



To: Planning Board
From: Don Buczek, Assistant to the City Manager
Date: October 4, 2018
Subject: Staff Report for Conditional Use Permit – 4120 West Franklin Street

Summary of the Request

The new owner of 4120 West Franklin Street is requesting a Conditional Use Permit to use the property for office space. The Zoning Code gives the authority for approving conditional uses to the Board of Zoning Appeals, but requires the Planning Board to give a recommendation to the BZA on how the proposed use fits into the Comprehensive Plan. The Planning Board is being asked to determine if the proposed office use corresponds with the goals of the Comprehensive Plan.

Applicant Information

Tony Cali
President, Cali & Associates
4120 West Franklin Street
Bellbrook, Ohio 45305
(Owner of Allstate Insurance Agency at 2006 Bonniedale Drive)

Current Zoning District

R-3: Multi-family Residential

Parcel Identification

L35000100090007700

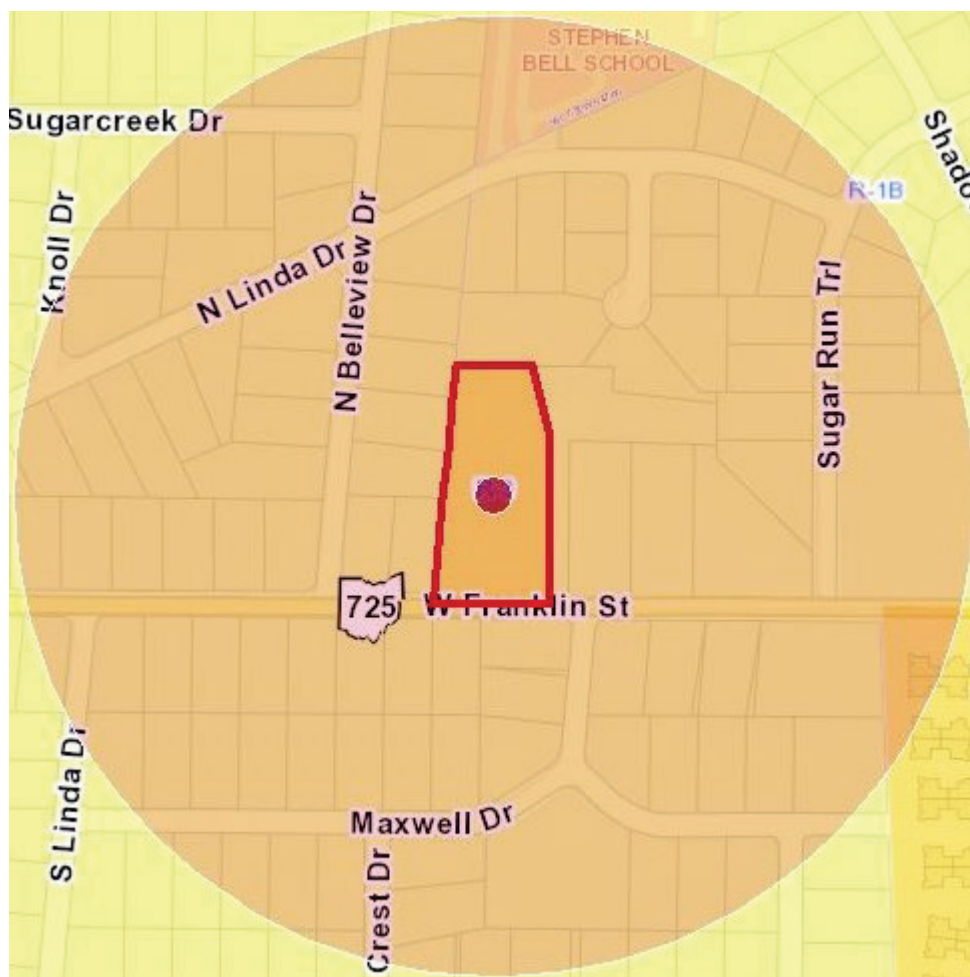
Additional Actions or Next Steps to be taken by the City

The Board of Zoning Appeals will decide on the request at their public meeting on October 16.

