



ORDINANCE O-91-2023

**AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1
ANNEXATION OF 24.362 +/- ACRES FROM JERSEY TOWNSHIP,
LICKING COUNTY TO THE CITY OF NEW ALBANY**

WHEREAS, pursuant to the petition filed by Jackson B. Reynolds III, agent for petitioner, with the Licking County Board of Commissioners on June 8, 2023, and

WHEREAS, the foregoing Resolution #119-216 of the Licking County Commissioners granting the petition was delivered to the City of New Albany on June 23, 2023, and more than sixty (60) days have elapsed since the foregoing resolution and transcript was transmitted to the City of New Albany, and

WHEREAS, pursuant to City of New Albany Resolution R-37-2021, which was signed on August 3, 2021, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, Counties of Franklin, and Licking, State of Ohio, that:

Section 1: The application of property owners set forth in Licking County requesting the annexation of 24.362 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: An accurate map of the territory attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the

Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: Council of the City of New Albany hereby accepts the annexation of a 24.362 +/- acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: The clerk is herewith directed to deliver certified copies of this ordinance and other proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.


Section 5: It is hereby found and determined that all formal actions of council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 6: Pursuant to Article VI, Section 6.07(B) of the Charter of the City of New Albany, this ordinance shall become effective on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 19 day of Sept, 2023.

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

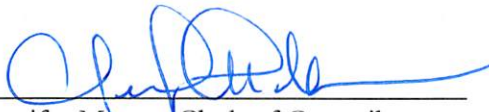
Approved as to form:


Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	08/17/2023
Introduced:	09/05/2023
Revised:	
Adopted:	09/19/2023
Effective:	10/18/2023

CERTIFICATION BY CLERK OF COUNCIL OF PUBLICATION OF LEGISLATION

I certify that copies of Ordinance **O-91-2023** were posted in accordance with Article VI, Section 6.12 of the Charter of the City of New Albany, for 30 days starting on 9/20/2023, 2023.


Jennifer Mason, Clerk of Council

9/20/2023
Date

**EXHIBIT A
LEGAL DESCRIPTION**

PRE-APPROVAL LICKING COUNTY ENGINEER	
<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> CONDITIONAL
APPROVED BY:	<i>[Signature]</i>
DATE:	3-20-23

Situated in the State of Ohio, County of Licking, Township of Jersey, Lot 18 of quarter Township 2, Township 2, Range 15, United States Military Lands, being all of a 12.414 acres as Surveyed (12.396 acre tract per deed), Auditor Parcel Number 037-111930-00.000, conveyed to DBT- Data New Albany LLC. an Ohio Limited Liability Company in Instrument Number 202301170001008, and all of a 11.948 acres as Surveyed (11.884 acre tract per deed), Auditor Parcel Number 037-112110-00.000, conveyed to DBT- Data New Albany LLC. an Ohio Limited Liability Company in Instrument Number 202301170001004 at the Licking County Recorder's Office, being more particularly described as follows;

Commencing for reference at a point on the northeast corner of said Lot 18;

Thence North 86° 21' 38" West with the north line of said Lot 18 and the centerline of right of way of Jug Street Road a distance of 1443.73 feet to a point on the northeast corner of said 11.948 acre tract, said point being on the northwest corner of a 3.157 acre tract as conveyed to DBT- Data New Albany LLC. an Ohio Limited Liability Company in Instrument Number 202301200001297, and said point also being the True Point of Beginning of the tract herein described;

Thence South 03° 19' 59" West with the east line of said 11.948 acre tract, and the west lines of said 3.157 acre tract, a 8.075 acre tract as conveyed to DBT- Data New Albany LLC. an Ohio Limited Liability Company in Instrument Number 202301170001013, a 8.114 acre tract as conveyed to DBT- Data New Albany LLC. an Ohio Limited Liability Company, in Instrument Number 202301180001082, a 8.114 acre tract as conveyed to DBT- Data New Albany LLC. an Ohio Limited Liability Company in Instrument Number 202301180001080, and a 8.116 acre tract as conveyed to DBT- Data New Albany LLC. An Ohio Limited Liability Company in Instrument Number 202301180001066, passing a ¼ inch iron pipe found at 25.85 feet and 1690.79 feet, a total distance of 1693.45 feet to point on the southeast corner of said 11.948 acre tract, said point being on the southwest corner of said 8.116 acre tract, said point also being on the south line of said Lot 18, and said point also being on the north line of a 11.495 acre tract as conveyed to Smith Mill Rd. LLC, an Ohio Limited Liability Company in Instrument Number 201502250003370;

Thence North 86° 10' 34" West with the south line of said 11.948 acre tract, and the south line of said 12.414 acre, and the north line of said 11.495 acre tract a distance of 627.29 feet to a point on the southwest corner of said 12.414 acre tract, said point also being on the southeast corner of a 26.335 acre tract as conveyed to COI New Albany 315 LLC in Instrument Number 202106030016710;

Thence North 03° 21' 00" East with the west line of said 12.414 acre tract and the east line of said 26.335 acre tract, passing a ¼ inch iron pipe found at 1.76 feet and an iron pin set at 1661.43 feet, a total distance of 1691.43 feet to a point on the northwest corner of said 12.414 acre tract, said point being on the northeast corner of said 26.335 acre tract;

Thence South 86° 21' 38" East with the north line of said Lot 18, the centerline of right of way of Jug Street Road and the south line of a 41.761 acre tract as conveyed Pharnavite LLC, a California Limited Liability Company in Instrument Number 202210140024882 a distance of 626.77 feet to the True Point of Beginning, containing 24.362 acres more or less and subject to all covenants, easements and restrictions of record.

Bearings are based on the centerline of Jug Street Rd. (CR 22) and the north line of Lot 18 of Quarter Township 2 being South 86° 21' 38" East and were obtained through GPS observations using the Ohio State Plane Coordinate System, South Zone, North American Datum 1983 (2011) and are used to denote angles only.

