to the property will not be altered. The applicant has designated seven (7) spaces for customer and employee parking. The adjacent auto repair business currently parks vehicles in these spaces. They will need to park their vehicles elsewhere in order for this property to remain in compliance with the parking requirements.

9. The Conditional Use will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance as determined by the City of Riverside;

Staff has not identified any such features on or near the site which will be impacted by the proposed car lot.

ATTACHMENTS:

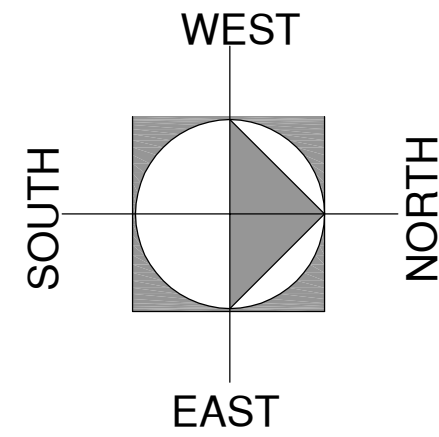
1. Zoning Map
2. Aerial Map
3. Site Plan
4. Project Description
5. Neighborhood Meeting Information
6. Supplemental Information





PLOT PLAN

Scale: 1" = 20'
 4766 Airway Road
 Riverside, Ohio 45431

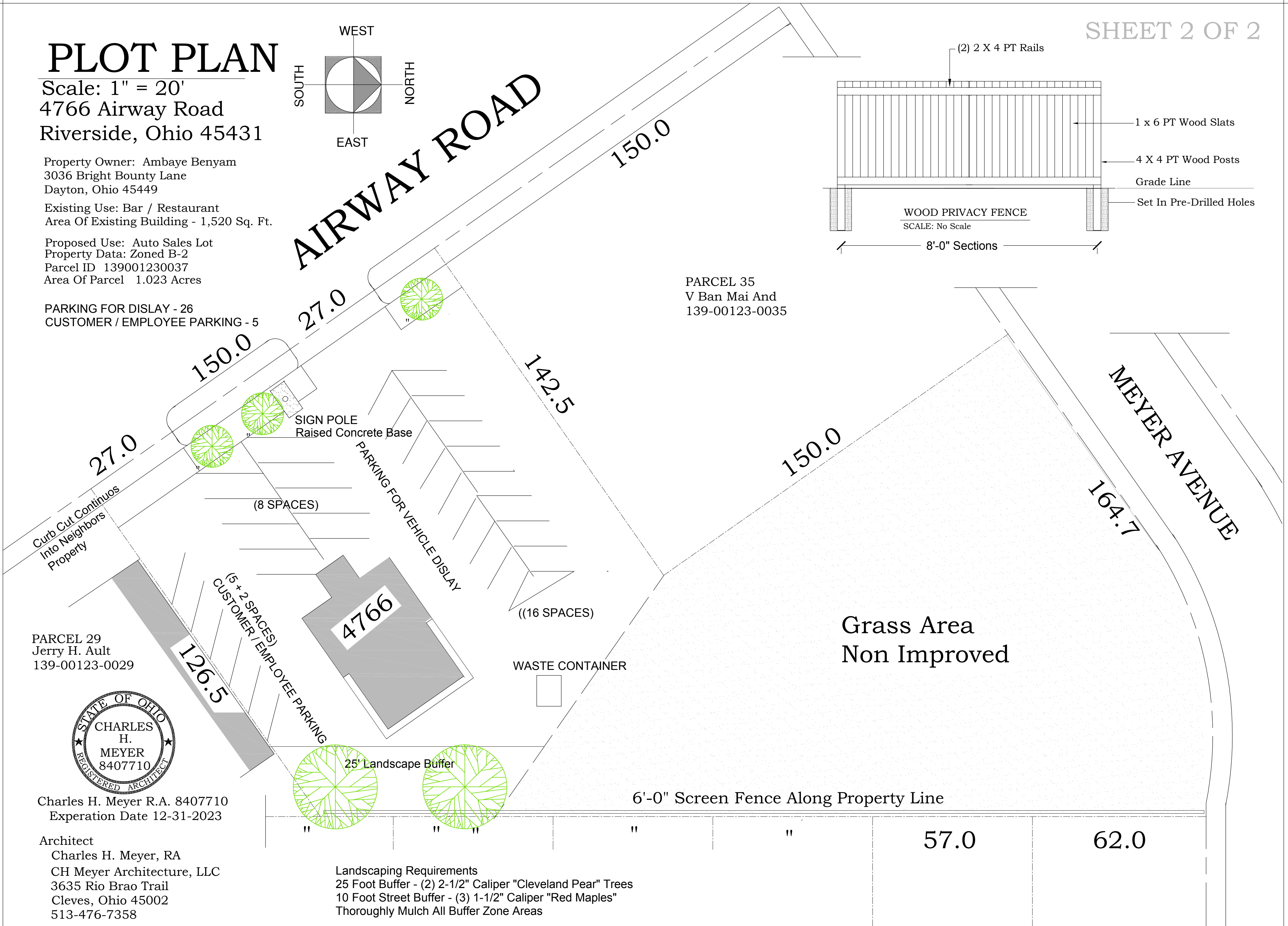
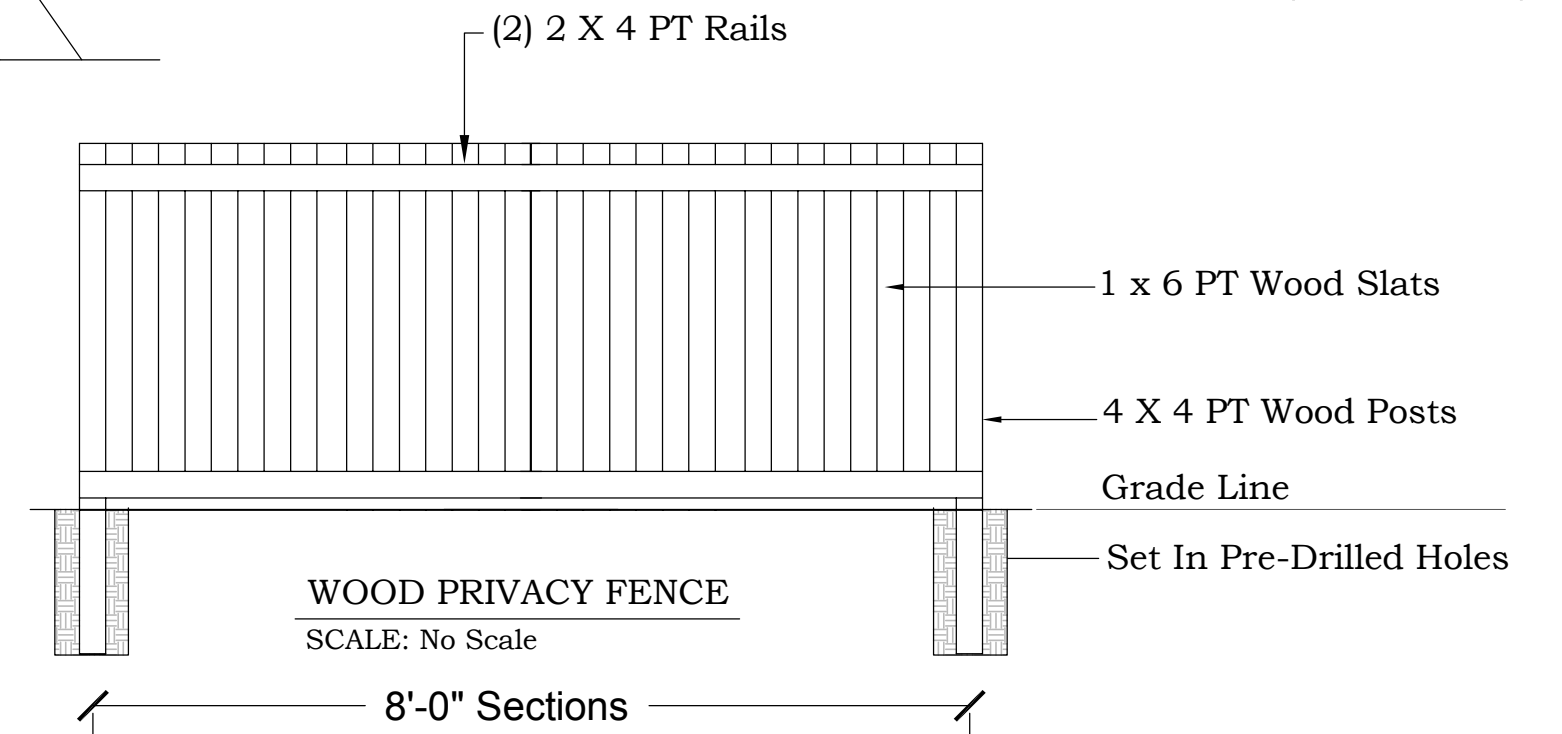


