



## Legislation Details (With Text)

**File #:** 0121X-2020    **Version:** 1

**Type:** Resolution                      **Status:** Passed

**File created:** 8/20/2020              **In control:** Economic Development Committee

**On agenda:** 10/5/2020                **Final action:** 10/8/2020

**Title:** To determine that the petition to establish the Berlin Meadows New Community Authority and district is sufficient and complies with the requirements of section 349.03 of the Ohio Revised Code in form and substance; and to authorize the Director of the Department of Development to sign the petition on behalf of the City of Columbus.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. RES0121X-2020 Berlin Meadows NCA - Petition for Organization of NCA (unexecuted)

Date	Ver.	Action By	Action	Result
10/8/2020	1	CITY CLERK	Attest	
10/7/2020	1	MAYOR	Signed	
10/5/2020	1	COUNCIL PRESIDENT	Signed	
10/5/2020	1	Columbus City Council	Adopted	Pass
9/21/2020	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** The need exists for Columbus City Council to pass a resolution, as a proximate City as defined under Ohio Revised Code Section 349.01(M)(1), determining that the petition to establish a New Community Authority for the Berlin Meadows development located in the County of Delaware, Ohio complies as to form and substance with RC 349.03. The owner plans to develop the 280 acre site as a mixed-use commercial and residential development, including open space and school development, single-family residential units, a community facility with associated outdoor spaces, and surface and structured parking necessary to support those uses.

**FISCAL IMPACT:**

No Funding is required for this legislation.

To determine that the petition to establish the Berlin Meadows New Community Authority and district is sufficient and complies with the requirements of section 349.03 of the Ohio Revised Code in form and substance; and to authorize the Director of the Department of Development to sign the petition on behalf of the City of Columbus.

**WHEREAS,** Berlin Meadows Development LLC (the “Developer”) plans to develop an approximately 280-acre site located entirely within the boundaries of the County of Delaware, Ohio. For the purposes of the proposed new community authority as set forth herein, each of the City of Delaware, Ohio and the City of Columbus, Ohio shall be considered to be a “proximate city” of the proposed new community authority, as set forth in Ohio Revised Code Section 349.01(M)(1), as set forth in additional detail herein. The Developer plans to develop the site as a mixed-use commercial and residential development, including open space and school development, single-family residential units, a community facility with associated outdoor spaces, and surface and structured parking necessary to support those uses; and

**WHEREAS,** on August 20, 2020, the Developer submitted to the Council of the City of Columbus, Ohio (“Council”),

pursuant to Revised Code Section 349.03, a Petition for Establishment of the Berlin Meadows New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”); and

**WHEREAS**, the Berlin Meadows New Community District, as described in the Petition, is located entirely within the boundaries of Delaware County, Ohio. Under Ohio Revised Code Section 349.01(M)(1), each of (i) the City of Delaware, Ohio, as the city with the greatest population located in the county in which the proposed new community district is located, and (ii) the City of Columbus, Ohio, as the city with the greatest population located in an adjoining county where the city is within five miles of any part of the boundaries of the district, are considered to be a “proximate city” for the purposes of the Berlin Meadows New Community District. Therefore, this Council, as the legislative authority of the City of Columbus Ohio, is one of the proximate cities for the Berlin Meadows New Community District for the purposes of this Petition; and

**WHEREAS**, this Council has reviewed the Petition, and by this resolution desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; and further pursuant to Revised Code Section 349.03, to sign the Petition prior to its submittal to the organizational board of commissioners.**NOW, THEREFORE,**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1. Proximate City.** This Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(M)(1) and 349.03(A), it is a “proximate city” of the Berlin Meadows New Community Authority for all purposes of Revised Code Chapter 349.

**SECTION 2. Petition’s Sufficiency and Compliance with Revised Code Section 349.03.** This Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance. This Council authorizes the Director of Development to sign the Petition on behalf of the City.

**SECTION 3. Open Meetings.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Revised Code Section 121.22.

**SECTION 4.** That this resolution shall take effect and be in force from and after the earliest period allowed by law.