



City of Powell, Ohio

ORDINANCE 2007-34

Adopted July 17, 2007

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR STAVROFF INTERESTS LTD., FOR A NEW 5,163 SQ. FT. STRUCTURE IN THE DB, DOWNTOWN BUSINESS DISTRICT, ALSO WITHIN THE HD, HISTORIC DISTRICT OVERLAY DISTRICT, AT 8 N. LIBERTY STREET.

WHEREAS, the Planning and Zoning Commission of the City of Powell has recommended approval of the Final Development Plan for Stavroff Interests Ltd. at 8 N. Liberty Street at their June 13, 2007 meeting; and

WHEREAS, the Final Development Plan has been submitted to Council by the Planning & Zoning Commission pursuant to the provisions of Section 1143.11 of the Codified Ordinances of Powell, and the Commission has recommended its approval; and

WHEREAS, Council hereby finds and determines that the implementation and approval of the Final Development Plan, which is attached hereto as Exhibit A, is in the best interest of the residents of the City of Powell;

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

Section 1: That the Final Development Plan for 8 N. Liberty Street, which is attached hereto as Exhibit A and incorporated herein by reference, is hereby accepted and approved by the Council of the City of Powell, subject to and contingent upon the following conditions as recommended by the Planning and Zoning Commission:

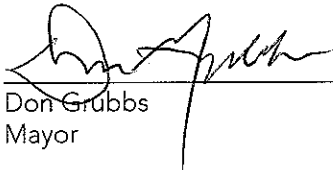
1. That in the event that there is intention to utilize part or all of the property for a high-use client, such as a restaurant, the owner is required to gain Commission approval of a parking plan prior to approval of the Zoning Certificate.
2. That the City Engineer shall approve all engineering related issues on the Final Engineering Plans.
3. That the applicant shall ensure ADA compliance, including parking.
4. That the applicant shall work with Staff on the final Streetscape plan details, including the blending of new and old pavers as recommended by the Architectural Advisor.
5. That the transformer shall be moved southward so as to not interfere with the turning radius at the northeast corner.
6. That the building materials used shall comply with the Historic District guidelines.
7. That the applicant shall work with Staff and adjoining property owners to reach a cross-easement agreement and reconfigure the curbing in a more appropriate manner. Should it not be possible to work out an agreement, the applicant shall work with Staff on an alternative to curbing.
8. That the applicant shall work with Staff on final details as appropriate.

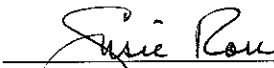
Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Powell which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

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

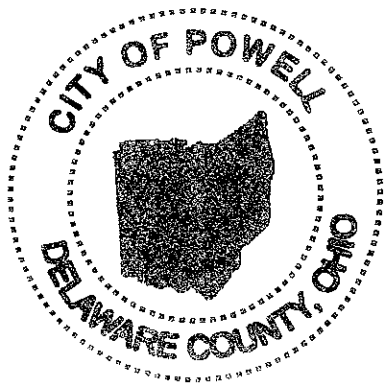
VOTE ON ORDINANCE 2007-34: Y 6

N 0

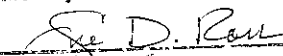

Don Grubbs
Mayor
8-4-07
Date


Susie Ross
City Clerk
8/7/07
Date

EFFECTIVE DATE: August 16, 2007



This legislation has been posted in accordance with
the City Charter on this date 8/8/07


S. D. Ross
Clerk of Council

City Council

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wienczek