



City of Powell, Ohio

ORDINANCE 2017-38

Adopted September 5, 2017

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR FORD & ASSOCIATES ARCHITECTS/DR. KHAKSARFARD TO CONSTRUCT A 13,606 SQUARE FOOT RETAIL CENTER ON 1.51 ACRES AT THE SOUTHEAST CORNER OF WEST OLENTANGY STREET AND MURPHY PARKWAY.

WHEREAS, the Planning and Zoning Commission of the City of Powell has recommended approval of the combined Preliminary and Final Development Plan for Ford & Associates Architects/Dr. Khaksarfard to construct a 13,606 square foot retail center on 1.51 acres at the southeast corner of West Olentangy Street and Murphy 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 combined Preliminary and Final Development Plan for Ford & Associates Architects/Dr. Khaksarfard to construct a 13,606 square foot retail center on 1.51 acres at the southeast corner of West Olentangy Street and Murphy Parkway, 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. That the City Engineer shall review and approve all final engineering plans, and
2. All engineering related items and easements shall be implemented as required by the City Engineer, and
3. That restaurant tenants and/or other uses with high demand parking shall be prohibited unless the applicant is able to produce a shared parking agreement with the property to the east or another nearby location. Any change to the approved Development Plan shall be reviewed by the Planning & Zoning Commission at a future meeting if a restaurant and/or other uses with high demand parking are proposed, and
4. That City Staff shall review and approve any request(s) for outdoor sitting areas by individual tenants or the owner, and
5. That all site lighting shall be down style lighting, with the exception of landscaping lighting or building lighting which adds visual interest to the site, and
6. That the applicant shall work with the City Engineer to construct an additional parking lot island at the first row of parking, on the south side of the parking lot, to eliminate immediate pulling in/pulling out of vehicle parking upon initial entry into the lot, and
7. That Murphy Parkway shall be re-stripped south of Olentangy Street, to allow a left-hand turn to enter the property when traveling southbound on Murphy Parkway, and
8. That the developer shall, in good faith, provide periodic construction updates to the Murphy Crossing Condo Association which surrounds the property.

City Council

Brian Lorenz, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Jim Hrivnak

Brendan Newcomb

Daniel Swartwout

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.

VOTE ON ORDINANCE 2017-38:

Y 7 N 0

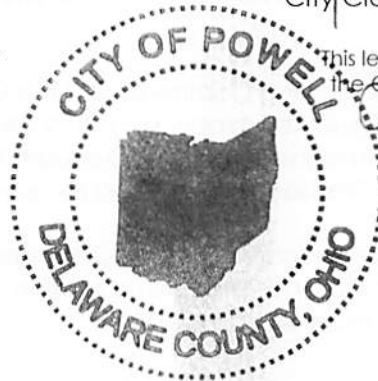

Brian Lorenz
Mayor

9/17/17
Date


Karen J. Mitchell
City Clerk

9-11-2017
Date

EFFECTIVE DATE: October 5, 2017



This legislation has been posted in accordance with the City Charter on this date 9/11/2017
City Clerk


City Clerk

City Council

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