



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON JULY 23, 2024

CASE NO. Miami Township Case 595

REPORT DATE: 2024-07-18

APPLICANT:

Protocol Communications, Inc
6084 Branch Hill Guinea Pike
Milford, OH 45150

PROPERTY OWNER:

Mulberry Baptist Church
1123 State Route 28
Milford, OH 45150

PARCEL ID:

PIN 182402A014

ADDRESS OF REQUEST:

1123 State Route 28, Milford, OH 45150

REQUEST:

Requesting to rezone parcel (PIN 182402A014) consisting of +/- 5.5 acres from the R-2, Residence District to B-1 PD, Planned Business Development Overlay for the purposes of renovating the existing church to be used for a communications business.

ZONING:

The existing zoning for the subject property is R-2, Residence District. The surrounding properties consist of additional R-2, Residence District, B-1, Neighborhood Business District, and B-2, General Business District. *See attached zoning map.*

Note: The County zoning map may show inaccuracies to what the Miami Township Official Zoning Map has the property listed as.

LAND USE:

The subject property is currently a religious institution with a gymnasium building.

HISTORY:

No relevant history regarding previous zoning requests for the subject parcel could be established.

CONTENTS OF REPORT:

Attachment A: Township Application

Attachment B: Parcel Map

Attachment C: Zoning Map

Attachment D: Proposal Map

Attachment E: Portion of the Miami Township Zoning Resolution

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

Miami Township Zoning Resolution Chapter 10 “B-1” Neighborhood Business District goes over the regulations in the B-1 Zoning District. The application is a map amendment to this zoning district that also includes a Planned Business Development Overlay (Chapter 19) which allows for flexibility with the underlying business district if approved. This proposal is for a specific business to utilize existing buildings on site, however, a rezoning of the land would allow for any of the uses in the B-1 zoning district be developed. The B-1 zoning district also has no minimum lot sizes therefore allowing the possibility of the property to be subdivided further, and introducing a number of permitted uses. The proposed use of the land is slightly more intense than typical B-1 zoning district permitted uses, which the Planned Business Development Overlay would address, allowing the specific use.

The proposed rezoning would expand the adjacent B-1 zoning district right to the edge of a residential subdivision and could be a transitional district in between more intense B-2 districts and the R-2 Residence District. The addition of the Planned Business Development Overlay could be created to ensure the adjacent residential land be buffered and protected from adjacent non-residential land uses.

The Miami Township 2023 Land Use Plan identifies this area as Focus Area 1 - “State Route 28 Corridor (West)” in the Future Land Use Map. This proposal seeks to rezone a parcel from residential to neighborhood business in an area where both land uses exist. The site is located at the edge of the focus area boundary and the primary land use mix in this area consists of commercial/retail and office uses.

Some recommendations include encouraging the renovation and adaptive re-use of existing buildings and redeveloping underutilized sites focusing on commercial, retail, office, and other destination-based land uses. Being at the edge of the focus area it also emphasizes a requirement for appropriate screening and buffering methods for new commercial/retail to protect existing nearby residential properties. The proposal includes details regarding the buffering and screening of the residential properties as 50 Norway Spruce trees planted 10 feet away from the property boundary, at 6 feet tall and 8 feet apart from each other.

The proposed rezoning is in alignment with the Miami Township 2023 Land Use Plan. The proposed land use is commercial in nature and the Planned Business Development Overlay

would be sufficient to allow the use as long as the appropriate buffering and screening from residential land uses are utilized and enforced by the Zoning Resolution.

A SEGMENT OF THE MIAMI TOWNSHIP ZONING RESOLUTION:

Miami Township Zoning Resolution

Chapter 10: B1 Neighborhood Business District

PURPOSE:

The purpose of the B-1 Neighborhood Business District is to establish areas of commercial activity that offer small scale retail goods and personal services that are located in proximity to the residential areas they are intended to serve. These commercial areas shall be located and designed as to encourage the clustering and integration of groups of businesses, to minimize the creation of undue traffic congestion and to minimize impact on adjoining residential.

