RESOLUTION NO.: 23-2020  
INTRODUCED BY: Henry

A RESOLUTION DETERMINING THAT THE PETITION TO ESTABLISH THE BELLE OAKS NEW COMMUNITY AUTHORITY DISTRICT IS SUFFICIENT AND COMPLIES WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE IN FORM AND SUBSTANCE; SETTING THE TIME AND PLACE FOR A HEARING ON THE PETITION; AND AUTHORIZING THE NOTICE BY PUBLICATION OF SUCH HEARING.

WHEREAS, Belle Oaks Marketplace LLC, (the “Developer”) plans to develop an approximate 69-acre site located within the municipal corporate boundaries of the City of Richmond Heights, Ohio (the “City”), as a mixed-use development consisting of new retail, residential, commercial, and structured parking facilities and other complementary uses as described in Ohio Revised Code (“ORC”) Chapter 349; (the “Development”);

WHEREAS, on February 18, 2020, the Developer submitted to this Council, pursuant to ORC §349.03, a Petition for Establishment of the Belle Oaks New Community Authority (the “Petition”);

WHEREAS, the Belle Oaks New Community District, as described in the Petition, is proposed to be located entirely within the municipal corporate boundaries of the City and this Council, as the legislative authority of the City, is therefore the “Organizational Board of Commissioners,” as defined in ORC §349.01(F)(3) for purposes of the Petition;

WHEREAS, this Council has reviewed the Petition, and by this Resolution desires to legislatively determine, pursuant to ORC §349.03, that the Petition facially complies with the requirements of that section as to form and substance, subject to any amendments in form and substance to conform to the facts by correcting any errors in the description of the proposed community district or in any other particular;

WHEREAS, pursuant to ORC §349.03, this Council desires to formally set the time and place of a hearing on the Petition; and further pursuant to ORC §349.03, to authorize the notice by publication of the hearing on the Petition;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: This Council has examined the Petition and determines that the Petition is sufficient and complies with the requirements of ORC §349.03 as to form and substance.

Section 2: Pursuant to ORC §349.03, this Council determines to hold a hearing on the Petition on March 24, 2020 at Richmond Heights City Hall, and authorizes the Clerk to cause notice of the hearing to be published once a week for three consecutive weeks prior to the hearing in a newspaper of general circulation within Cuyahoga County, Ohio, pursuant to ORC §349.03(A).
Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law which, being an administrative act by this Council, shall go into effect immediately upon its passage and signature by the Mayor.

PASSED: March 3, 2020

APPROVED: March 3, 2020

ATTEST: Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council

David H. Roche, Mayor