

A resolution making certain findings required under Ohio Revised Code Chapter 349 and setting a date for the required public hearings to establish a new community authority. (Economic Development and Planning)

WHEREAS, Ohio Revised Code ("R.C.") Chapter 349 (the "Act") provides that "developers" (as defined in the Act) may petition for the establishment of a New Community Authority (the "NCA"); and

WHEREAS, Braumiller Development, LLC (the "Developer") owns or controls approximately 134.80 acres of real property (the "Property") in Franklin County, Ohio (the "County"), and therefore is a "developer" as defined in the Act; and

WHEREAS, the Developer intends to construct or cause to be constructed certain private improvements expected to consist of single-family homes, patio homes, multi-family structures, retail, office and other commercial improvements, along with all other appurtenances (the "Project") on the Property; and

WHEREAS, the Property is located within the Big Darby Watershed;

WHEREAS, pursuant to Resolution 864-06, the Township adopted the Big Darby Accord Master Plan, along with Brown Township, Pleasant Township, Washington Township, City of Hilliard, City of Columbus, and Franklin County for the purpose of conserving and protecting the vital environmental resources of the 84 square mile area within the Franklin County portion of the Watershed, while fostering managed development that is appropriate, balanced, and well-planned;

WHEREAS, pursuant to County Resolutions No. 0269-09 and 0270-09 and City of Columbus Ordinance No. 320-2008, the County agreed to the extension of water and sewer service to this area of the Big Darby Accord Planning Area for new development in compliance with the principles contained in the Big Darby Accord Master Plan and that development receiving such service will participate in revenue programming in furtherance of the Accord;

WHEREAS, the Big Darby Accord recognizes that the financial leveraging of well-planned, private development can provide significant

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resources to help achieve Accord principles and goals and that public-private cooperation is essential for success;

WHEREAS, pursuant to Resolution 44-08, the Township adopted the Big Darby Revenue Program (the "Revenue Program"), which sets forth the sources and uses of revenues needed to properly protect the environmental resources of the Big Darby Watershed and manage development within the watershed;

WHEREAS, the Revenue Program sets forth the various tools and incentives that apply to all developments within the Big Darby Accord, including tax increment financing, new community authorities and developer contributions;

WHEREAS, on November 28, 2022, the Developer filed with the County a petition under R.C. Section 349.03 (the "Petition") for the establishment of an NCA inclusive of the Property in furtherance of the Development Agreement with Prairie Township and the Big Darby Revenue Program to provide for the construction of certain "community facilities" in connection with the Project and related lawful purposes;

WHEREAS, the Board of County Commissioners for Franklin County, Ohio (the "County Commissioners") is the "organizational board of commissioners" as defined in the Act; and

WHEREAS, pursuant to R.C. Section 349, the Board of Commissioners (the "Board") of the County are required to determine whether the Petition complies with the Act in form and substance, and if it does, the Board is required to fix the time and place for a public hearing on the Petition.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, OHIO:

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Section 1. That the Board finds and determines that the County Commissioners have received the Petition, and that the Petition complies with the Act in form and substance.

Section 2. As required by the Act, the Board hereby schedules a public hearing on the Petition during the Board's regularly scheduled meeting on January 10, 2023, which public hearing shall commence at 9:00am in the Commissioners' Hearing Room on the 1st Floor of the Franklin County Michael J. Dorrian Building (369 South High Street). The Clerk to the Board is hereby directed to publish notice of the public hearing in a newspaper of general circulation in the County once each week for three consecutive weeks in the form required by R.C. Section 7.16.

Section 3. Provided the Compensation Agreement is duly executed and delivered, the County hereby waives compliance with the notice requirements of Sections 5709.40(E) and waives any defects or irregularities related to or in connection with the authorization of the TIF Exemption, all with respect to the property within the TIF District.

Section 4. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution shall take effect and be in force from and immediately after its passage.

AGENCY
Economic Development & Planning

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