USES PERMITTED:

- A. *Retail Business*
- B. *Financial Institutions,*
- C. *Offices,*
- D. *Personal Services,*
- E. *Restaurants,*
- F. *Bars, Taverns, Cocktail Lounges provided such use is conducted within a completely enclosed building and is located at least one hundred (100) feet from any Residential District.*
- G. *Medical and Dental Clinics*
- H. *Government Buildings and Utilities*
- I. *Car wash*
- J. *Automotive Service Stations, Repair Shops, Quik Lubes or similar use provided all the following are met:*
 - 1. *Any and all repairs are performed within a wholly enclosed building.*
 - 2. *Any vehicle parked and/or stored must either being awaiting repair or has been repaired and is awaiting removal. No vehicle may be parked or stored for parts. Under no circumstances may a vehicle be parked or stored for more than thirty (30) days. All vehicles must have current license plates.*
 - 3. *There can be no outside display or storage of materials or goods.*
- K. *Specialty Goods and Services, including photography studio, art gallery, antique store, copy/printing center, plant shop.*
- L. *Residential provided it is an integral part of the business development project and provided the entire project is part of a Planned Business Development Overlay.*
 - 1. *This provision will allow for mixed-use projects as well as mixed use buildings in a traditional village setting similar to the Branch Hill and Miamiville neighborhoods of Miami Township.*
 - i. *Mixed-use buildings will be permitted with first floor retail, service and/or office and upper floor residential.*
 - ii. *Mixed-use projects will be permitted provided the project is compatible with the surrounding development and zoning; the project is fully integrated into the existing street system and a pedestrian pathway 10-2 system is constructed providing access to every building within the development.*
 - iii. *The gross residential density shall not exceed 6 units per acre.*
 - iv. *All projects are subject to the site plan review requirements of Chapter 27.*
- M. *Religious Institutions*

The entirety of Chapter 10 will be available in Attachments of this Staff Report.

SITE ACCESS:

Access is proposed off of State Route 28 and shows a future connection to an interior roadway behind a neighboring parcel.

DEVELOPMENT CHARACTER:

The proposed development is for a communications business to utilize a church building with a gymnasium. This proposal is in alignment with the Miami Township 2023 Land Use Plan and would be in alignment with the Miami Township Zoning Resolution if the rezoning is approved as proposed. The surrounding area is commercial and residential and the proposal includes buffering and screening for the existing buildings. This buffering and screening should also apply to any future development on the site, if there is any.

AGENCY REVIEW AND NOTIFICATION:

AGENCY	REFERRAL SENT	COMMENTS RECEIVED
Township (<i>Fire/EMS/Service</i>)		
Community and Economic Development (CED)	X	X
Engineer's Office (CCEO)	X	X
Water Resources Department (WRD)	X	X
Water Management & Sediment Control (WMSC)	X	X
Soil and Water Conservation District (SWCD)		
Ohio Department of Transportation (ODOT)	X	X
School District		

REFERRAL AGENCIES' COMMENTS:

Community and Economic Development Comments:

- Any future subdivision of the property is required to comply with Clermont County Subdivision Regulations.
- Any future development of the site must comply with any and all regulations from Clermont County, Miami Township, the State of Ohio, or any other applicable agency.

Engineer's Office Comments:

- ODOT should also be consulted regarding potential impacts and/or access to SR 28. Our office has no other objections or comments to offer at this time.

Water Resources Department Comments:

- Water Resources has no comment on this re-zoning.

Water Management & Sediment Control Comments:

- A WMSC Application will be required for the proposed site work and parking area before the work is to take place. The proposed future building pad will need to be built per the 2024 Ohio Building Code.

ODOT Ohio Department of Transportation Comments:

- ODOT has no objection to the rezone request for Protocol Communications.

STAFF ANALYSIS:

Following a comprehensive analysis, staff has evaluated Miami Township Zoning Map Amendment Case 595 and its request to rezone parcel (PIN 182402A014) consisting of +/- 5.5 acres from the R-2, Residence District to B-1 PD, Planned Business Development Overlay for the purposes of renovating the existing church to be used for a communications business. The application is compatible with the surrounding land uses, the Zoning Resolution, and The Miami Township 2023 Land Use Plan. The parcel is currently non-residential and adjacent to existing B-1 and B-2 zoning districts.

STAFF RECOMMENDATION:

Based on the staff analysis in the following report, the following motion is recommended, **RECOMMEND APPROVAL WITH CONDITIONS** of Miami Township Zoning Map Amendment Case 595 and its request to rezone parcel (PIN 182402A014) consisting of +/- 5.5 acres from the R-2, Residence District to B-1 PD, Planned Business Development Overlay for the purposes of renovating the existing church to be used for a communications business.

