

**ORDINANCE 2003-22**  
**Passed May 20, 2003**

**AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN FOR THE KENNY COMPANY FOR AN 8,073 SQ. FT. RETAIL CENTER LOCATED AT 399 WEST OLENTANGY STREET.**

**WHEREAS**, the Planning and Zoning Commission of the Municipality of Powell having recommended approval of the Final Development Plan for the Kenny Company for an 8,073 sq. ft. retail center at 399 West Olentangy street on April 9, 2003, and

**WHEREAS**, the Final Development Plan having been submitted to Council by the Planning and Zoning Commission pursuant to the provisions of Section 1143.11 of the Codified Ordinances of Powell, and

**WHEREAS**, Council having determined the implementation and approval of the Final Development Plan which is attached hereto and incorporated herein by reference is in the best interest of the residents of the Municipality of Powell.

**NOW THEREFORE BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

Section 1: That the Final Development Plan for the Kenny Company at 399 W. Olentangy Street which is attached hereto and incorporated herein by reference is accepted and approved by the Council of the Municipality of Powell, subject to the following conditions as recommended by the Planning and Zoning Commission:

1. That the north-south drive aisle be reduced from 25 feet in width to 22 feet in width.
2. That the dumpster enclosure be made to match the Goddard School design.
3. That the first landscape bay south of the Olentangy Street access be made the full width of a parking space resulting in the loss of one parking space from row in which it is located.
4. That the landscape bays be repositioned to remove the need of a divergence to the one landscape bay every eight parking spaces requirement.
5. That the applicant submits a sign package to the Commission for approval.
6. That the exterior site lighting be made to match the proposed Goddard School lighting.
7. That exterior materials and colors be submitted to the Commission for approval.
8. That the City Engineer review and approve all engineering plans.
9. That two parking spaces, one on either side of the 27 inch oak at the southwest corner of the site be removed.
10. That the blue and white awnings be removed if Handel's vacates the space. Future users must receive approval of the Commission for the use of such awnings. Such awnings are considered a sign and defined per the Zoning Code Section 1123.01.133.
11. That the pathway and mulched patio area design and location be approve by staff.
12. That staff approve the roof line at the rear portion of the building to hide mechanicals.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

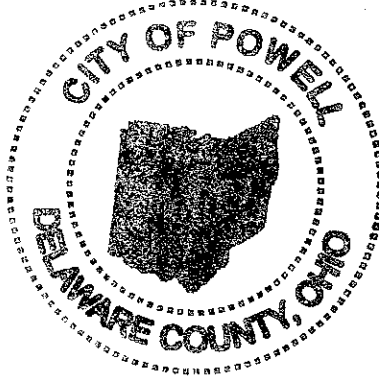
Section 3: That this Ordinance shall take effect on the earliest possible date permitted by law.

VOTE ON RULES SUSPENSION: Y 5 N 0

VOTE ON ORDINANCE 2003-22: Y 4 N 1 (Lackey)

Art Schultz 6/3/03  
Art Schultz Date  
Mayor

Dawn Nauman 5/23/03  
Dawn Nauman Date  
Clerk of Council



This ordinance or resolution has been posted in  
three (3) public places as defined in ordinance  
94-11 dated 4-3-94  
on this date 5/30/03  
D Nauman  
Clerk of Council