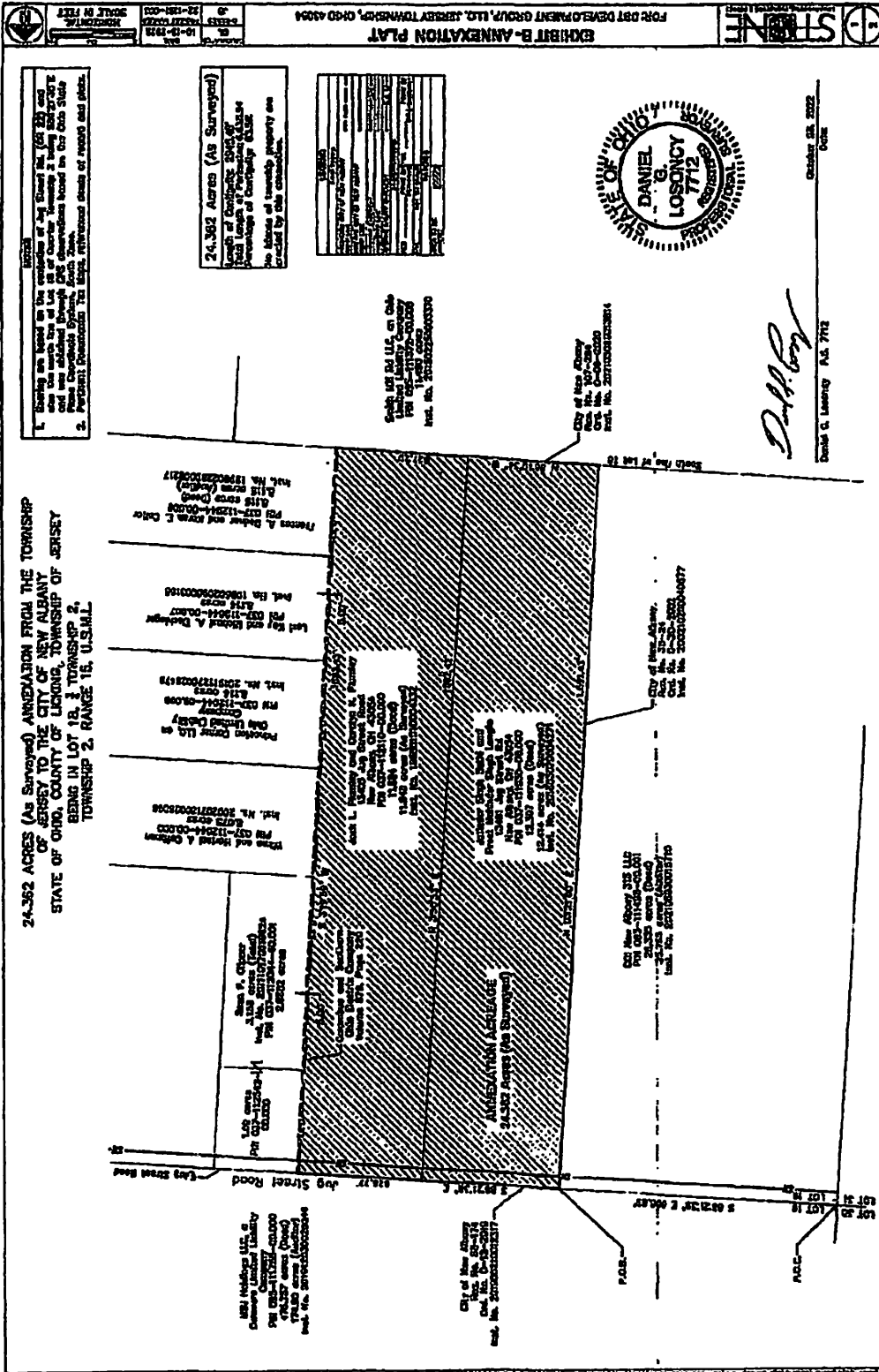
All iron pins set are 5/8 inch diameter by 30 inch long rebars with plastic caps marked "STONE BOUNDARY".
Prior Instrument References as of the date this survey was prepared: Instrument Numbers 201803070004271 and
196801010004332.

This description is based on an actual field survey performed by or under the direct supervision of Jeffrey M. Baird,
PS, in September 2022.

Jeffrey M Baird
Jeffrey M. Baird P.S. Number 8271

3/6/2023
Date





PLAT OF TERRITORY to be ANNEXED to the CITY OF NEW ALBANY
STATE OF OHIO, COUNTY OF LICKING, TOWNSHIP OF JERSEY
BEING IN LOT 18, $\frac{1}{4}$ TOWNSHIP 2,
TOWNSHIP 2, RANGE 15, U.S.M.L.

Proposed Parcel Annexation
of 24.382 acres to the City of New Albany

The within map marked Exhibit A and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____ 20_____ under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners _____

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____ 20_____

Petition Approved _____ 20_____

Licking County Commissioner _____

Licking County Commissioner _____

Licking County Commissioner _____

Transferred _____ 20_____ upon the duplicates of this office.

Containing 24.382 acres.

Transfer Fee _____

Licking County Auditor _____

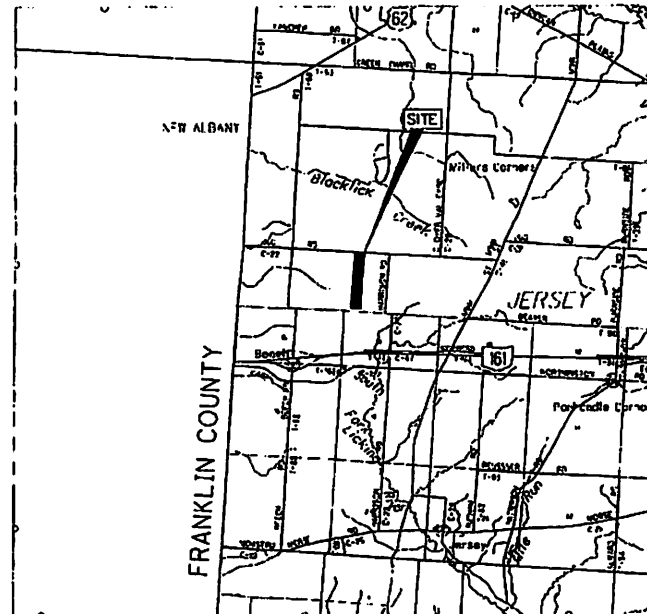
Received for Record _____ 20_____ at _____ (AM/PM) and recorded _____ 20_____ in plat ordinance, petition, etc. in plat book Volume _____ Page _____

Plat Fee _____

Ordinance, etc. Fee _____

Licking County Recorder _____

The Council for the City of New Albany, Ohio, by ordinance No. _____ Passed _____ 20_____ and approved by the Mayor on _____



24.362 Acres (As Surveyed)

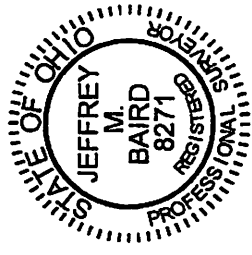
Length of Contiguity: 2845.48'

