



City of Powell, Ohio

ORDINANCE 2010-46

Adopted March 1, 2011

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR CVS 5457 LOCATED AT THE CORNER OF SELDOM SEEN ROAD AND SAWMILL PARKWAY, AND AMENDING THE ZONING MAP TO PC, PLANNED COMMERCIAL DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Powell has recommended approval of the Combined Preliminary and Final Development Plan and Zoning Map Amendment for the CVS at the corner of Seldom Seen Road and Sawmill Parkway; and

WHEREAS, the Combined Preliminary and Final Development Plan has been submitted to City Council by the Planning and Zoning Commission pursuant to the provisions of Section 1143.11 of the Codified Ordinances of Powell; and

WHEREAS, City Council has determined that the implementation and approval of the Combined Preliminary and Final Development Plan, which is attached hereto as Exhibit "A" and incorporated herein by reference, 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 Powell Zoning Map shall be amended to reflect this property to be zoned PC, Planned Commercial District.

Section 2: That the Combined Preliminary and Final Development Plan for CVS 5457, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, is 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. The LED portion or any future newer lighting technology used in that area of the monument sign shall be programmed to have the message change not more than once per day. Additionally, the LED portion of the monument sign shall use amber light rather than red light
2. There shall be no animation allowed on any externally visible signage on the property including but not limited to the monument sign. The brightness of the LED sign shall be no brighter than the backlit sign above the LED sign.
3. The applicant shall allow the City of Powell to periodically post public service announcements on the LED or any newer lighting technology applied in that area of the monument sign.
4. The property shall be bound to comply with the City sign ordinances from this point forward with the exception of the variances agreed to in this development plan.
5. Should the monument sign be replaced in the future, the sign plan shall be brought forward to the Planning & Zoning Commission for approval.
6. There shall be no other temporary outdoor signs approved for this property.
7. The applicant shall revisit the monument sign in good faith in a period of three (3) years, to investigate an upgrade to new technology for improved resolution and appearance, and add conduit and/or other related physical improvements to this monument sign to allow for the upgrade.
8. The LED sign shall only be lighted during the current hours of operation.