Property Owner: Ambaye Benyam
 3036 Bright Bounty Lane
 Dayton, Ohio 45449
 Existing Use: Bar / Restaurant
 Area Of Existing Building - 1,520 Sq. Ft.

Proposed Use: Auto Sales Lot
 Property Data: Zoned B-2
 Parcel ID 139001230037
 Area Of Parcel 1.023 Acres

PARKING FOR DISPLAY - 26
 CUSTOMER / EMPLOYEE PARKING - 5

PARCEL 35
 V Ban Mai And
 139-00123-0035



PARCEL 29
 Jerry H. Ault
 139-00123-0029



Charles H. Meyer R.A. 8407710
 Expiration Date 12-31-2023

Architect
 Charles H. Meyer, RA
 CH Meyer Architecture, LLC
 3635 Rio Brao Trail
 Cleves, Ohio 45002
 513-476-7358

Landscaping Requirements
 25 Foot Buffer - (2) 2-1/2" Caliper "Cleveland Pear" Trees
 10 Foot Street Buffer - (3) 1-1/2" Caliper "Red Maples"
 Thoroughly Mulch All Buffer Zone Areas

CH Meyer Architecture, LLC
Charles H. Meyer, R.A.
3635 Rio Bravo Trail
Cleves, Ohio 45002
513-476-7358

April 19, 2023

PROJECT DESCRIPTION

Used Car Sales Lot
6744 Airway Road
City of Riverside, Ohio

Owner: Ambaye Benyam
 3036 Bright Bounty Lane
 Dayton, Ohio 45449

This project is for a used car lot on a lot that was by it's visual painted parking spaces, a previous lot of sorts. It is of a size of 1.023 acres or 44,561.88 square feet. On this lot there is a building that will be used as the office for the car lot. The size of the building by measurement is 1,520 square feet. The parking lot has an asphalt surface that has recently been sealed. It has already been lined for parking by a previous occupant. These parking spaces will be reused as much as possible.