Total Length of Perimeter: 4,638.84'

Percentage of Contiguity: 63.5%

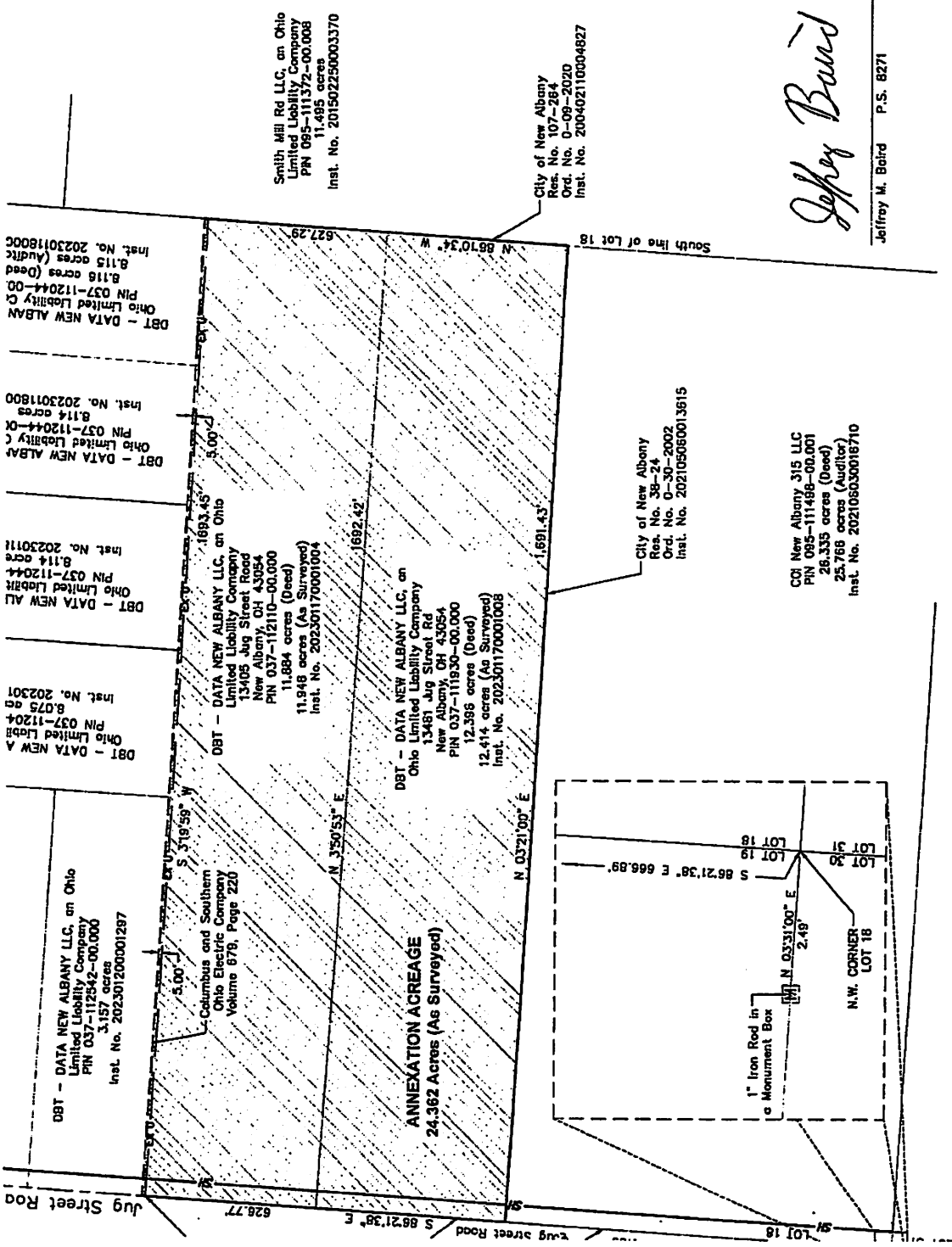
No islands of township property are created by this annexation.

LEGEND	
---	LINE TYPED
----	BOUNDARY OF NEW ALBANY
----	BOUNDARY OF JERSEY TOWNSHIP
----	BOUNDARY OF CITY OF NEW ALBANY
----	BOUNDARY OF COUNTY OF LORAIN
----	BOUNDARY OF COUNTY OF COLUMBIA
----	BOUNDARY OF COUNTY OF FRANKLIN
----	BOUNDARY OF COUNTY OF DELAWARE
----	BOUNDARY OF COUNTY OF MADISON
----	BOUNDARY OF COUNTY OF WARREN
----	BOUNDARY OF COUNTY OF CANTON
----	BOUNDARY OF COUNTY OF HAMILTON
----	BOUNDARY OF COUNTY OF MONTGOMERY
----	BOUNDARY OF COUNTY OF CLATSOP
----	BOUNDARY OF COUNTY OF TULSA
----	BOUNDARY OF COUNTY OF WAGONER
----	BOUNDARY OF COUNTY OF WAGONER



March 6, 2023
Date:

Jeffrey M. Baird P.S. 8271



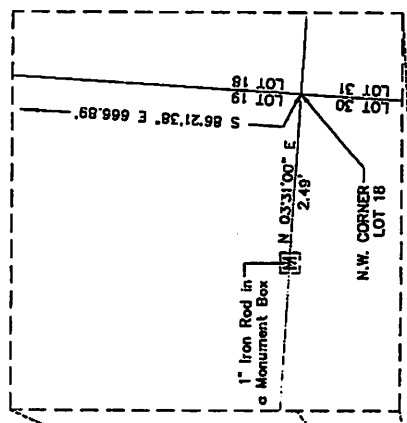
Smith Hill Rd LLC, an Ohio
Limited Liability Company
PIN 085-111372-00.008
11.485 acres
Inst. No. 201502250003370

City of New Albany
Res. No. 107-284
Ord. No. 0-09-2020
Inst. No. 200402110004627

Jeffrey Baird

DBT - DATA NEW ALBANY LLC, an Ohio
Limited Liability Company
PIN 037-112342-00.000
3.157 acres
Inst. No. 202301200001287

Columbus and Southern
Ohio Electric Company
Volume 978, Page 220





ORDINANCE O-92-2023

**AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1
ANNEXATION OF 60.41 +/- ACRES FROM JERSEY TOWNSHIP,
LICKING COUNTY TO THE CITY OF NEW ALBANY**