1. The Planned Business Development Overlay regulations should take into consideration any future subdivision of the property and which land uses should be permitted if such subdivision occurs.
2. Any future subdivision of the property is required to comply with Clermont County Subdivision Regulations.
3. Any future development of the site must comply with any and all regulations from Clermont County, Miami Township, the State of Ohio, or any other applicable agency.

Attachment A



MIAMI TOWNSHIP

COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR DISTRICT ZONE CHANGE
6101 MEIJER DRIVE, MILFORD, OHIO 45150
www.miamitwpoh.gov (513)248-3731

Office Use Only

Case # 595
Fee 1500
Check # 26455
Receipt # 47609

Date: June 27, 2024

Please check one of the following:

Application for a District Zone Change, Non-PUD (Fee - \$1200.00)

Application for a District Zone Change, PUD (Fee - \$1500.00)

Applicant Name: Protocol Communications, Inc. Phone : 513-248-9255

Mailing Address: 6084 Branch Hill Guinea Pike, Milford, OH 45150

E-mail: kkerr@protocol.cc

Property Owner Name: Mulberry Baptist Church Phone 513-575-9708

Mailing Address: 1123 State Route 28, Milford, OH 45150

E-mail: CalvaryMilford@gmail.com

Representative's Name: Don Dobbs Phone: 513-236-6382

Mailing Address PO Box 380, Milford, OH 45150

E-mail: dondobbs1@gmail.com

If the applicant is not the owner, then state the applicant's interest in the property ____

Protocol Communications is interested in purchasing the property pending zoning change

Address of Subject Property: 1123 State Route 28, Milford, OH 45150

Please provide the Parcel Identification Number for each parcel being considered for this zone change: _____

Auditors Parcel 18-24-02A-014 / P.B. 431, Pg. 375

Total Acreage for which the Zone Change is requested: 5.5094

Current Zoning: R-2

Proposed Zoning: B-1 Planned Business Development Overlay


Please provide 19 copies of this completed application and the following attachments:

1. A site plan, in accordance with the requirements of Chapter 27 and/or Chapter 15 of the Miami Township Zoning Resolution, as applicable:
 - See information from pre-application meeting for plan content.
2. A brief description of the proposed use of and improvements to the property.
3. A justification and documentation as to why the existing zoning is inappropriate for the subject property and why the proposed zoning is the most appropriate zoning for the property.
4. A list of all property owners within 200' of area proposed to be rezoned.


YOU MUST ALSO SUPPLY FOUR SETS OF TYPED ADDRESS LABELS FOR EACH OF THE SURROUNDING PROPERTY OWNERS, AND FOR THE PROPERTY OWNER, APPLICANT AND REPRESENTATIVE.

This application authorizes a sign announcing the rezoning to be placed on the property in a visible location.

I hereby state that all the information contained in this application and its exhibits are true.


 Applicant's Signature **KENNETH E. KERR**
 GM, PROTOCOL COMMUNICATIONS

6/26/24
 Date


 Owner's Signature (if different from above)
 Matt Roberts
 Pastor, Mulberry Bc.

6/27/24
 Date

Subscribed and sworn before me on this 26 day of June, 2024.

My Commission expires 8-1, 2024.

RaeAnn Raub
 Notary Public

This notary is for Kenneth Elder Kerr only on 6-26-24



RAE ANN RAUB
 Notary Public
 State of Ohio
 My Comm. Expires
 August 1, 2024



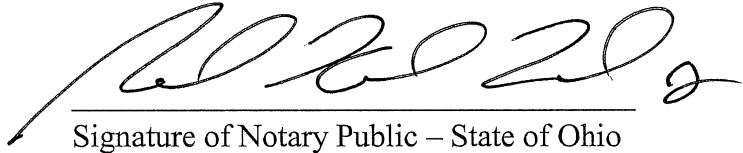
RAE ANN RAUB
 Notary Public
 State of Ohio
 My Comm. Expires
 August 1, 2024

JURAT CERTIFICATE

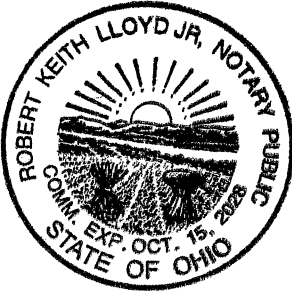
State of Ohio, County of Clermont

Sworn to or affirmed and subscribed before me by Matthew Roberts (name of person making oath/affirmation) on this date of 6-27-21 (date).

