



ORDINANCE 2019-25
Adopted July 2, 2019

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR HOME STEITZ LLC TO CONSTRUCT A MIXED-USE DEVELOPMENT OF COMMERCIAL, RESIDENTIAL AND A LIBRARY ON 11.555 ACRES, MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF HOME AND STEITZ ROADS AND AMENDING THE ZONING MAP TO PLACE THIS PROPERTY WITHIN THE PC, PLANNED COMMERCIAL DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Powell has recommended approval of the Final Development Plan for Home Steitz, LLC to construct mixed-use development of commercial, residential and a library on 11.555 acres at northwest corner of Home and Steitz Roads; and

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

WHEREAS, City Council has determined that the implementation and approval of the 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 Final Development Plan for Home Steitz, LLC to construct a mixed-use development of commercial, residential and a library on 11.555 acres at the northwest corner of Home and Steitz Roads, 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 conditions as recommended by the Planning and Zoning Commission, including adhering to all comments made by the City Engineer and addressing any comments of the Architectural Advisor, as well as the following conditions:

1. That the City Law Director and applicant shall create a Development Agreement to ensure a Delaware District Library is located on this property for implementation of this plan; and
2. That a revised development plan shall be submitted to the Planning & Zoning Commission if the Delaware County District Library ceases to locate on this site; and
3. That all roadway improvements as outlined within the traffic report or as required by the County Engineer shall be implemented; and
4. That the proposed annexation of the property into the City of Powell shall be approved by City Council; and
5. That the applicant shall work with the homeowner to the west of this property to finalize the landscaping buffers such as mounding and plant materials; and
6. That Staff shall have final say and approval of all landscaping plans; and
7. That the applicant shall work with the City Engineering Department to address the drainage of the retention pond in relationship to the pond on the property to the west; and
8. That Staff shall have final say and approval of retention pond plans; and
9. That all plans for the new library shall be brought before the Planning & Zoning Commission for final review and approval; and
10. That Staff shall work with the property owner to the west of this property to acquire an easement to allow for a future bike path connection; and

City Council

Jon C. Bennehoof, Mayor

Frank Bertone

Tom Counts

Brian Lorenz

Brendan Newcomb

Melissa Riggins

Daniel Swartwout

11. That the applicant shall work with City Staff and library staff to establish a shared parking agreement in a manner which is beneficial to both; and
12. That the applicant shall return to the Planning & Zoning Commission with a Certificate of Appropriateness to ensure consistency in the overall plan of the three (3) different sub-developments; and
13. That the applicant shall return to the Planning & Zoning Commission with a Certificate of Appropriateness for final review and approval of all signage plans; and
14. That the applicant shall return to the Planning & Zoning Commission with a Certificate of Appropriateness in the event a "drive-thru" operation is proposed for the property; and
15. That the applicant shall return to the Planning & Zoning Commission with a Certificate of Appropriateness for final fencing and barrier plans.

Section 2: That the zoning map shall be amended to place this property within the PC, Planned Commercial District.

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 2019-25: Y 6 N 0 AB 1 (Newcomb)

Jon C. Bennehoof
Jon C. Bennehoof
Mayor

7/3/2019
Date

Karen J. Mitchell
Karen J. Mitchell
City Clerk

7/3/2019
Date

EFFECTIVE DATE: August 1, 2019



The legislation has been posted in accordance with the City Charter on this date 7/3/2019
Karen J. Mitchell
City Clerk