It must be noted that the hours of operation has not been determined by the owner. It will have an operator on site during the hours of operation. There is some exterior lighting but there has been no discussion as to adding lighting other than security lighting.

There are existing marked parking spaces in the number of 31 spaces. The breakdown of usage will be, 5 spaces for customers and/or employees, 26 spaces will be dedicated for parking cars displayed for sale. Adjacent to this used car sales lot is an open grass field belonging to this owner. This field will not be used for the parking of cars.

Completion of Property Description

Submitted By:
Charles H. Meyer R.A.
Project Architect

CH Meyer Architecture, LLC
Charles H. Meyer, R.A.
3635 Rio Bravo Trail
Cleves, Ohio 45002
513-476-7358

May 10, 2023

PROJECT DESCRIPTION
REQUEST FOR CONDITIONAL USE
PC Case #23-0007 Conditional Use

LOCATION
Used Car Sales Lot
6744 Airway Road
City of Riverside, Ohio 45431

OWNER: Ambaye Benyam
 3036 Bright Bounty Lane
 Dayton, Ohio 45449

This project is for a used car lot on a parcel that was by it's visual painted parking spaces, a previous lot of sorts. It is of a size of 1.023 acres or 44,561.88 square feet. There are two definite uses on the parcel. One section, the Conditional use area is a paved surface with an existing building. The other area is an open field of grass. This area is not meant for change due to this request. On the paved lot there is a building that will be used as the office for the car lot. The size of the building by measurement is 1,520 square feet. The parking lot has an asphalt surface that has recently been sealed. It has already been lined for parking by a previous occupant. These parking spaces will be reused as much as possible. Spaces provided are in compliance with Standard Section 1113.13 for auto parking lots.

It must be noted that the hours of operation has not been determined by the owner. It will have an operator on site during the hours of operation. There is some exterior lighting but there has been no discussion as to adding lighting other than security lighting.

There are existing marked parking spaces in the number of 31 spaces. The breakdown of usage will be, 5 spaces for customers and/or employees, 26 spaces will be dedicated for parking cars displayed for sale. The grass field is not intended for the parking of cars.

There will be buffer zones as required by Standard Section 1113.07. A street buffer of 10 feet wide will be placed along Airway Drive. This buffer will contain (3) 1-1/2" caliper "Red Maple"

or a tree species specified by the City of Riverside. A few container size "Boxwoods" will also be placed within the buffer area along with complete mulching. A 25 foot wide buffer is required along the rear property line separating the business use from the residential use on Conway Road. This buffer will contain (2) 2-1/2" caliper "Cleveland Pear " trees or a tree species specified by the City of Riverside. Because of the width of this buffer there could be a minimum of (6) container size "Boxwoods" placed there. This area shall be covered with suitable mulch layer. Required trees are covered in the Standard Section 1113.15.

In addition to the trees required by Section 1113.15, there will be a 6 Foot high wood privacy fence along the property line separating the residences on Conway Road and the adjoining B-2 Zone of this request.

There are additional comments that need to be addressed at this time. There has been no discussion of any signage that may be necessary for this auto sales lot. Signage though would be by an outside contractor who would be required to get all permits. Necessary permits or approvals such as Certificate of Occupancy, request for a Zoning Variance because of driveway limitations will be filed later. A fire inspection is required and shall be applied for a later date. Because of limitation of time, the requests made by the Economic Department of the City of Riverside will be addressed at a later date. This request will require a Comprehensive Plan of it's own, and will be put on hold until it can be counseled by the appropriate Economic Department staff.

Completion of Conditional Use for 4766 Airway Drive.

Submitted By:
Charles H. Meyer R.A.
Project Architect
513-476-7358

January 23, 2024

To: Surrounding Property Owners, Residents, Planning Commission Members and City Staff

RE: NEIGHBORHOOD MEETING NOTIFICATION LETTER

Dear Sir or Madam:

We have the pleasure of informing you that your neighbor, Mr. Benny Ambaye, owner of the commercial property located at 4766 Airway Rd., Riverside, OH 45431, has submitted a conditional use application to the City of Riverside for the purpose of permitting the sale of motor vehicles on the above-referenced property.

Prior to the City of Riverside's Planning Commission public meeting, we would like to take the opportunity to discuss the proposal in more detail with you.

The purpose of this meeting is to provide a forum for the applicant and surrounding property owners/residents to review the proposal and to identify issues so that they may be considered when a conditional use application is reviewed by the City. This meeting also gives you the opportunity to share with us any special information you know about the property involved.

We will attempt to answer questions which may be relevant to meeting conditional use standards consistent with City of Riverside's zoning code and its respective Comprehensive Land Use Plan.

Best Regards,

BENNY AMBAYE

You are cordially invited to attend the meeting on:

Date: Thursday, February 1, 2024

Time: 6:00pm

**Location: Dayton Metro Library – Southeast Branch
21 Watervliet Ave., Dayton, OH 45420**

Nia Holt

From: G. DEEK, Esq. <gus@deeklaw.com>
Sent: Thursday, February 1, 2024 9:19 PM
To: Nia Holt; BENNYAMBAYE@gmail.com
Subject: 4766 AIRWAY RD. - NEIGHBORHOOD MEETING INFORMATION
Attachments: NEIGHBORHOOD MEETING ATTENDEES.pdf; Required City Contacts.xlsx; NEIGHBORHOOD GIS CONTACT LIST - 4766 AIRWAY RD. NEIGHBORHOOD NOTICE.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

Nia,

Per your request, and pursuant to Section 1105.07(E)(2), please find attached the neighborhood meeting contact list, attendance sheet, and supplemental information.