Applicant's Reason for the Request

For over 40 years, the property at 4120 West Franklin Street has been used as a medical office. The previous owner operated the medical office under a conditional use permit issued in 1973. The proposed insurance agency use, along with the potential for uses such as accountants and real-estate agents, fit with the conditional uses found in 7.04(10) of the Zoning Code: *Offices in which the personnel will be employed for work in executive, administrative, legal, writing, clerical, stenographic, accounting, insurance or similar enterprises.*

Surrounding Land Use within 1,000 Feet



Previous Related Development Decisions in the Immediate Area (3-5 Years)

None

Comprehensive Plan Applied to the Geographical Area

The goals and general planning policies of the Comprehensive Plan state that residential areas should be designed as individual neighborhoods with a strong identity to the Bellbrook-Sugarcreek area and that commercial development should be encouraged to make a wide range of goods and services convenient to the community, be clean and neat in appearance, be screened from residential areas, and provide convenient traffic access (Chapter II, Community Goals and General Planning Policies, (4), Commercial Development).

Professional services should be located in a neighborhood setting, such as residential or neighborhood business districts with a target population of approximately 5,000 (Chapter III, Land Use, Table 3, Guidelines for Commercial Centers).

A compatible relationship between commercial areas and existing adjacent uses should be established through the use of buffering and screening, natural topographic features and transitional land uses. New commercial developments should be encouraged to locate in a compact pattern rather than in a continuous strip area along arterial streets. (Chapter III, Land Use, Commercial Policies, pg 31-32).

The Comprehensive Plan indicates that while there should be some expansion in the downtown business district and some small convenience facilities distributed in relation to the neighborhood residential pattern, the majority of large scale commercial development would be adjacent to SR 725 and Wilmington Pike, northeast of Brown Road, and the I-675 and Wilmington Pike interchange (Chapter III, Land Use, Commercial Policies, pg 33-34)

The Future Land Use Plan does not define exact areas for specific uses; however it does portray the land requirements of the growing population, generally indicating the area for urban expansion as well as the efficient and economical provision of urban services. The area in question is targeted for one family residential uses, convenience and neighborhood business uses and agricultural uses (Plate 3, Future Land Use Plan).

Existing Public Utilities

Water, Sewer, Electric, Gas, Telephone

Soil Survey Data

Not Applicable

Classification of Streets, Traffic Volumes & Direction, Planned Improvements

Major Arterial Street

Flood Plain Information

Not Applicable

Comments from City and County Agencies
No Comments
Supporting Maps & Graphics
See enclosed for a letter requesting the Conditional Use and Article 7 of the Zoning Code addressing conditional uses in R-3 Multi-family Residential Districts.
Staff Recommendation
Staff recommends the Planning Board support the applicant's request. The support of the Planning Board tells the Board of Zoning Appeals that the request corresponds with the goals of the Comprehensive so the BZA can proceed with the review of the Conditional Use permit.

Received 9/4/18 DJ

August 31, 2018

Chairman, Board of Zoning Appeals
City of Bellbrook
15 E Franklin St
Bellbrook, OH 45305

Re: Request of conditional use permit
Location 4120 W Franklin St, Bellbrook

Pursuant to code 20.14.2 and soon to be owner of this property, I request a conditional use permit be granted so I may relocate my current Allstate agency within Bellbrook to this location which was previously owned and occupied by Dr. Henderson for some 40+ years, who operated with a conditional use classification of "medical".