(Notary Seal)


Signature of Notary Public – State of Ohio

My commission expires: 10-15-28
(date)





June 27, 2024

Miami Township Zoning Commission
6101 Meijer Drive
Milford, OH 45150

Ladies and Gentlemen,

Please accept the attached application for the rezoning of the property located at 1123 State Route 28, Milford, OH 45150. The property is current zoned Residential R-2 and is owned by Mulberry Baptist Church. Protocol Communications is considering purchasing the property and moving our operations from 6084 Branch Hill Guinea Pike, Milford, OH 45150 to the stated property. To do so, we are requesting a zoning change to B-1 Planned Business Development Overlay.

Protocol Communications is a small, woman owned company whose primary business is the installation of voice, data, video and security cabling for Customers throughout the US. Almost all of our work is performed at our customers' locations leaving our office and warehouse as our home base. Our typical work hours are Monday through Friday between the hours of 7:00 AM and 5:00 PM. Occasionally we do have some night and weekend work where our employees would come in, load their van and then go to a customer's site. The entire operation is very quiet.

Should we receive a favorable response from the Township and the property zoning can be changed as requested, we plan to renovate the existing church, offices and meeting rooms to accommodate our office operations. The existing gymnasium building we plan to convert into a warehouse where we store the parts and equipment we install for our customers as well as park our service vans overnight and on weekends.

The property in question is located in the State Route 28 Corridor (West) focus area as described by the township's Land Use Plan. Given our intended use of the property as our corporate headquarters and warehouse, we believe our occupancy of the property would provide an excellent low intensity business operation to serve as a buffer between the fairly intensive uses adjoining the property on three sides (north, south and west) and the very low intensity single family residences along the eastern boundary of the property.

Thank you for your service, time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Kerr', is written over a light blue horizontal line.

Kenneth E. Kerr
General Manager

Bank One Cincinnati, NA
P.O. Box 810490
Dallas, TX 75381-0490

Store SPE O'Charley's LLC
8377 E Hartford Drive
Suite 100
Scottsdale, AZ 85255

Route 28 Holdings LLC
5900 Graves Lake Drive
Cincinnati, OH 45243

George and Emily Zunda
5947 Woodspoint Drive
Milford, OH 45150

Jeffrey Sutherland
5945 Woodspoint Drive
Milford, OH 45150

Shawn and Robin Wright
5943 Woodspoint Drive
Milford, OH 45150

Renee and Bradley Nolen
5941 Woodspoint Drive
Milford, OH 45150

Michael and Beth Popich
5939 Woodspoint Drive
Milford, OH 45150

Barbara Terrell
5937 Woodspoint Drive
Milford, OH 45150

Faith and Nicholas Olson
5935 Woodspoint Drive
Milford, OH 45150

Brian and Christina Duffy
5933 Woodspoint Drive
Milford, OH 45150

Gregg Gerwe
5931 Woodspoint Drive
Milford, OH 45150

Harley and Juanita Shadoan
Co Trustees
5929 Woodspoint Drive
Milford, OH 45150

Duke Energy Ohio Inc.
P.O. Box 37996
Charlotte, NC 28237

James L. Adams
1009 Leroy St.
San Diego, CA 92106

Ali and Karen Nimrouzi
5433 N Forest Glen Avenue
Chicago, IL 60630

Exchangeright Net Leased Portfolio 46DS
c/o Invoke Tax Partners
P.O. Box 850
Aurora, OH 44202-0850

McDonald's Corp. (34-1359)
P.O. Box 182571
Columbus, OH 43218

SUSO 3 Mulberry LP
121 King St. W
Suite 200
Toronto, ON M5H 3T9

Jane Sayre
5948 Woodspoint Drive
Milford, OH 45150

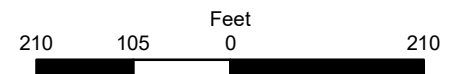
Home Depot USA Inc.
P.O. Box 105842
Atlanta, GA 30348-5842



PROPERTY INFORMATION:

Parcel Number: 182402A014

Total Site Area: +/- 5.5 ac.