At tonight's meeting, held at 6pm EST, there were six (6) people in attendance inclusive of myself and the Applicant, Mr. Ambaye.

We first discussed the nature of our request and opened the floor to questions and comments. Three (3) of the attendees were present at the March 2023 Public Meeting. Two (2) of those attendees were previously in support of the request and remained in support throughout our presentation. The third, Brett Domescik, was previously opposed to the request, but indicated subsequent to meeting Mr. Ambaye and hearing further details, he may have a different perspective on the request at or prior to the upcoming meeting.

Those in attendance expressed the following concerns: They indicated that they did not want "junk cars" that would ultimately be unsightly and/or "leaking fluid" and preferred an "upscale" operation that was aesthetically pleasing. One attendee further expressed concern with the number of similar operations in the immediately surrounding area.

Applicant and myself addressed attendees concerns, advised that it was our intent to operate, sell, or lease, a business that would be permitted to operate a car rental and car dealership. We advised that part of the requirements of operating a car rental establishment entails that the vehicles for rent be of new or like new quality, and that the cars for sale will be of a standard of quality that is representative of Mr. Ambaye's prior and current businesses located in the City of Riverside and greater surrounding area. While we acknowledged that other similar businesses were currently in operation in the area, we further explained that our intent was to distinguish ourselves in quality and appearance, and in a manner consistent with the vision of the city of Riverside.

All attendees expressed vehement opposition to the operation of a bar or exotic dance club, as was previously operating on the property, and further opposed a fast casual restaurant as they feared that the same issues that would plague a "bar/tavern" may plague a "restaurant" that operated on the property.

We concluded the meeting by opening the floor to any questions and/or concerns. Attendees indicated we had addressed all their inquiries and had no further comments.

Please confirm receipt of this email. Should you have any further questions or require additional information, please do not hesitate to contact us. Thank you.

Best Regards,

DEEK LAW, LLCGHASSAN J. DEEK, ESQ.
ATTORNEY AT LAW1563 E. DOROTHY LANE, SUITE 204
KEETERING, OH 45429

GUS@DEEKLAW.COM

P: 937-270-1294
F: 937-343-6605

January 2, 2023

**4766 AIRWAY RD. DEVELOPMENT PLAN APPLICATION:
PROJECT DESCRIPTION SUPPLEMENT**

To Whom it May Concern,

Pursuant to §1105.03(D)(3), Applicant, Benyam Ambaye, hereby provides the supplement contained herein for the purpose of fully addressing the issues and findings identified in the Planning Commission Meeting Staff Report denial correspondence dated May 15, 2023.

In that Report, the City of Riverside Staff found the following:

1. That the proposed development does not meet the policies of the Land Use Plan or the findings in the Plan Update because:
 - a. The Site is located in the Central Core area which recommends a combination of retail, office, business, recreation, municipal, educational, and tourism-related uses; and
 - b. The use will limit higher uses/investment and redevelopment opportunities.
2. That the development will not contribute to the overall economic welfare of the community; and
3. That the proposed development will be detrimental to the City's efforts to improve the appearance of Airway Road.

Attached to the Report, City Staff provided the Conditional Use Standards of Approval and Staff Analysis from §1105.09(G) and found that Applicant's development request, as submitted, would not meet the Standards of Approval criteria defined in §1105.09(G).

The findings were based on the following:

1. That the development plan did not align with the then existing Land Use Plan or the findings of the Plan Update because:
 - a. The request would not be in accordance with the specific objectives of the Unified Development Ordinance (UDO) as it was not necessary for the general welfare, nor did it enhance the successful operation of the

surrounding area as outlined in the goals of Central Core area identified in the 2005 Comprehensive Plan.

- b. The Airway/Woodman Corridor is a key corridor intending to be an employment center for the City and contains elements necessary for the City to accelerate improvements, including, among other elements, active development interest;
2. That the Conditional Use could not be operated and maintained to be harmonious with the intended character of the Airway/Woodman Corridor due to the overall aesthetic of the use and its impact on potential development opportunities;
3. The Proposed use would have a detrimental impact on the Central Core Area Corridor due to a negative appearance; and
4. The Airway/Woodman Corridor is a focus commercial area for the City of Riverside and its future vision as the City needs to create job opportunities to increase its primary source of revenue for City Services, income taxes.

(See Exhibit "A" attached hereto and incorporated herein).

As discussed in the Pre-Application Meeting with Zoning Administrator Nia Holt, and for further background informational purposes, Applicant has listed the property that is the subject of this request and located at 4766 Airway Road for sale and has been approached by an investor seeking to purchase, develop, and redevelop the property to suit an expansive car lot / car rental business.

It is Applicant's understanding that the investor's operating budget for the project would be in excess \$1,500,000.00. Contingent on the sale however is zoning approval for the proposed use. As such, and in accordance with §1105.03(D)(3), Applicant hereby submits the following for the purpose of addressing the issues and concerns contained in the Staff Report's findings.

Applicant contends that:

1. The proposed use meets the general objectives of the UDO by providing sales and services to the motoring public;
2. The proposed use is permitted under §1105.03(C)(4)(c) and §1105.03(C)(5);
3. The proposed use aligns with the vision and specific objectives of the UDO by inviting current and future investment, development, and redevelopment that would be designed, operated, and maintained to be harmonious with – and a much needed aesthetically pleasing improvement to – the current and intended character of the general vicinity of the Corridor;
4. The proposed use will be beneficial to the general welfare of the community by providing a unique retail service to the local community, i.e., an automobile rental business, and by employing local residents, creating job opportunities, and generating City income tax revenues for City Services and the City of Riverside's Public School System;

5. The proposed use supports the City's vision for growth and would enhance the successful operation of the surrounding area by encouraging and attracting current and future development and investment interest;
6. The neighboring community is in support of the proposed use; and
7. The number of currently existing used car lot businesses in the area, many of which are unsightly in appearance, would be resolved through economic forces dictating viability and survival, which would ultimately pave the way for improvement of a Central Core area and key commercial corridor.