Tony Cali, Cali & Associates
4120 W Franklin St
Bellbrook, OH 45305

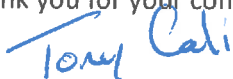
Zoning = R3

Proposed usage: 447, Office Building

Two photos are attached to help indicate plans for this site and effects on adjoining property. However there effectively no change other than our traffic flow will be less than a medical doctor would generate. I plan on staffing this building with a total of 14 employees helping me provide insurance service for our client base. Approximately 5 clients will visit the location per day, most communication is phone and email. Based on this comparison to Dr. Henderson's use, effect of such elements as noise, glare, odor, fumes and vibration are basically zero. I don't imagine the medical practice generated these elements either, but if so our usage with less client traffic would minimize even further. The adjoining properties would have improved effects from our occupancy. Allstate's home office contracts signage with Philadelphia Signs, a professional vendor who operates country wide, and has worked within Bellbrook previously. My understanding is they ensure meeting all zoning requirements within any municipality, they also are able to meet all copy write requirements of the Allstate logo.

Personally, I've been an award winning agency of Allstate for 14-years. My business is operated in a professional manor, I provide educational support within Allstate for new locations, have spoken nationally, enjoy supporting community activities, and I believe our past shows we like to add esthetic value for our neighbors with well-groomed and professional "curb" appeal of both the building and property.

Thank you for your consideration,



Tony Cali, President
Cali & Associates
937.681.8504



4120 W. Franklin.

Parking offers 27 existing spaces
and the pavement is in good condition



Sample sign of my current location
3390 Woodman Dr

Sign illuminates, however only the "white" lights making a visible sign without a lot of excess light.

ARTICLE 7

R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

7.01

INTENT

The purpose and intent of this district is to allow construction of apartment buildings and condominiums and to regulate transient occupancy within this district to protect and preserve the permanency of residential neighborhoods, protects property values and ensure the comfort and safety of the residents.

7.02

PERMITTED PRINCIPAL USES:

- (1) Those uses permitted in R-1 and R-2 Districts.
- (2) Two family dwellings.
- (3) Apartment house and Apartment Hotels.
- (4) Multiple dwellings.
- (5) Churches and similar places of worship.
- (6) Parish houses and convents in conjunction with churches or schools.
- (7) Public community center buildings, parks, playgrounds and golf courses.
- (8) Public and parochial schools.
- (9) Public libraries.
- (10) Row houses.
- (11) Town houses.

7.03

ACCESSORY USES:

- (1) Garages shall be permitted for storage purposes only with no repair facilities.
- (2) Those accessory buildings and accessory uses customarily incidental to the Permitted Principal Uses in this district.

7.04

CONDITIONAL USES:

- (1) Those conditional uses permitted in R-1 and R-2 Districts.
- (2) Convalescent or Nursing Homes.
- (3) Dormitories and Group Housing.
- (4) Fraternities, Sororities, Clubs, Lodges, Social or Recreational Buildings or properties not for profit.

- (5) Hospitals, Clinics, Sanitariums for Human Care.
- (6) Mortuaries.
- (7) Motels.
- (8) Offices of architects, engineers and artists.
- (9) Offices of surgeons, physicians, dentists and other similar professional persons concerned with the community health and medical treatment of persons.
- (10) Offices in which the personnel will be employed for work in executive, administrative, legal, writing, clerical, stenographic, accounting, insurance or similar enterprises.

7.05

YARD REQUIREMENTS

See Section 7.09, Schedule of Yard and Lot Requirements.

7.06

BUILDING HEIGHT REGULATIONS:

In any R-3 District, no building shall be erected in excess of two and one half (2 1/2) stories or thirty-five (35) feet in height.

7.07

ACCESSORY PARKING

- (1) In any R-3 District, there shall be provided two (2) off street parking spaces per dwelling unit.
- (2) There shall be provided one (1) off street parking space for each two (2) roomers.
- (3) For parking space required for other than residential uses, see Section 18.16.

7.08

SIGNS:

See Section 18.20 for size and location of permitted signs.

7.09

TRANSIENT RENTAL REGULATIONS

No dwelling unit or dwelling, multi-family or a portion of any thereof in the R-3 district shall be used as a transient rental.