

ORDINANCE 2004-61

October 19, 2004

**AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR VILLAGE COMMUNITIES FOR THE RESIDENTIAL PORTION OF THE TRADITIONS OF POWELL, CONSISTING OF 40 TOWNHOME CONDOMINIUMS ON 6.1 ACRES LOCATED ON THE NORTH SIDE OF WEST OLENTANGY STREET ADJACENT TO THE EAST OF VILLAGE POINTE SHOPPING CENTER.**

WHEREAS, the Planning and Zoning Commission of the Municipality of Powell having recommended approval of the Final Development Plan for Village Communities at their August 25, 2004 meeting, 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 Village Communities 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 City Engineer review and approve all storm water management plans to meet the requirements of the City of Powell.
2. That the City Engineer review and approve the roadway improvements to West Case Avenue and Lincoln Street as discussed with the applicant, and may not include on street parking as part of that improvement, however sidewalks shall be required.
3. That the City Engineer review and approve the roadway improvements necessary for implementing a left turn lane into the site on West Olentangy Street as suggested by the traffic study. This left turn lane shall align with the west driveway into the Lapcraft development across the street and incorporate a left turn for that site as well.
4. That the applicant provide a sidewalk along the west side of Traditions Way from Olentangy Street into the site to be sure that the residents are connected to the pathway along Olentangy Street.
5. That the applicant comply with all conditions set forth by the Historic District Commission.
6. That the property line be adjusted between the residential and commercial portions to make the tree preservation part of residential portion.
7. That the applicant adjust the access point on Olentangy Street to align with the Lapcraft access point as required by the City Engineer.
8. That the developer (and/or its successors and assigns) provide, as determined through a separate Roadway Agreement agreed to by the City Law Director, Staff and the developer, its fair share toward any improvement of the Olentangy Street/Liberty Street intersection that is desired by the City within the next five years that is directly related to the impacts this development creates. This is based upon the identified impact this development has upon this intersection and agreed to by the developer.
9. That the applicant obtain approval of the Planning and Zoning Commission on a tree replacement divergence variance.

Section 2: That Council hereby determines that the conditions set forth in Section 1, paragraph 8 are fully satisfied by the applicant's improvements to Case, Lincoln, and Olentangy Street, per the approved development plan.

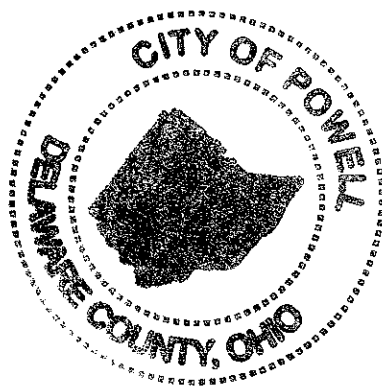
Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 4: That this Ordinance shall take effect on the earliest possible date permitted by law.

VOTE ON ORDINANCE 2004-61: Y 6 N 1 (Lackey)

Dan Wiencek 11/3/04  
Dan Wiencek Date  
Mayor

Dawn Nauman 11/3/04  
Dawn Nauman Date  
Clerk of Council



This legislation has been posted in accordance with  
the City Charter on this date 11/6/04  
Nauman  
Clerk of Council