Based on reasons including, but not limited to the foregoing, Applicant requests that the City of Riverside grant his request.

In the alternative, Applicant requests that the City grant his §1105.03(D)(3) Reapplication request and permit the opportunity to be heard at the next Planning Commission meeting, currently scheduled for Wednesday, February 21, 2024.

Should you have any questions or concerns, please do not hesitate to contact us.

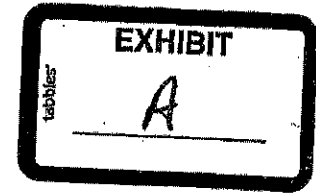
We look forward to your correspondence. Thank you.

Respectfully,



Ghassan J. Deek, Esq.
DEEK LAW, LLC

GJD/ENC



**PLANNING COMMISSION MEETING
STAFF REPORT
MONDAY, MAY 15, 2023**

CASE NO: PC #23-0007
PROJECT NAME: 4766 AIRWAY CONDITIONAL USE
PROJECT ADDRESS: 4766 AIRWAY ROAD, RIVERSIDE, OH 45431
PARCEL ID: 139 00123 0037
APPLICANT INFORMATION: CHARLES MEYER, 3635 RIO BRAVO TRAIL, CLEVES, OH 45002
OWNER INFORMATION: BENYAM AMBAYE, 3036 BRIGHT BOUNTY LANE, DAYTON, OH 45449
ZONING DISTRICT: B-2 GENERAL BUSINESS DISTRICT
CURRENT USE: VACANT COMMERCIAL STRUCTURE

REQUEST: A Conditional Use Application for an automobile sales business in the B-2 General Business Zoning District.

CASE BACKGROUND:

The subject site is located on the south side of Airway Road. The property is outside the Source Water Protection Area. The applicant is requesting a conditional use for a used car lot on a 1.02 acre parcel. The proposal includes repurposing the existing 1,520 sf former K.C. Lounge structure and parking lot. The proposed used car lot will include 24 parking spots for vehicle display and utilize the existing principal structure as the administrative office. The remaining seven (7) parking spaces will be reserved for employee and customer parking. The adjacent auto repair business currently parks vehicles in these spaces. They will need to park their vehicles elsewhere in order for this property to remain in compliance with the parking requirements.

INTERESTED PARTY COMMENTS: Staff has not received any comments from adjacent property owners.

STAFF REVIEW/FINDINGS:

Staff finds that the *conditional use application* is not adequately justified and does not meet the standards #2, #3, #6 and #7. Staff recommends denial of the conditional use, because:

- proposed development does not meet the policies or development recommendations of the Land Use Plan or the findings in the ongoing Plan update,
 - Site is located in the Central Core area which recommends a combination of retail, office, business, recreation, municipal, educational, and tourism-related uses.
 - This use will limit opportunities for higher uses/investment potential of a major redevelopment in the Airway/Woodman corridor.
- the development will not contribute to the overall economic welfare of the community,



and

- the proposed development will be detrimental to the City's efforts to improve the appearance of Airway Road.

Should the Planning Commission choose to approve the conditional use as presented the staff recommends the below conditions:

Recommended Conditions:

- There shall be at least nine (7) parking spaces available for customers and employees of this used car lot during regular business hours per Section 1113.11.F.
- The conditional use shall be in accordance with the approved site plan, all applicable sections of the Unified Development Code (UDO) and agreed upon conditions of approval. Any changes/additions/alternations of the approved site plan shall be submitted to the Planning Commission or the Community Development Department Staff for review and approval; any changes/additions/alternations not so referred shall not be valid per Section 1105.09.G.4.
- A Certificate of Zoning Compliance must be obtained from the City of Riverside Community Development Department.
- A Certificate of Occupancy must be received from the Montgomery County Building Regulation Division prior to occupancy of the structure.
- Landscaping and screening shall be installed according to the approved plan within three (3) months of obtaining a Certificate of Occupancy.

The question(s) before the Planning Commission is:

- **Does the proposal meet the standards for approving the proposed conditional established in Section 1105.09(G)?**

In order to answer this question, the Planning Commission should consider:

- information in the staff report (standards for approval, attachments, land use plan, etc.), and
- testimony and/or evidence provided at the public hearing which directly relates to the conditional use application.

**CONDITIONAL USE STANDARDS OF APPROVAL AND STAFF ANALYSIS FROM SECTION 1105.09 (G):**

The following criteria shall be followed when approving Conditional Use application.

1. The Conditional Use is a use that may be permitted with conditions, in the District for which it is proposed;

Yes, automobile sales are permitted in the B-2 General Business District with an approved Conditional Use.

2. The Conditional Use will be in accordance with the general objectives, or with any specific objective, of this UDO;

This proposal will meet the general objectives of the UDO but does not align with the specific objectives of the comprehensive plan. One of the objectives listed for the B-2 General Business District is "to provide accommodations, supplies, sales and services to the motoring public" (UDO 1107.09.C). The proposed use will meet this UDO objective.