WHEREAS, pursuant to the petition filed by Jackson B. Reynolds III, agent for petitioner, with the Licking County Board of Commissioners on June 8, 2023, and

WHEREAS, the foregoing Resolution #119-217 of the Licking County Commissioners granting the petition was delivered to the City of New Albany on June 23, 2023, and more than sixty (60) days have elapsed since the foregoing resolution and transcript was transmitted to the City of New Albany, and

WHEREAS, pursuant to City of New Albany Resolution R-37-2021, signed on August 9, 2021, and Resolution R-36-2015, signed August 4, 2015, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, the real estate is located in Licking County and is subject to the “New Albany East Community Authority” and subject to a special property assessment in compliance therewith, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, Counties of Franklin, and Licking, State of Ohio, that:

Section 1: The application of property owners set forth in Licking County requesting the annexation of 60.41 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: An accurate map of the territory attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the

Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: Council of the City of New Albany hereby accepts the annexation of a 60.41 +/--acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: The clerk is herewith directed to deliver certified copies of this ordinance and other proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: It is hereby found and determined that all formal actions of council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 6: Pursuant to Article VI, Section 6.07(B) of the Charter of the City of New Albany, this ordinance shall become effective on and after the earliest period allowed by law.


CERTIFIED AS ADOPTED this 19 day of Sept., 2023.

Attest:


Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council


Approved as to form:


Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	08/17/2023
Introduced:	09/05/2023
Revised:	
Adopted:	09/19/2023
Effective:	10/18/2023

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-92-2023** were posted in accordance with Article VI, Section 6.12 of the Charter of the City of New Albany, for 30 days starting on September 20, 2023.

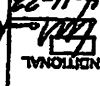

Jennifer Mason, Clerk of Council

Date 9/20/23

PROPOSED ANNEXATION OF
60.41± ACRES

FROM: TOWNSHIP OF JERSEY

TO: CITY OF NEW ALBANY

PRE-APPROVAL	
LACKING COUNTY ENGINEER	
APPROVED BY 	DATE 7-11-23
APPROVED <input checked="" type="checkbox"/>	CONVENTIONAL

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in Lots 17 and 18, Quarter Township 2, Range 15, United States Military District, and being all of that 3.157 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301200001297, those 1.09 acre and 2.086 acre tracts conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001108, that 1.010 acre tract and that 5.132 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001079, that 1.010 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001087, that 2.000 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001112, that 3.555 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001048, that 3.313 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001047, that 8.075 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301170001013, that 8.114 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001080, that 8.114 acre tract conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001066, and those 2.376 acre and 3.000 acre tracts conveyed to DBT-Data New Albany LLC by deed of record in Instrument Number 202301180001081, (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

BEGINNING at the centerline intersection of Jug Street Road with Harrison Road, being in the existing City of New Albany corporation line as established by Ordinance Number O-12-2019, of record in Instrument Number 201906210012317, Ordinance Number O-1-2022, of record in Instrument Number 202205120011951, and Ordinance Number O-31-2015, of record in Instrument Number 201601070000270;

Thence South 03° 19' 26" West, with the centerline of said Harrison Road and said existing City of New Albany corporation line (O-31-2015), a distance of 1898.03 feet to the southeast corner of said 3.000 acre tract, being an angle point in that existing City of New Albany corporation line, as established by Ordinance Number O-28-2016, of record in Instrument Number 201612050026924;

Thence North 86° 14' 17" West, with the southerly line of said 3.000 acre tract and said existing corporation line (O-28-2016), a distance of 653.56 feet to a point;

Thence North 86° 15' 30" West, with the southerly line of said 2.376 acre tract and continuing with said corporation line (O-28-2016), a distance of 74.54 feet to a point;

Thence North 85° 54' 17" West, with said southerly line and said corporation line (O-28-2016), a distance of 442.57 feet to a point at the southwest corner of said 2.376 acre tract, being an angle point in the existing City of New Albany corporation line, as established by Ordinance Number O-30-2002, of record in Instrument Number 200210280040677;

Thence North 03° 34' 06" East, with the westerly line of said 2.376 acre tract and with said existing corporation line (O-30-2002), a distance of 200.39 feet to a point in the southerly line of said 8.116 acre tract;

Thence North 85° 56' 42" West, with said southerly line and said existing corporation line (O-30-2002), a distance of 244.30 feet to a point;

Thence North 03° 20' 04" East, with the westerly lines of said 8.116 acre, 8.114 acre (LN. 202301180001080), 8.114 acre (LN. 202301180001082), 8.075 acre, and 3.157 acre tracts, a

**PROPOSED ANNEXATION OF
60.41± ACRES**

- 2 -

distance of 1690.77 feet to a point in the centerline of said Jug Street Road and in said existing City of New Albany corporation line (O-12-2019);

Thence South 86° 21' 46" East, with said centerline and said existing corporation line (O-12-2019), a distance of 1413.75 feet to the POINT OF BEGINNING, containing 60.41 acres, more or less.

This description is for annexation purposes only and should not be used for transfer.

Total perimeter of annexation area is 6617.91 feet, of which 4927.14 feet is contiguous with the City of New Albany by Ordinance Numbers O-11-2022, O-12-2019, O-28-2016, O-31-2015, and O-30-2002, giving 74.5% perimeter contiguity.

