



**ORDINANCE 2023-17**

**AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A ±2,225-SQUARE-FOOT CAFÉ WITH A DRIVE THROUGH ON A ±1.3-ACRE SITE AND ALL ASSOCIATED SITE IMPROVEMENTS, AS SUBMITTED BY COMPTON ADDY.**

**WHEREAS,** at the June 14, 2023 meeting, the Planning and Zoning Commission of the City of Powell recommended approval of this proposal to City Council with conditions; and

**WHEREAS,** the Final Development Plan has been submitted to City Council by the Planning and Zoning Commission pursuant to the provisions of Section 1143 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 is in the best interest of the residents of the City of Powell.

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

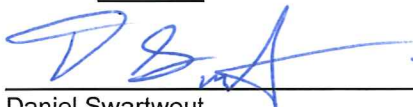
Section 1: That the Combined Preliminary and Final Development Plan referenced as Exhibit "A" for the property described in the legal description is accepted and approved by the Council of the City of Powell as submitted; subject to and contingent upon the conditions as recommended by the Planning and Zoning Commission as follows:

- 1) Applicant add a 12-foot wide pedestrian easement along the Woodcutter Drive frontage for a future sidewalk or multi-use trail;
- 2) Applicant restripe Woodcutter Drive to provide a left-turn lane with 75-feet of storage and a 50-foot taper per the traffic study.

Section 2: That the submission of the Combined Preliminary and Final Development Plan constitutes a formal request for an amendment addition to the zoning of the property, and upon final approval by Council becomes the zoning of the subject property, in accordance with the Powell Zoning Code.

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 City of Powell, Delaware County, Ohio.

Section 4: That this Ordinance shall take effect on the earliest period allowed by law.

  
 Daniel Swartwout  
 Mayor

7-27-23  
 Date

  
 Jason Nahvi  
 Acting City Clerk

7-27-23  
 Date

EFFECTIVE DATE: August 17, 2023

This legislation has been posted in accordance with  
the City Charter on this date 8-14-2023  
Elaine McCloskey City Clerk

City Council  
Daniel Swartwout, Mayor  
Ferzan Ahmed    Jon C. Bennehoof    Tom Counts    Christina Drummond    Heather Karr