Staff finds the proposed use does not align with current land use plan or the findings of the ongoing land use plan update. The proposed use of a car sales lot is not necessary for the general welfare, nor does it enhance the successful operation of the surrounding area as outlined in the goals of Central Core area identified in the 2005 Comprehensive Plan. The Airway/Woodman Corridor is intended to be an employment center for the City and focal point of community identity.

During the current comprehensive planning process this area was identified as one of the key commercial corridors. These corridors have many elements necessary for the city to accelerate improvements, including leadership, support, site control, available funding, and active development interest.

3. The Conditional Use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;

No, a car lot cannot be operated and maintained to be harmonious with the intended character of the Airway/Woodman Corridor. Staff is concerned the overall aesthetics of this use and its impact on attempts to attract development to the Airway/Woodman Corridor.

4. The Conditional Use will not be hazardous to or unreasonably disturbing to existing or future neighboring uses;

The proposed conditional use will not be hazardous to nor unreasonably disturbing to existing or future neighboring use. The applicant will need to apply for all the required permits and approvals from the City, County, and State of Ohio.



5. The Conditional Use will be served adequately by existing public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such services;

Yes, this is an existing site will be adequately served by the existing infrastructure and current services available to the proposed development.

6. The Conditional Use will not create excessive additional requirements, at public cost, for public facilities and services and will not be detrimental to the economic welfare of the community;

The comprehensive land use planning process has generated sufficient data through market analysis, residential and stakeholder feedback, to determine if a land use fits in the Riverside's current community characteristics and future vision for development. The Woodman Drive and Airway Road corridor was identified as a focus commercial area for the city. The City of Riverside needs to create job opportunities to increase our primary source revenue for City services, income taxes. The proposed used car lot is likely to only bring in 2-3 low-income jobs.

7. The Conditional Use will not involve uses, activities, processes, materials, equipment and conditions or operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, negative appearance, or odors;

Yes, the proposed use can have a detrimental impact on a key commercial corridor, identified in the current land use plan as a Central Core Area, due to negative appearance. The City is working to update the Property Maintenance Code and improve the look of the entrance corridors into the City of Riverside. A sea of parked cars from various car lots will not improve the appearance of Airway Road or enhance community identity.

8. The Conditional Use will have vehicular approaches to the property, which shall be designed so as not to interfere with traffic on surrounding public thoroughfares;

The pre-existing vehicular approaches to the property will not be altered. The property owner has designated seven (7) spaces for customer and employee parking. The adjacent auto repair business currently parks vehicles in these spaces. They will need to park their vehicles elsewhere in order for this property to remain in compliance with the parking requirements.

9. The Conditional Use will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance as determined by the Zoning Department;

Staff has not identified any such features on or near the site which will be impacted by the proposed car lot.



Front of Subject Site



Adjacent Property (Car Lot) Across Airway Road



Adjacent Property to the East



Adjacent Property to the West



Customer/Employee Parking



Vehicle Display Area 1



Vehicle Display Area 2



Rear Green Space



Nearby Car Lot #2 – 4790 Airway Rd



Nearby Car Lot#3 – 4777 Airway Rd

FUTURE LAND USE

Future land use describes the community’s intent for “how” (development character) and “where” (potential location) Riverside will grow and invest. Growth, in this sense, has several definitions. The community can and will grow in a manner that is fiscally and aesthetically additive. It will grow inward, reinvesting in existing neighborhoods, underutilized properties, and along commercial corridors. And last, it will “grow” its relationship to the Mad River, Eastwood Lake, and other natural assets right at the community’s doorstep. Progress

in these areas will ensure Riverside is a strong, competitive, and beautiful community for years to come. The development principles presented below help articulate the values of the community as they are related to physical growth, community reinvestment, and evolution. The principles for growth support the future land use framework, conceptual focus area development diagrams, and overall recommendations included in the broader Comprehensive Plan.

As Riverside grows and the community continues to evolve, it is our intent that...



New growth and development help create distinct town centers to unite the community

(One Riverside!). The City of Riverside’s history and unique boundaries have created a situation where no clear town center or primary activity node exists. Residents desire to create central spaces within the community that bring the people of Riverside together for physical, social, and economic activities.



Locations for new development are determined

through a logical process and are made accessible to all users and modes of travel by integrating contemporary design standards and zoning codes. The quality of new development is essential to the residents of Riverside. Modern zoning codes and design guidelines will help reinforce the character of Riverside in any new development’s style, texture, and location. These regulations will help streamline the process, sending a clear message on how to deliver the types of places residents wish to see in Riverside.



Redevelopment will reinforce the character of Riverside while providing

an opportunity for the community to re-invest, refresh, and revitalize. The City of Riverside will direct growth to key focus areas, while carefully managing reinvestment opportunities to ensure they reinforce the character of existing neighborhoods. Individual land owner rights will be carefully balanced against this vision of how Riverside can revitalize commercial corridors and residential neighborhoods.



New development and redevelopment will pay for themselves in the long term.



New residential projects will offer an array of housing typologies at varying price

points and for multiple stages of life consistent with Riverside’s current housing stock. Riverside maintains a diverse mixture of housing types, including a healthy amount of naturally occurring affordable housing stock, which creates a multi-generational community. Riverside will continue to offer an array of housing types by adding flexible zoning and development standards that require the construction of high-quality rental, attached, detached, and mixed-use districts that support the various stages of homeownership.



Existing neighborhoods will remain vital, competitive, and affordable with

enhanced amenities, bike and pedestrian connections, and well-maintained infrastructure.