This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

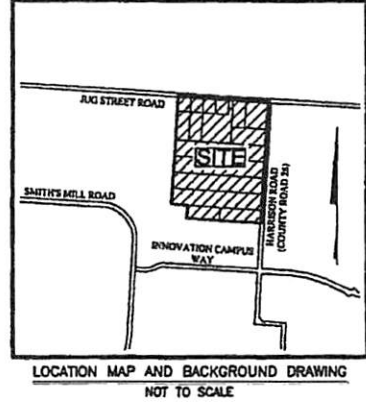
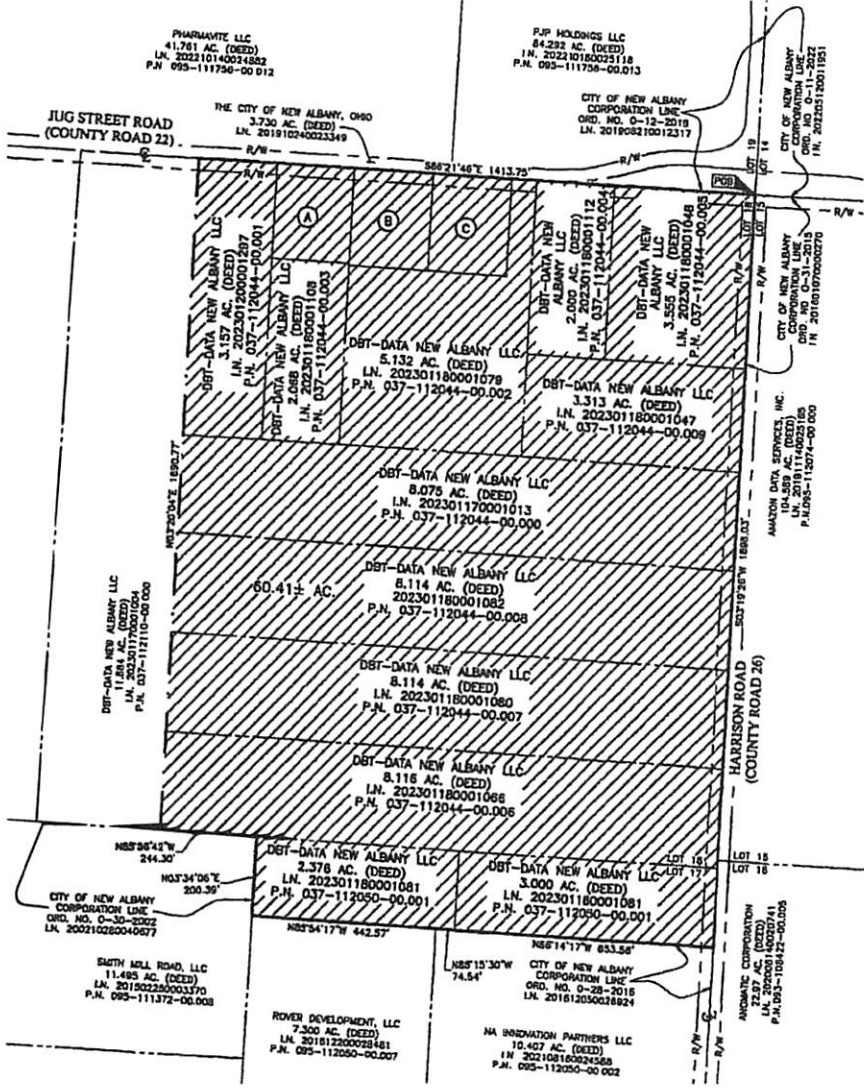


EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King
Heather L. King
Professional Surveyor No. 8307

4/10/23
Date

PROPOSED ANNEXATION OF 60.41± ACRES TO THE CITY OF NEW ALBANY FROM TOWNSHIP OF JERSEY LOTS 17 & 18, QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY DISTRICT TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



Proposed Annexation
of 60.41± acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20____, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agents for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20____

Petition Approved _____, 20____

Transferred this _____ day of _____, 20____, upon the duplicates of this office.

Containing _____ acres.

Transfer Fee _____

Received for Record _____, 20____, at _____ (AM-PM) and recorded _____, 20____, in plat ordinance, petition, etc. in Plat Book Volume _____ Page _____

Plat Fee _____

Ordinance, etc. Fee _____

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20____, and approved by the mayor on _____, 20____, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest _____
Clerk, City of New Albany



Heather L. King
Heather L. King
Professional Surveyor No. 8307
hking@emht.com

4/16/23
Date

AREA TO BE ANNEXED

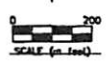
PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 6617.91 feet, of which 4927.14 feet is contiguous with the City of New Albany by Ordinance Numbers O-11-2022, O-12-2019, O-28-2016, O-31-2015, and O-30-2002, giving 74.5% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

- (A) DBT-DATA NEW ALBANY LLC
1.09 AC. (DEED)
L.N. 20230118000108
P.N. 037-112044-01.000
- (B) DBT-DATA NEW ALBANY LLC
1.010 AC. (DEED)
L.N. 202301180001079
P.N. 037-112044-03.000
- (C) DBT-DATA NEW ALBANY LLC
1.010 AC. (DEED)
L.N. 202301180001087
P.N. 037-112044-02.000



EMHT Everts, Macchewell, Hontela & Tilton, Inc. Engineers • Surveyors • Planners • Architects 300 New Albany Road, Columbus, OH 43204 Phone: 614.771.4200 Fax: 614.775.2440 emht.com		Date: March 31, 2023
		Scale: 1" = 200'
Job No: 2022-1049		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION



ORDINANCE O-93-2023

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 5.916+/- ACRES OF LAND LOCATED AT 6455 WEST CAMPUS OVAL, FROM OFFICE CAMPUS DISTRICT (OCD) TO INFILL PLANNED UNIT DEVELOPMENT (I-PUD) FOR AN AREA TO BE KNOWN AS THE “CENTRAL COLLEGE OFFICE ZONING DISTRICT” AS REQUESTED BY NDA OHIO LLC, C/O AARON UNDERHILL

WHEREAS, the council of the city of New Albany has determined that it is necessary to rezone certain property located within the city to promote orderly growth and development of lands; and

WHEREAS, the Rocky Fork-Blacklick Accord Panel, New Albany Planning Commission, and New Albany City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

WHEREAS, pursuant to the application by NDA Ohio LLC, c/o Aaron Underhill, Esq., the Rocky Fork-Blacklick Accord Panel and New Albany Planning Commission have reviewed the proposed ordinance amendment and recommended its approval unanimously.

NOW, THEREFORE, BE IT ORDAINED by council for the city of New Albany, counties of Franklin and Licking, State of Ohio, that:

Section 1. Council hereby amends the zoning ordinance map of the city of New Albany to change the zoning classification of the following described site:

- A. A 5.916+/- acre site within Franklin County, located at 6455 West Campus Oval from its current zoning of Office Campus District (OCD) to Infill Planned Unit Development (I-PUD).
- B. The zoning district’s limitation text and boundary map are hereby attached and marked Exhibit A.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 3. Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

CERTIFIED AS ADOPTED this 19 day of Sept, 2023.