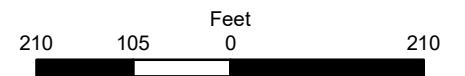




PROPERTY INFORMATION:

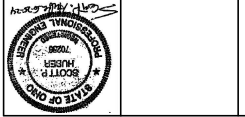
Parcel Number: 182402A014

Total Site Area: +/- 5.5 ac.



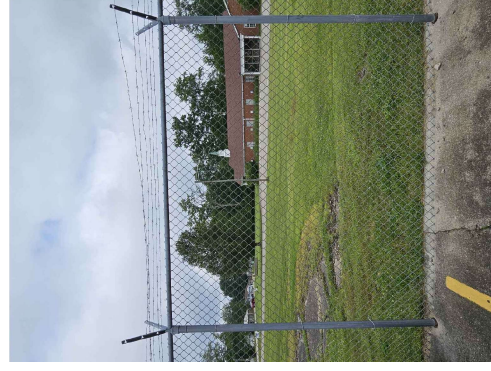
DATE	DESCRIPTION
6-25-24	C.C.
	SPH
1'-40"	SCALE

PROTOCOL COMMUNICATIONS, INC.

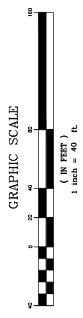


MILITARY BAPTIST CHURCH, INC.
 1123 STATE ROUTE 28
 MILFORD, OH 45150

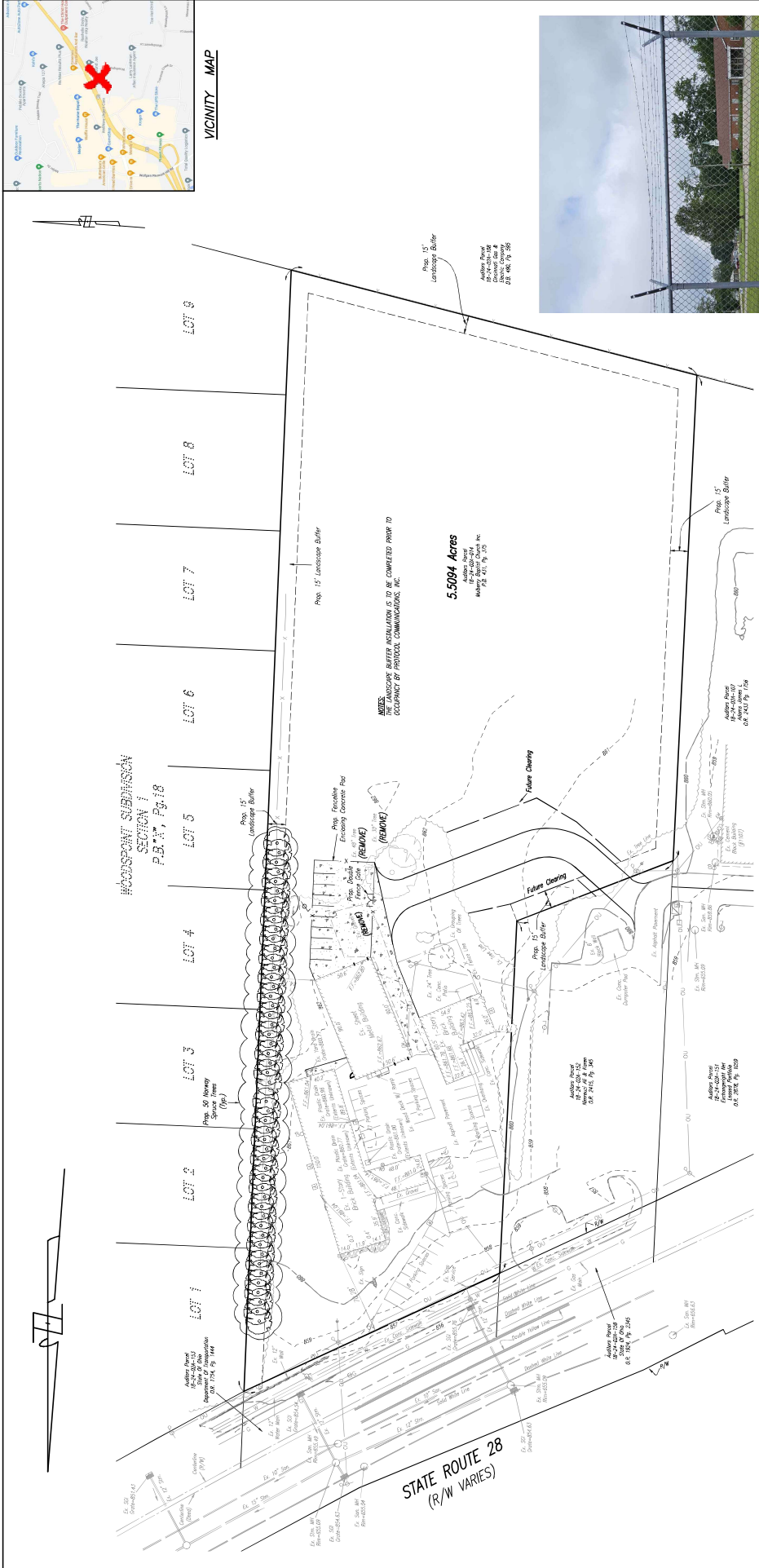
PROTOCOL COMMUNICATIONS, INC.
 8111 CHESHIRE ROAD, SUITE 200
 COLUMBUS, OH 43227
 614.291.1100