Parks and greenways will provide all residents with walkable and

bikeable access to their neighborhood’s open spaces and recreational amenities.

Riverside residents value the community’s vital link to the Five Rivers MetroParks, Eastwood Lake, and the Mad River. In the future, the city will continue to explore opportunities to leverage these and other park assets by forging new multi-modal connections that are safe and accessible for all residents regardless of age or ability.



Employment Centers are well-sited concerning regional access and aesthetically

additive with distinctive architecture, integrated site, and landscape planning.

Riverside and its surrounding communities exist in a symbiotic relationship. The Riverside community will maintain ongoing communication and collaboration to foster strong regional partnerships and leverage its locational advantage in securing workforce and economic development opportunities that help fulfill local and regional goals.



New infrastructure investments in roadways, sidewalks, and trails will forge

improved connections to jobs, schools, neighborhoods, and amenities.

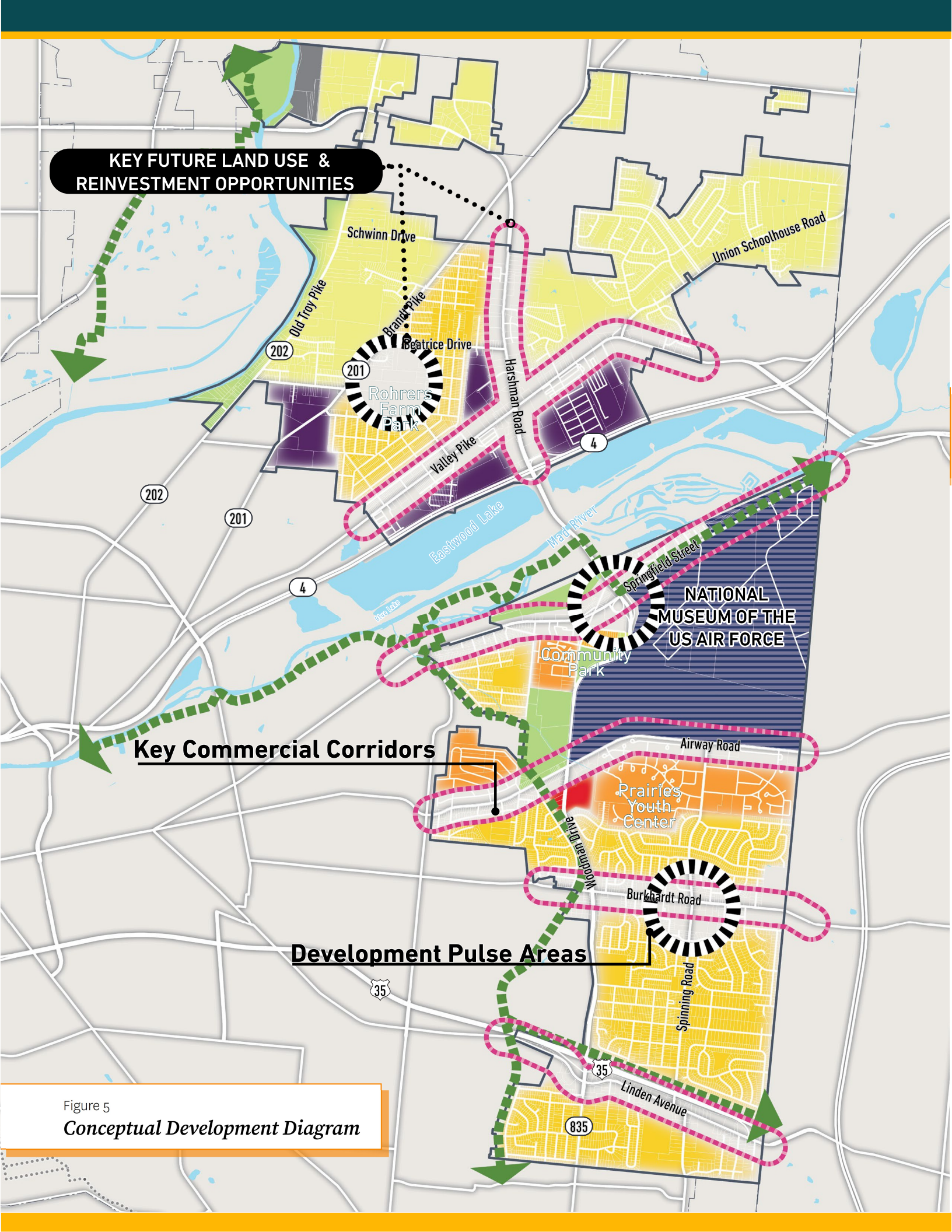


Figure 5
Conceptual Development Diagram














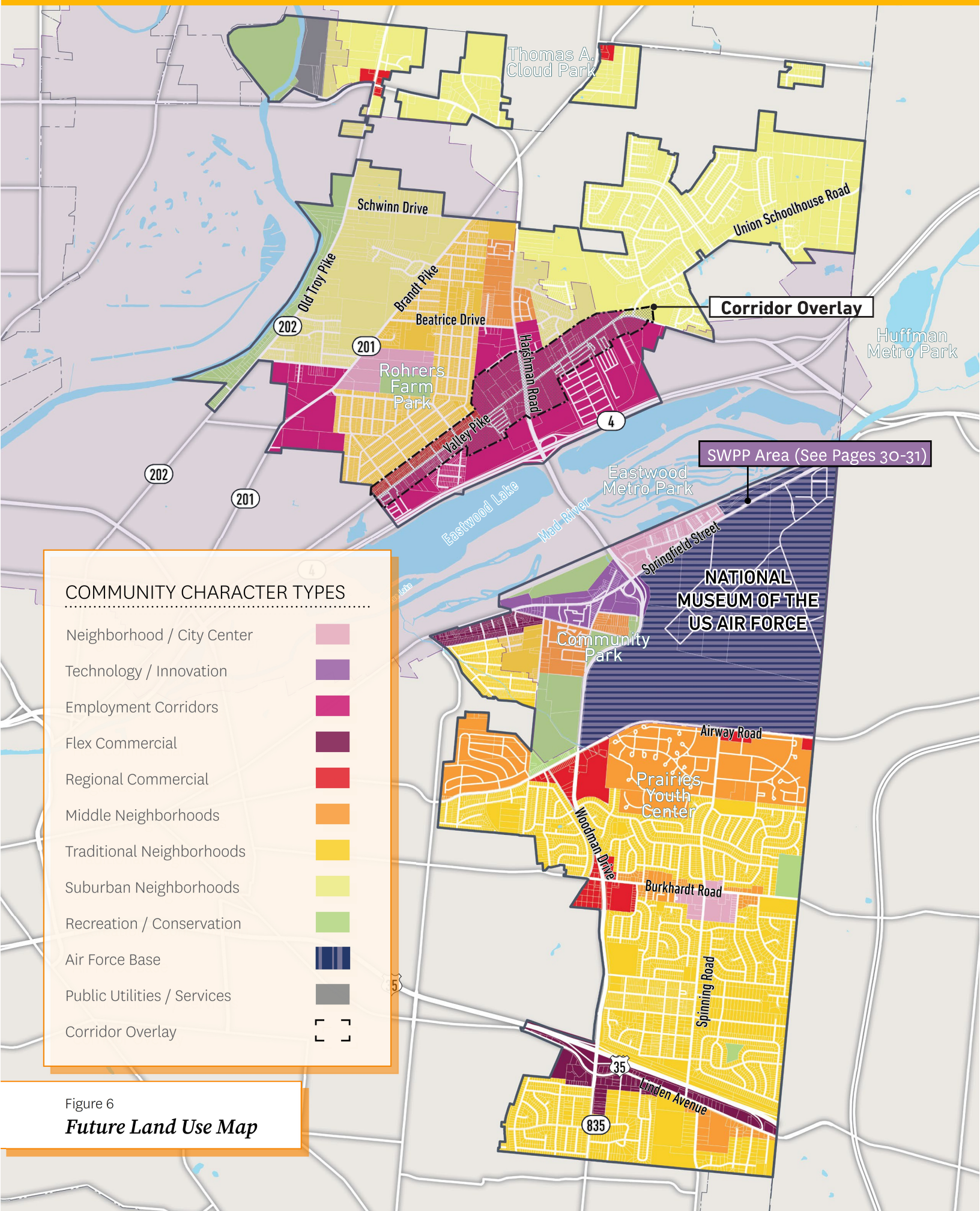
The Future Land Use Plan

Land use planning is essential to any comprehensive plan and represents the foundation upon which the built environment stands. It is critical for all communities to provide an appropriate mix of land uses to help serve a wide variety of residents and businesses and diversify their income tax base by balancing requirements for jobs and housing.

Land use planning and developing a Future Land Use Map should go beyond merely assigning or restricting development types by designating a parcel of land with a given use (e.g., residential, commercial, industrial). Land use planning is the community’s opportunity to promote economic development, social interaction, multi-modal transportation, and environmental preservation.