Attest:

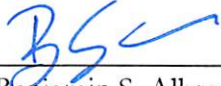


Sloan T. Spalding
Mayor



Jennifer H. Mason
Clerk of Council

Approved as to form:



Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	08/22/2023
Introduced:	09/05/2023
Revised:	
Adopted:	09/19/2023
Effective:	10/18/2023

**CENTRAL COLLEGE OFFICE DISTRICT
INFILL PLANNED DEVELOPMENT (I-PUD)
DEVELOPMENT STANDARDS TEXT**

August 24, 2023

I. Summary: The property which is the subject of this text consist of 5.9+/- acres located to the northwest of and adjacent to the intersection of New Albany Road East and Central College Road. It has recently been developed with an office building consisting of 46,080+/- gross square feet of floor area which is unoccupied and is zoned with the OCD, Office Campus District classification under the City's Codified Ordinances. This zoning classification permits a range of office uses, a select group of other uses, and allows a list of allowable conditional uses (subject to review and approval of Planning Commission) which include, but are not limited to, research and development, hotels, and educational institutions.

The property owner, Medical Center of New Albany LLC, has received interest from a company that would bring a state-of-the-art veterinary hospital as the sole occupant of the recently constructed office building. Veterinary hospitals are not listed as permitted or conditional uses in the OCD zoning category. The purpose of this rezoning of the property to an I-PUD classification is to allow for this use in addition to those in the OCD classification and to establish development standards that will apply to this new district.

II. Development Standards: Unless otherwise specified in the submitted drawings or in this written text, the provisions of City of New Albany Codified Ordinances shall apply to this zoning district. The standards and requirements of Chapter 1144, OCD, Office Campus District shall apply to this zoning district. In the event of a conflict between this text or the submitted drawings and a specific provision of the Codified Ordinances, this text and/or the drawings shall govern.

III. Uses:

A. Permitted uses in this zoning district shall include:

1. The permitted uses set forth in Codified Ordinances Section 1144.02 (Office Campus District).

2. Veterinary offices and veterinary hospitals, not including facilities for outside boarding or exercising of animals. These uses shall not be permitted to serve large animals as patients.

3. Research and development uses associated with a veterinary office and/or veterinary hospital.

B. The conditional uses listed in Codified Ordinances Chapter 1144.03 (Office Campus District) shall be conditional uses in this I-PUD, subject to review and approval in accordance with the procedures set forth in Codified Ordinances Chapter 1115.

IV. Limitations on Veterinary Office and Animal Hospital Uses: The following limitations shall apply to veterinary office and animal hospital uses:

A. **No Outdoor Activities:** No exercising of animals shall be permitted outside of a fully enclosed primary (not accessory) structure.

B. **No Boarding:** No overnight boarding of animals or any animal daycare uses shall be permitted, except that overnight boarding of animals within a fully enclosed structure shall be permitted for the sole purpose of allowing an animal to recover from a medical procedure or to undergo treatment of a health condition.

V. **Final Development Plan:** Due to the fact that this zoning district has recently been developed in accordance with permits issued by the City and meets the requirements of the OCD, Office Campus District under the Codified Ordinances, there shall be no requirement for the review and approval of a final development plan application for the site in its present condition. The plans that were approved by the City in *Commercial New Building Permit Number PRBCN-2021-0322* shall constitute the approved final development plan for this zoning district. Should the property owner or another applicant desire to modify those plans in accordance with applicable portions of the Codified Ordinances and this text, it shall be allowed to do so after filing for and being issued applicable permits. If the proposed modification to an approved final development plan seeks variances from the Codified Ordinances or this text, then an amended final development plan application shall be required to be filed for review and approval in accordance with the procedures for I-PUDs as set forth in the Codified Ordinances.



RESOLUTION R-39-2023

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE FRANKLIN COUNTY AUDITOR

WHEREAS, the City Council of New Albany, Ohio met in regular session on the 19th day of September, 2023 at the New Albany Village Hall with the following members present:

Mayor Sloan Spalding

Council Member Marlene Brisk

Council Member Chip Fellows

Council Member Matt Shull

Council Member Michael Durik

~~Council Member Kasey Kist~~

Council Member Andrea Wilttrout

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2024; and

WHEREAS, the Budget Commission of Franklin County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation.

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1: The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

Section 2. There be and is hereby levied on the tax duplicate of said city the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2023 (collection year 2024) as follows:

See Attached Schedule A.

Section 3. The Clerk of Council of the City of New Albany is hereby directed to certify a copy of this Resolution to the Franklin County Auditor.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal were in meetings open to the public, in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, Ohio, and that the Clerk of Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Section 5. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

Moved by: Mayor Spalding


Seconded by: Council Member Wiltrout

The roll being called as follows:

Mayor Sloan Spalding	<u>Y</u>		
Council Member Marlene Brisk	<u>Y</u>	Council Member Michael Durik	<u>Y</u>
Council Member Chip Fellows	<u>Y</u>	Council Member Kasey Kist	<u> </u>
Council Member Matt Shull	<u>Y</u>	Council Member Andrea Wiltrout	<u>Y</u>

CERTIFIED AS ADOPTED this 19 day of Sept, 2023.

Attest:




Sloan T. Spalding
Mayor



Jennifer H. Mason
Clerk of Council

Approved as to form:



Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	09/08/2023
Introduced:	09/19/2023
Revised:	
Adopted:	09/19/2023
Effective:	09/19/2023

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY APPROVED BY THE BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Full Tax Rate to Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
General		\$1,689,171.12	1.94	
General Fund Charter				
Bond Retirement				
Bond Retirement Charter				
Police Pension				
Police Operating				
Fire Pension				
Fire Operating				
Police/Fire Pension				
Capital Improvement Charter				
Road & Sidewalk Fund				
TOTAL		\$1,689,171.12	1.94	

and be it further

RESOLVED, That the Clerk of this Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

_____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Adopted the _____ day of _____, 2023.

Attest:

Clerk of Council

President of Council
NEW ALBANY
Franklin County, Ohio.



RESOLUTION R-40-2023

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LICKING COUNTY AUDITOR

WHEREAS, the City Council of New Albany, Ohio met in regular session on the 19th day of September, 2023 at the New Albany Village Hall with the following members present:

Mayor Sloan Spalding

Council Member Marlene Brisk

Council Member Chip Fellows

Council Member Matt Shull

Council Member Michael Durik

~~Council Member Kasey Kist~~

Council Member Andrea Wilttrout

WHEREAS, this Council in accordance with the provision of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2024; and

WHEREAS, the Budget Commission of Licking County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation.

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1: The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

Section 2. There be and is hereby levied on the tax duplicate of said city the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2023 (collection year 2024) as follows:

See Attached Schedules A and B.

