



## Legislation Details (With Text)

**File #:** 0196X-2022    **Version:** 1

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

**File created:** 10/3/2022    **In control:** Economic Development Committee

**On agenda:** 10/24/2022    **Final action:** 10/26/2022

**Title:** To determine that the Petition for Establishment of the Villages at Galloway New Community Authority as a New Community Authority under Ohio Revised Code Chapter 349 submitted by Braumiller Development, LLC 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 said petition on behalf of the City of Columbus, Ohio as the "proximate city" as defined in Section 349.01(M) of the Ohio Revised Code.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 0196X-2022 Exhibit A Villages at Galloway - NCA Petition

Date	Ver.	Action By	Action	Result
10/26/2022	1	CITY CLERK	Attest	
10/25/2022	1	MAYOR	Signed	
10/24/2022	1	COUNCIL PRESIDENT	Signed	
10/24/2022	1	Columbus City Council	Adopted	Pass
10/17/2022	1	Columbus City Council	Read for the First Time	

**BACKGROUND:** As the city with greatest population located in Franklin County, Ohio, the City of Columbus, Ohio, is the "Proximate City," as that term is further defined in Section 349.01(M) of the Ohio Revised Code ("R.C."). As the Proximate City, the need exists for the City to determine the sufficiency of and if so, sign the Petition for Establishment of the Villages at Galloway New Community Authority (the "Authority") as a New Community Authority under Ohio Revised Code Chapter 349 (the "Petition") in order for the Franklin County, Ohio Board of Commissioners, as the "organizational board of commissions," as defined in R.C. Section 349.01(F), to hold a public hearing on the Petition for the establishment of the Authority. The "new community district," as defined in R.C. Section 349.01(C), of the Authority as described in the Petition is located in Prairie Township (Franklin County), Ohio on Franklin County Tax Parcel ID Numbers 240-000146 and 240-000112 along Galloway Road. Braumiller Development, LLC, as the "developer" indicated in the Petition plans to develop the 134.80-acre new community district as a comprehensive mixed-use development, consisting of approximately 381 single-family homes, 106 patio homes, 72 town homes and 240 multi-family units, along with various related commercial structures and improvements. The creation of this Authority is in furtherance of the Big Darby Revenue Program adopted by City Council under Resolution 0216X-2008 on April 20, 2009. Participation in the Big Darby Revenue Program was affirmed in a development agreement between the developer and the Board of Trustees of Prairie Township to complete essential early investments and community priority investments that will advance the *Big Darby Accord* and serve the new community district and the Township in general, improve water quality in the Big Darby Watershed, provide for adequate public facilities, and cause the creation of new housing and employment opportunities for Township residents. By this resolution, City Council, as the legislative authority of the Proximate City, will determine the sufficiency of the Petition and, authorize the Director of the Department of Development to sign the Petition.

**FISCAL IMPACT:** No funding is required for this legislation.

To determine that the Petition for Establishment of the Villages at Galloway New Community Authority as a New Community Authority under Ohio Revised Code Chapter 349 submitted by Braumiller Development, LLC 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 said petition on behalf of the City of Columbus, Ohio as the “proximate city” as defined in Section 349.01(M) of the Ohio Revised Code.

**WHEREAS**, Braumiller Development, LLC (the “Developer”) plans to develop an approximately 134.80-acre site located entirely within the boundaries of Prairie Township (Franklin County), Ohio (the “Township”) on Franklin County Tax Parcel ID Numbers 240-000146 and 240-000112 along Galloway Road (the “New Community District”); and

**WHEREAS**, the Developer plans to develop the New Community District as a comprehensive residential development, consisting of approximately 381 single-family homes, 106 patio homes, 72 town homes and 240 multi-family units, along with various related commercial structures and improvements; and

**WHEREAS**, the New Community District lies within the *Big Darby Accord* planning area, which makes it subject to the requirements the Big Darby Revenue Program adopted on April 20, 2009 by City Council under Resolution 0216X-2008 as well as by the Township; and

**WHEREAS**, the creation of a new community authority is in furtherance of the Big Darby Revenue Program and affirmed in a development agreement between the Developer and the Board of Trustees of the Township to complete essential early investments and community priorities investments that will advance the *Big Darby Accord* and serve the New Community District and the Township; and

**WHEREAS**, on or about September 29, 2022, the Developer submitted to the Clerk of the Council of the City of Columbus, Ohio (“Council”), pursuant to Revised Code Section 349.03, a Petition for Establishment of the Villages at Galloway New Community Authority as a New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”) attached hereto as Exhibit A; and

**WHEREAS**, as the New Community District as described in the Petition is located entirely within the boundaries of the Township, the City of Columbus, Ohio, as the city with the greatest population located in the county in which the New Community District is located, is considered to be a “Proximate City” for the purposes of the Petition under Ohio Revised Code Section 349.01(M); and

**WHEREAS**, this Council, as the legislative authority of the Proximate City and pursuant to Revised Code Section 349.03 and this resolution, desires to legislatively determine that the Petition complies with the requirements of that section as to form and substance and authorizes the Director of the Department of Development to sign the Petition prior to its submittal to the Franklin County, Ohio Board of Commissioners, as the organizational board of commissioners defined under Ohio Revised Code Section 349.01(F); **NOW, THEREFORE**,

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

**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 Villages at Galloway New Community Authority for all purposes of Ohio Revised Code Chapter 349.

**SECTION 2. Petition’s Sufficiency and Compliance with Ohio 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 Ohio Revised Code Section 349.03 in form and substance.

**SECTION 3. Signing of the Petition.** This Council hereby authorizes the Director of the Department of Development, for and in the name of the City, to sign the Petition presently on file with the Clerk of Council.

**SECTION 4. Effective Date.** This resolution shall take effect and be in force from and after the earliest date permitted by law.