Principles for Growth, Development, & Conservation help illustrate a vision for “how” the community wishes to evolve. Community Character Typologies describe the style, essence, pattern, and organization of development that accurately matches this vision. Character areas are existing and future districts within Riverside that share attributes of urban form and function, including the size and type of buildings and their relationship to the street. The Future Land Use Map is where these two recommendations collide—conceptually illustrating “where” and “how” the city should guide future physical development.

COMMUNITY CHARACTER TYPES	
Neighborhood / City Center	
Technology / Innovation	
Employment Corridors	
Flex Commercial	
Traditional Commercial	
Middle Neighborhoods	
Traditional Neighborhoods	
Suburban Neighborhoods	
Recreation / Conservation	
Air Force Base	
Public Utilities / Services	



COMMUNITY CHARACTER TYPES

- Neighborhood / City Center
- Technology / Innovation
- Employment Corridors
- Flex Commercial
- Regional Commercial
- Middle Neighborhoods
- Traditional Neighborhoods
- Suburban Neighborhoods
- Recreation / Conservation
- Air Force Base
- Public Utilities / Services
- Corridor Overlay

Figure 6
Future Land Use Map

REGIONAL COMMERCIAL

The Regional Commercial category intends to maintain and foster drive-up and automobile-focused businesses in the proper locations, providing all necessary retail options for residents, employees, and visitors to Riverside. This development pattern consists of roadway-oriented commercial establishments focused on maintaining ease of car access on the community's most high-volume streets (Harshman and Woodman). New building designs and site planning standards will improve the urban form and accessibility for all transportation modes.

INTENT

- » Improve pedestrian and vehicular connectivity between nearby residential neighborhoods and adjacent non-residential uses
- » Utilize consolidated access points between developments to improve pedestrian and vehicular safety
- » Promote design for various modes of transportation (walk, bicycle, automobile) with connectivity to neighboring employment centers and neighborhoods
- » Identify and emphasize roadway-oriented development opportunities at key intersections and corridors