PROPOSED TYPICAL FENCE FOR FENCELINE
 7' FENCELINE FOR SECURITY PURPOSES



LANDSCAPING NOTE:
 ALL STUMPS WILL BE REMOVED FROM SITE TOP OFFSITE DISPOSAL. ONCE ALL DEBRIS, HONEY SUCKLE, AND BEARS ARE REMOVED FROM SITE, GRADING SERVICES WILL SOIL STAGED ON SITE NEAR REAR OF PROPERTY. ONCE GRADE IS PREPARED, 50 NORWAY SPRUCE TREES ARE PROPOSED TO BE INSTALLED APPROXIMATELY 10' FROM THE PROPERTY LINE OF NEIGHBORING PROPERTIES. EACH INDIVIDUAL PLANT IS PROPOSED TO BE 10' TALL WITH A 2" DBH. PLANTS WILL BE INSTALLED IN A ROW AND WILL BE SECURED WITH STAKES AND MULCH. MULCH WILL BE INSTALLED AT SURROUNDING PERIMETER OF TREES. NORWAY SPRUCE TREES WILL BE INSTALLED AT A MINIMUM HEIGHT OF 6' TALL FROM BOTTOM OF ROOTBALL TO TOP.



STATE ROUTE 28
 (R/W VARIES)

5.5094 Acres
 (Approximate)
 (As Shown on Plat)
 1123 STATE ROUTE 28
 MILFORD, OH 45150

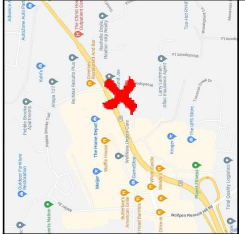
NOTES:
 THE LANDSCAPE BUFFER REGULATIONS IS TO BE COMPLETED PRIOR TO
 OCCUPANCY BY PROTOCOL COMMUNICATIONS, INC.

Prop. 15'
 Landscape Buffer

Prop. 15'
 Landscape Buffer

Prop. 15'
 Landscape Buffer

VICINITY MAP



This drawing and the design concepts represented on it are the property of Abercrombie & Associates, Inc. and are not to be used, copied, or reproduced in any form without the written consent of Abercrombie & Associates, Inc.

Attachment E

Chapter 10

B-1 NEIGHBORHOOD BUSINESS DISTRICT

PURPOSE:

The purpose of the B-1 Neighborhood Business District is to establish areas of commercial activity that offer small scale retail goods and personal services that are located in proximity to the residential areas they are intended to serve. These commercial areas shall be located and designed as to encourage the clustering and integration of groups of businesses, to minimize the creation of undue traffic congestion and to minimize impact on adjoining residential.