Section 3. The Clerk of Council of the City of New Albany is hereby directed to certify a copy of this Resolution to the Licking County Auditor.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal were in meetings open to the public, in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, Ohio, and that the Clerk of Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Section 5. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

Moved by: Council Member Wiltroat

Seconded by: Council Member Durik

The roll being called as follows:

Mayor Sloan Spalding	<u>Y</u>		
Council Member Marlene Brisk	<u>Y</u>	Council Member Michael Durik	<u>Y</u>
Council Member Chip Fellows	<u>Y</u>	Council Member Kasey Kist	<u>—</u>
Council Member Matt Shull	<u>Y</u>	Council Member Andrea Wiltroat	<u>Y</u>

CERTIFIED AS ADOPTED this 19 day of Sept, 2023.

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

Approved as to form:


Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	09/08/2023
Introduced:	09/19/2023
Revised:	
Adopted:	09/19/2023
Effective:	09/19/2023

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES
2023 TAX YEAR COLLECTED IN 2024
(LICKING COUNTY PORTION ONLY)**

FUND	Amount Approved by Budget Com- mission Inside <u>10m. Limitation</u> Column I	Amount to Be Derived from Levies Outside <u>10M. Limitation</u> Column II	County Auditor's Estimate of Tax <u>Rate to be Levied</u>	
			Inside 10M <u>Limit</u> III	Outside 10M <u>Limit</u> IV
General Fund	251,293.00		1.700	
TOTAL	251,293	0		0.000
	<u>Taxes</u>	<u>Rate</u>		
GRAND TOTALS	251,293	1.700		

NEW ALBANY CITY

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Co. Auditor's Est. of Yield of Levy
TOTALS	0



RESOLUTION R-41-2023

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT AND A MEMORANDUM OF UNDERSTANDING WITH AMAZON DATA SERVICES, INC., AND MAKING RELATED AUTHORIZATIONS

WHEREAS, the Council for the City of New Albany, Ohio (the "City") by its Resolution No. R-17-09 adopted March 3, 2009 (the "Original CRA Legislation"), created the Oak Grove II Community Reinvestment Area (the "Original Area"), and by its Resolutions No. R-41-10 adopted July 6, 2010, No. R-72-10 adopted November 16, 2010, No. R-53-2012 adopted October 2, 2012, No. R-26-2013 adopted August 6, 2013, No. R-72-2014 adopted September 16, 2014, and R-49-2015 adopted November 17, 2015, No. R-45-2016 adopted November 1, 2016, No. R-02-17 adopted February 7, 2017, No. R-17-18 adopted July 17, 2018, No. R-41-18 adopted November 6, 2018, No. R-05-2019 adopted February 19, 2019, No. R-37-2019 adopted August 6, 2019, No. R-15-2021 adopted April 6, 2021, No. R-46-21 adopted September 21, 2021, No. R-09-2022 adopted February 1, 2022, No. R-18-2022 adopted May 3, 2022, and No. R-38-2022 adopted November 15, 2022, and No. R-21-2023 adopted April 18, 2023 (together the "CRA Expansion Legislation" and collectively with the Original CRA Legislation the "CRA Legislation"), amended the designation of the Original Area to include the area known as the "Johnstown Monroe Area", "Johnstown Monroe Annex", "Licking Heights Annex", "Cobbs Road Annex", "Harrison Road Area", "Innovation Campus Area" "Innovation Campus Way Extension" "Beech Road South", "Babbitt Road", "Central College Road Area", "Jug Street North", "Jug Street South", "Innovation District East", "Innovation District East Expansion", and "Mink Street and Green Chapel Road Expansion", respectively, and certain other parcels within the City (collectively, with the Original Area, the "Area"), and designated that entire Area the Oak Grove II Community Reinvestment Area; and

WHEREAS, WHEREAS, the Directors of the Department of Development of the State of Ohio and the Ohio Development Services Agency (successor and predecessor to one another) have determined and certified that the aforementioned Area contains the characteristics set forth in Ohio Revised Code Section 3735.66 and confirmed that Area as a "Community Reinvestment Area" pursuant to that Section 3735.66; and

WHEREAS, Amazon Data Services, Inc. (the "Company") has submitted to the City the application attached to the Community Reinvestment Area Agreement (the "CRA Agreement") referred to in Section 1 of this Resolution (the "Agreement Application") and has remitted with the Agreement Application the required State application fee to be forwarded to the Ohio Department of Development with a copy of the final, executed CRA Agreement; and

WHEREAS, the Housing Officer of the City designated under Ohio Revised Code Section 3735.65 has reviewed the Application and has recommended the same to this Council on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the CRA and to improve the economic climate of the City; and

WHEREAS, the City, having appropriate authority, desires to provide certain property tax incentives to encourage the development of the Project (as defined in the CRA Agreement); and

WHEREAS, the Boards of Education of both the Johnstown-Monroe Local School District and the Licking County Joint Vocational School District (also known as “Career and Technology Education Centers of Licking County” or “C-TEC”) have each waived their rights to receive notice under Section 5709.83 of the Revised Code in accordance with their respective compensation agreements entered into with the city of New Albany; and

WHEREAS, the Company requires an adequate supply of water and sewer services for the development and operation of the Project and the City and Company desire to enter into a Memorandum of Understanding (the “MOU”) addressing the availability and supply of water and sewer services for the development and operation of the Project.

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. Community Reinvestment Area Agreement. The CRA Agreement for the Project, by and between the City and the Company, in the form presently on file with the Clerk of the Council which provides for a CRA exemption for 30-years for the proposed Project (100% for years 1 through 15 and 75% for years 16 through 30), is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City which shall be approved by the city manager. The city manager, for and in the name of this City, is hereby authorized to execute that CRA Agreement and approve the character of any changes or amendments thereto as not inconsistent with this Resolution and not substantially adverse to this City that are approved by the city manager, which approval shall be conclusively evidenced by the city manager's execution of that CRA Agreement.

Section 2. Water and Sewer Services Memorandum of Understanding. The Memorandum of Understanding by and between the City and the Company, in the form presently on file with the Clerk of the Council which addresses the availability and supply of water and sewer services for the development and operation of the Project, is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City which shall be approved by the city manager. The city manager, for and in the name of this City, is hereby authorized to execute that MOU and approve the character of any changes or amendments thereto as not inconsistent with this Resolution and not substantially adverse to this City that are approved by the city manager, which approval shall be conclusively evidenced by the city manager's execution of that MOU.

