City of Powell, Ohio

ORDINANCE 2006-73

Adopted December 19, 2006

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR BOB CUMMINS FOR A 12,000 SQ. FT. RETAIL CENTER AT THE SOUTHWEST CORNER OF MURPHY PARKWAY AND WEST OLENTANGY STREET.

WHEREAS, the Planning and Zoning Commission of the Municipality of Powell having recommended approval of the Final Development Plan for Bob Cummins at their November 8, 2006 meeting, and

WHEREAS, the Final Development Plan having been submitted to Council by the Planning & 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 Bob Cummins 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. The applicant shall fix the pinch point issue with the access road including striping and other options to make it a safe area to cross to the park.
2. The applicant shall remove the tree without the requirement for replacement caliper.
3. The plans for the arbor shall require the approval of Staff and the Architectural Advisor.
4. The applicant shall remove the word "permanent" from the signage criteria, on Page 2, Tenant Display Windows, Item 2.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings 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 6 N 0

VOTE ON ORDINANCE 2006-73: Y 6 N 0

1-2-06

Don Grubbs, Mayor — Date

1/3/2007

Susie Ross, City Clerk — Date

CITY OF POWELL DELAWARE COUNTY OHIO

This legislation has been posted in accordance with the City Charter on this date 1/3/2007.

Sue D. Ross
Clerk of Council

EFFECTIVE DATE: January 18, 2007

City Council

Don Grubbs, Mayor

Richard Cline, Tom Counts, Elmer Meider, Bill Morton, Art Schultz, Dan Wiencek