10.01 USES PERMITTED:

- A. Retail Business
- B. Financial Institutions,
- C. Offices
- D. Personal Services
- E. Restaurants
- F. Bars, Taverns, Cocktail Lounges provided such use is conducted within a completely enclosed building and is located at least one hundred (100) feet from any Residential District.
- G. Medical and Dental Clinics
- H. Government Buildings and Utilities
- I. Car wash
- J. Automotive Service Stations, Repair Shops, Quik Lubes or similar use provided all the following are met:
 - 1. Any and all repairs are performed within a wholly enclosed building.
 - 2. Any vehicle parked and/or stored must either being awaiting repair or has been repaired and is awaiting removal. No vehicle may be parked or stored for parts. Under no circumstances may a vehicle be parked or stored for more than thirty (30) days. All vehicles must have current license plates.
 - 3. There can be no outside display or storage of materials or goods.
- K. Specialty Goods and Services, including photography studio, art gallery, antique store, copy/printing center, plant shop.
- L. Residential provided it is an integral part of the business development project and provided the entire project is part of a Planned Business Development Overlay.
 - 1. This provision will allow for mixed-use projects as well as mixed use buildings in a traditional village setting similar to the Branch Hill and Miamiville neighborhoods of Miami Township.
 - a. Mixed-use buildings will be permitted with first floor retail, service and/or office and upper floor residential.
 - b. Mixed-use projects will be permitted provided the project is compatible with the surrounding development and zoning; the project is fully integrated into the existing street system and a pedestrian pathway

system is constructed providing access to every building within the development.

- c. The gross residential density shall not exceed 6 units per acre.
- d. All projects are subject to the site plan review requirements of Chapter 27.

M. Religious Institutions

10.02 CONDITIONAL USES:

The purpose of a conditional use is to permit a use that would not be appropriate generally, but may be allowed with appropriate restrictions upon a finding that 1) the proposed use meets the required conditions as stated in the zoning resolution, and 2) the use or development will not have an adverse impact on adjoining properties.

A. Indoor Commercial Recreation facilities, including arcades:

- 1. Access to the property must be from an arterial or collector roadway.
- 2. The site must be designed to minimize glare emanating from the building.
- 3. The site design and building design must comply with sections 10.05 and 10.06 of this chapter.
- 4. All projects are subject to the site plan review requirements of Chapter 27.

B. Nursing/Convalescent Homes providing access to the Home is from an arterial or collector street.

- 1. Access to the property must be from an arterial or collector roadway.
- 2. The site design and building design must comply with sections 10.05 and 10.06 of this chapter.
- 3. All projects are subject to the site plan review requirements of Chapter 27.

C. Day Care Centers

- 1. All outdoor play areas shall be located only in the rear and side yards and shall be a minimum of 50 feet from any adjoining residential zoning district.
- 2. A landscape screen must be provided to screen the outdoor play areas from adjoining residential districts.
- 3. A traffic circulation plan shall be submitted to evaluate adverse impacts on the roadway system and to ensure a safe drop-off and pick-up area.
- 4. Access to the property must be from an arterial or collector roadway.
- 5. The site design and building design must comply with sections 10.05 and 10.06 of this chapter.
- 6. All projects are subject to the site plan review requirements of Chapter 27.

10.03 ACCESSORY USES

A. Signs as regulated in Chapter 24 of this Zoning Resolution

- B. Outdoor Dining Area - Outdoor dining areas on private property are permitted as accessory uses provided they are located a minimum of 75 feet from a residential zoning district; are screened with the use of landscaping and/or fencing; provide a minimum four (4) foot wide sidewalk clearance; any fencing or other barricade cannot block the entrance to the restaurant. In a multi-tenant center, any outdoor dining area

must be a minimum of 25 feet from the entrance door to any adjoining tenant space
Site Plan Review will be required for all outdoor dining areas.

- C. Any accessory uses or structures customary and incidental to any principal permitted use.

10.04 INTENSITY OF USE

- A. The intensity of use, setback requirements, and height requirements are shown on the Table titled Lot Area, Bulk and Yard Requirements in the B-1 Neighborhood Business District.

