

CITY OF VANDALIA
MONTGOMERY COUNTY, OHIO

ORDINANCE 12-12

**AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT OVERLAY AND
PUD PRELIMINARY PLAN FOR 52.197 ACRES ON THE NORTH SIDE OF
NORTHWOODS BLVD. BETWEEN NORTH DIXIE DRIVE AND ENGLE ROAD
ACROSS FROM THE DELPHI FACILITY.**

WHEREAS, DPH-DAS LLC, is the owner of Parcels ID# B02 00721 0002, B02 00721 0004, B02 00721 0005, B02 00721 0006, B02 00721 0007, ID# B02 00721 0028 AND B02 00721 0008 (the "Parcels") and is under contract with Pilot Travel Centers LLC for the sale of the Parcels; and

WHEREAS, the Developer desires to construct a Pilot Flying J Travel Center on a portion of the Parcels; and

WHEREAS, the Planning Commission has held a public hearing and recommended approval of a PUD Overlay for the Parcels and approval of a preliminary planned unit development plan for Pilot Flying J Travel Center; and

WHEREAS, the PUD Overlay will be for all of the Parcels which consists of 52.197 +/- total acres, 15.5 +/- acres of which will contain the Pilot Flying J Travel Center and the remaining acres which will be available for future development; and

WHEREAS, Council finds that the zoning for the PUD Overlay needs to be restricted in an effort to control the amount of heavy truck traffic and eliminate uses which are incompatible with the proposed use in terms of safety and security.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VANDALIA, MONTGOMERY COUNTY, OHIO THAT:

Section 1. The Planned Unit Development Overlay for the 52.197 acres being parcels **B02 00721 0002, B02 00721 0004, B02 00721 0005, B02 00721 0006, B02 00721 0007 AND B02 00721 0008** is hereby approved and shall be known as the "North Side Of Northwoods Blvd. Between North Dixie Drive And Engle Road Across From The Delphi Facility Area Planned Unit Development" (the "PUD Overlay").

Section 2. Except as provided in section 3, zoning uses in the PUD Overlay will be limited to the uses listed as "Permitted Uses" in the underlying Industrial (I) District, excluding the following uses; Truck and Transfer Terminals, Warehouses and Self-Storage Facilities.

Section 3. Notwithstanding the PUD Overlay use restrictions stated in section 2, the 15.5 acre Pilot Flying J Travel Center as described in the Preliminary Plan shall be permitted in the PUD Overlay as a "Truck Facility".

Section 4. The Planned Unit Development Preliminary Plan, being the plan for Flying J Travel Center on the 15.5 acres as approved by the Planning Commission on October 23, 2012 is hereby approved.

Section 5. Prior to a Final Development Plan and Final Plat being approved for the 15.5 acres, the Developer shall provide to the City for review and approval: (a) A Traffic Impact Study, by a reputable firm, to determine the necessary improvements that will be needed to accommodate the 15.5 acre development; any and all required improvements as set forth in the Traffic Impact Study that are approved by the City shall be at developers sole cost; and (b) Utility and drainage plans to best serve the development and future development.

Section 6. Site Design, Building Elevations, Landscaping and Signage will be submitted as part of the Final Development Plan approval process. Any variances shall be addressed along with the Final Development Plan.

Section 7. Development of the remaining portion of the Parcels shall require a new Preliminary Plan.

Section 8. This ordinance shall take full force and effect from and after the earliest period allowed by law.

Passed this 19th day of November, 2012.

APPROVED:

Arlene J. Setzer, Mayor

ATTEST:

Robert L. Anderson
Clerk of Council