

**CITY OF VANDALIA**

**MONTGOMERY COUNTY, OHIO**

**ORDINANCE 14-18**

**AN ORDINANCE APPROVING THE AUTO ZONE PLANNED UNIT DEVELOPMENT (PUD) PRELIMINARY PLAN, FOR A PORTION OF PARCELS ID# B02 00119 0004 AND B02 00119 0005 LOCATED IN THE NATIONAL ROAD AND FOLEY DRIVE PUD OVERLAY**

**WHEREAS**, Council has adopted a Planned Unit Development (PUD) Overlay for the “National Road and Foley Drive Area” as set forth in City of Vandalia Ordinance 12-02; and

**WHEREAS**, the properties at 771-777 E. National Rd., being Parcels # B02 00119 0004 and B02 00119 0005, (the “Property”) are located in the National Road and Foley Drive Area PUD; and

**WHEREAS**, the structures on the Property were destroyed by tornado and the property owner has proposed changes to a portion of the Property that include, but are not limited to, a new structure with different building areas, new plan boundaries, and new location of structures on the Property, and in particular a proposed Auto Zone Retail Store on a portion of the Property (the “PUD Preliminary Plan”); and

**WHEREAS**, the proposed changes constitute a Major Modification of the PUD for the Property and pursuant to Vandalia Code section 1273.07 requires, among other things, a new PUD Preliminary Plan to be approved; and

**WHEREAS**, if the PUD Preliminary Plan is approved by Council, the property owner intends to replat the Property and proceed with a final development plan with respect to the Auto Zone Retail Store substantially as depicted on the PUD Preliminary Plan; and

**WHEREAS**, the Planning Commission has held a public hearing and recommended approval of the PUD Preliminary Plan with certain staff recommendations which included, the AutoZone façade use a “Rosewood” brick and “Wool Skein” paint for the gable end siding; the existing parking being re-paved with parking blocks used as wheel stops; having a dumpster enclosure; lighting poles limited to 20’ in height with full cut-off fixtures and existing light pole structures removed.

**WHEREAS**, subsequent to the Planning Commission approval the property owner met with City staff in order to address issues raised at the Planning Commission meeting and other concerns, and adjusted its PUD Preliminary Plan to provide, among other things that the dumpster will be screened with 6’ enclosure on all four sides with gates and the enclosure shall be built with the same brick as the building, light poles will be limited to 20’ in height and shall be full cut-off fixtures with existing light pole structures removed and a to provide a designated drive lane along the south of the Property;

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

**Section 1.** The PUD Preliminary Plan for the Auto Zone Retail Store in the National Road and Foley Drive Area PUD Overlay, which was prepared by Burkhart Engineering and

dated April 25, 2014, and titled "Site Development Plans for AUTOZONE, 775 National Road (U.S. 40) Vandalia Ohio, a copy of which is available for inspection at the City Manager's office, is hereby approved subject to the following:

- a. Building elevations will be submitted with the Final Plan that shows the building will be designed with "Rosewood" brick and "Wool Skein" paint for the EISFS at the top of the building as shown on "Design B" on Attachment C, titled "AutoZone Façade Examples", which is attached to of the April 25, 2014 Memo to Council from City Planner Maika Arnold.
- b. Auto Zone shall install "faux" windows, as shown on "Design C" on Attachment C, titled "AutoZone Façade Examples", which is attached to the April 25, 2014 Memo to Council from City Planner Maika Arnold to promote the breakup the surface planes of the building.
- c. Note 8 of the General Notes on the April 25, 2014 Site Development Plan shall be deleted and the parking lot shall be repaved.
- d. Signage shall comply with 1282.09; there shall be only one free standing monument sign.
- e. The proposed "edge of pavement" will be moved north, to allow additional green space along the south and east property lines. Perimeter landscaping will be utilized; with Honeylocust trees planted 25' apart. Honeylocusts will also be planted in the parking islands, as well as boxwood and barberry. A landscaped area of 35 square feet shall be required around the proposed monument sign. Grass shall be planted in all buffer/landscaped areas.

**Section 2.** The approval of the PUD Preliminary Plan herein is for the AUTOZONE portion of the Property only and not for any development on the remaining portions of the Property.

**Section 3.** This ordinance shall take full force and effect from and after the earliest period allowed by law.

Passed this 19th day of May, 2014.

APPROVED:

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Arlene J. Setzer, Mayor

ATTEST:

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Jon Crusey  
Clerk of Council