



City of Powell, Ohio

ORDINANCE 2008-22

Adopted September 2, 2008

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR KAD LLC FOR A 2,578 SQ. FT. OFFICE WAREHOUSE STRUCTURE IN THE DB, DOWNTOWN BUSINESS DISTRICT, ALSO WITHIN THE HD, HISTORIC DISTRICT OVERLAY DISTRICT, AT 233 SOUTH LIBERTY STREET.

WHEREAS, the Planning and Zoning Commission of the City of Powell has recommended approval of the Final Development Plan for KAD, LLC for a 2,578 sq. ft. office warehouse structure at 233 South Liberty Street at their July 16, 2008 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 233 South 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:

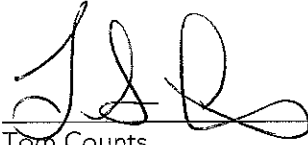
1. That subsequent development of the additional phases for this property including streetscape requirements shall be brought forth to the Planning and Zoning Commission for approval.
2. That the applicant shall meet the seven conditions brought forth in the Staff Report.
3. That the applicant shall gain approval of the Historic District Advisory Commission.
4. That the applicant shall incorporate the comments of the Architectural Advisor: watch the front elevation to accommodate a rail-free type porch, identify a suitable vibrant color selection, and make improvements of the north elevation referring to the hay mow/shutter combination.
5. That the landscaping plans shall be developed to incorporate more of a barn or rural feel even if that requires a variation from the City landscaping requirements and the applicant shall work with Staff for final approval.
6. That the applicant shall work with Staff regarding all pertinent engineering requirements.
7. That the applicant shall work with Staff and the Historic District Advisory Commission to develop appropriate signage.

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.

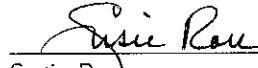
VOTE ON ORDINANCE 2008-22: Y 7

N 0



Tom Counts
Mayor

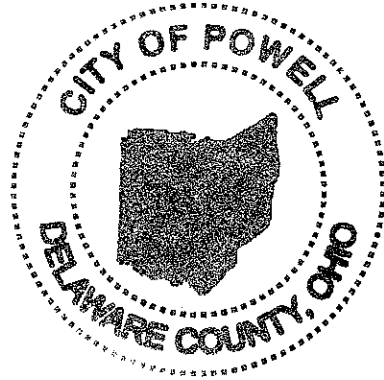
9/16/08
Date



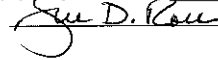
Susie Ross
City Clerk

9/16/08
Date

EFFECTIVE DATE: October 2, 2008



This legislation has been posted in accordance with
the City Charter on this date 9/17/08.

 Sue D. Ross
City Clerk

City Council

Tom Counts, Mayor

Richard Cline

Don Grubbs

Jim Hrivnak

Elmer Meider

Art Schultz

Dan Wiencek