10.05 SITE PLAN AND BUILDING DESIGN STANDARDS

- A. Building Elevations – Architectural design, building materials, color, roof style and detailing should all work together to express harmonious and consistent design. All building facades (exterior walls) shall be designed to reduce scale and add visual interest. There shall be no uninterrupted lengths of blank wall longer than 100 feet. Walls shall be differentiated with recesses, offsets, building height, variations in roofline, windows, awnings, and changes in color or material.
- B. Exterior Building Materials - Exterior building material shall be brick, decorative block, wood, stone, tile or other high quality building material. Tilt-up concrete panels or prefabricated metal panels will not be permitted. Smooth faced concrete block may be permitted only on the service side of a building. The block must be painted to match the prominent sides of the building. The service side of the building is typically not accessed by the general public, has no parking other than limited employee parking and is used primarily for deliveries to tenant businesses. A consistent architectural style shall be applied to all sides of a building except to the service side of a building where the service side is not visible to the general public. Awnings, canopies, recesses and offsets should be incorporated to help enhance the service side of the building.
- C. No single structure shall contain more than 50,000 square feet.
- D. Rooftop Equipment – All rooftop equipment shall be screened from view on all sides visible to the general public, by building parapet walls or other building elements that appear as integral elements of the overall building.
- E. Gasoline Canopies – Canopies, such as those associated with convenience stores with gasoline sales, must be designed in a manner to create a strong association with the primary building. Columns must be primarily masonry. A strong impression of three-dimensional roofs and supporting columns must be incorporated into the design.
- F. Customer Entryways – Entryways shall be clearly articulated and shall be pedestrian scale. Projected or recessed entryways, arches, higher rooflines, change in building material or color, canopies and signage shall be used to identify entryways.
- G. Pedestrian Walkways – Sidewalk shall be provided along all sides of a lot that front a public street or private right-of-way. A continuous pedestrian walkway shall be provided from the public sidewalk to the customer entryway to the building. A minimum 6-foot wide sidewalk shall be provided along all sides of any building where

the façade features a customer entryway. The sidewalk shall be raised above the grade creating a curb at the edge of the sidewalk at the parking lot. This sidewalk shall be located at least five feet from the façade of the building to allow space for foundation plantings unless the sidewalk is covered by a canopy, awning, or similar structure.

10.06 GENERAL PROVISIONS

- A. All new development and redevelopment shall be subject to the site plan review requirements of Chapter 27.
- B. There shall be no minimum lot size or lot width required, however, the minimum area required for consideration of rezoning to the B-1 Neighborhood Business District shall be five (5) acres unless the request is for an extension of an existing B-1 District, then a smaller area will be considered.
- C. Except where otherwise indicated in this chapter, all business activities permitted within this District shall be conducted within a fully enclosed building.
- D. The dispensing of gasoline, parking, loading and unloading are permitted activities outside of a fully enclosed building.
- E. No outdoor storage of any material (usable or waste) shall be permitted within this District except in enclosed containers. The containers must be completely screened from the public right-of-way and from adjacent property by means of a wall that matches the building materials and colors. The enclosure must be located in the rear yard and shall be setback a minimum of 25 feet from any residentially zoned property.
- F. All walkway, parking lot, or driveway lights shall be shielded so that substantially all the directly emitted light falls within the property lines.
- G. No motor vehicle, which is inoperable, or trailer, which is usable or unusable, shall be stored or used for storage of any items, unless it is located within a fully enclosed building.
- H. All uses permitted in this zoning district shall be conducted in such a manner so that no odor, smoke, glare, vibrations, or other impacts are evident from beyond the property line.

Lot Area, Bulk and Yard Requirements in the B-1 Neighborhood Business District.

Requirements

B-1 District

A. Lot Requirements

- | | |
|------------------------------|----------|
| 1. Minimum Area for Rezoning | 5 Acres |
| 2. Minimum Lot Area | (Note 1) |
| 3. Minimum Lot Width | (Note 1) |

B. Maximum Height

- | | |
|------------------------|----------------------|
| 1. Principal Building | 3 stories or 45 feet |
| 2. Accessory Structure | 15 feet |

C. Minimum Yard Requirements

- | | |
|---|--------------------------|
| 1. Front – Primary & Secondary Arterial | 110 feet from centerline |
| 2. Front – Collector | 90 feet from centerline |
| 3. Front - Local Street | 50 feet from r-o-w |
| 4. Side | 10 feet (Note 2 & 4) |
| 5. Rear | 10 feet (Note 2 & 4) |

Accessory Structure

- | | |
|----------|------------------|
| 1. Front | (Note 3) |
| 2. Side | 10 feet (Note 4) |
| 3. Rear | 10 feet (Note 4) |
-

Note 1. There shall be no minimum lot area or lot width required, however, the minimum area required for consideration of rezoning to the B-1 Neighborhood Business District is five (5) acres.

Note 2. There shall be a 10 foot minimum side and rear yard setback for properties in this district except when abutting a residential district, then the minimum side and rear yard setbacks shall be 35 feet. A landscape buffer shall be provided by the developer/owner that may include fencing and/or mounding dependent on the intensity of the use. The Township must approve the screening during the site plan review process.

Note 3. Accessory uses must be located in the rear yard of the principal structure.

Note 4. A twenty five (25) foot setback is required when adjoining a Residence District.