Section 3. Estimation of Taxes Charged and Payable to Johnstown-Monroe School District. This Council hereby determines in good faith that the estimates for the Project on file with

the City Director of Community Development show that the aggregate of the following amounts will equal or exceed twenty-five percent (25%) of the amount of taxes that would have been charged and payable to the Johnstown-Monroe Local School District (“JMLSD”) each year any portion of the Project is expected to be exempted from real property under the Oak Grove II CRA as shown in those estimates: (i) the amount of taxes charged and payable on any portion of the assessed valuation of the new structure or of the increased assessed valuation of an existing structure after remodeling began that will not be exempted from taxation under any agreement entered into pursuant to R.C. 3735.671(A), (ii) the amount of taxes charged and payable on tangible personal property located on the premises of the new structures or of the structure to be remodeled under the agreement, and (iii) the amount of any cash payment by the owner of the new structure or structure to be remodeled, the dollar value, as mutually agreed to by the owner and JMLSD, or any property or services provided by the owner of the property to JMLSD, whether by gift, loan, or otherwise, and any payment by the City to JMLSD pursuant to R.C. 5709.82. The prior sentence does not apply for any year the JMLSD has approved the exemption pursuant to Resolution No. 09-221 adopted by its Board of Education on December 14, 2009, or any supplement to or amendment of that Resolution, and any agreement entered into pursuant to that Resolution or a supplement to or amendment to that Resolution. The City Director of Community Development is hereby directed to certify those estimates to the JMLSD and that they have been made by this Council in good faith.

Section 5. Further Authorizations. This Council hereby further authorizes and directs the city manager, the director of law, the director of finance, the community development director, the clerk of council, or any such other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions (including by not limited to making application and preliminary arrangements for financing that is then subject to formal approval by this Council) as may be appropriate to implement this Resolution and the transactions referenced or contemplated in this Resolution and the Community Reinvestment Area Agreement authorized and approved in this Resolution.


Section 6. Compliance with the Law. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this legislation were taken in an open meeting 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 all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. Effective Date. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

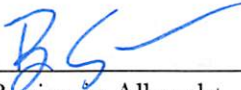
CERTIFIED AS ADOPTED THIS 19 day of Sept, 2023.

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

Approved as to form:



Benjamin Albrecht
Law Director

Legislation dates:	
Prepared:	09/08/2023
Introduced:	09/19/2023
Revised:	
Adopted:	09/19/2023
Effective:	09/19/2023



RESOLUTION R-42-2023

**A RESOLUTION AFFIRMING THE RECOMMENDATIONS OF THE
NEW ALBANY TAX INCENTIVE REVIEW COUNCIL FOR FRANKLIN
COUNTY**

WHEREAS, New Albany has the statutory authority to create various zones that provide economic development incentives, which include Enterprise Zones, Community Reinvestment Areas, and Tax Increment Financing Districts; and

WHEREAS, upon their creation of such zones, New Albany may consider entering into agreements with private sector entities engaged in economic development which divert or abate tax revenues as an incentive to encourage particular economic projects to occur; and

WHEREAS, in the creation of these zones, O.R.C. 5709.85 provides that a Tax Incentive Review Council (TIRC) shall be as required to review these agreements between New Albany and the private sector entities to establish compliance to the terms of the agreements; and

WHEREAS, the New Albany-Franklin County TIRC is mandated to review and make formal recommendations as to the compliance of the terms of each Tax Increment Finance (TIF) and Community Reinvestment Area (CRA) agreements within its zone on an annual basis prior to September 1 for the preceding year that concluded on December 31; and

WHEREAS, the recommendations of each TIRC is required to be forwarded to council within 60 days of making the recommendation and council is required to act upon those recommendations.

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. The New Albany – Franklin County Tax Incentive Review Council met on July 27, 2023.

Section 2. Council will consider the recommendations of the Franklin County TIRC as described below:

- i. Central College – Discover Properties (Data Center); approved for continuation
- ii. Central College – American Regent; approved for continuation
- iii. Central College – SI NAL01, LLC (Formerly Nationwide) (Data Center); approved for continuation
- iv. Central College – Encova (Formerly Motorists Insurance) (Data Center); approved for continuation

- v. Central College – TJX, Inc. (Data Center); approved for continuation
- vi. Central College – New Albany Center of Technology (NACOT I & II); approved for continuation
- vii. Central College – Insight Direct USA (Formerly PCM, Inc.); approved for continuation
- viii. Central College – Ohio Power Company; approved for continuation with conditions
- ix. Oak Grove – The New Albany Company, (Premium Brands Services LLC/ANSA Propco Partnership L.P. dba Lane Bryant) (Formerly Tween); approved for continuation
- x. Oak Grove – Abercrombie & Fitch; approved for continuation
- xi. Oak Grove – Thirty-One Real Estate; approved for continuation
- xii. Oak Grove – Central Ohio MOB Partners LLC – Equity (Formerly Medical Office Building II); approved for continuation
- xiii. Oak Grove – Water’s Edge Campus – Buildings I, II and III; approved for continuation
- xiv. Oak Grove – Water’s Edge East – Building IV, V and VI; approved for continuation
- xv. Village Center –Market Street Retail/Medical Office Building (DNA MMI); approved for continuation
- xvi. Village Center –Market Street Retail/Medical Office Building (DNA MMII); approved for continuation
- xvii. Oak Grove II – COI Innovate Development, LLC – Buildings Innovation I and II; approved for continuation


Section 3. Council accepts the recommendation for continuance of the CRA Agreements made by the New Albany-Franklin County TIRC.

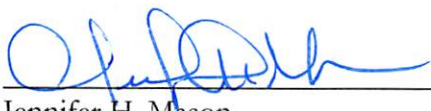
Section 4. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were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

Section 5. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 19 day of Sept, 2023.

Attest:


 Sloan T. Spalding
 Mayor


 Jennifer H. Mason
 Clerk of Council

Approved as to form:


 Benjamin Albrecht
 Law Director

Legislation dates:	
Prepared:	08/03/2023
Introduced:	09/19/2023
Revised:	
Adopted:	09/19/2023
Effective:	09/19/2023



RESOLUTION R-43-2023

**A RESOLUTION AFFIRMING THE RECOMMENDATIONS OF THE
NEW ALBANY TAX INCENTIVE REVIEW COUNCIL FOR LICKING
COUNTY**

WHEREAS, New Albany has the statutory authority to create various zones that provide economic development incentives, which include Enterprise Zones, Community Reinvestment Areas, and Tax Increment Financing Districts; and

WHEREAS, upon their creation of such zones, New Albany may consider entering into agreements with private sector entities engaged in economic development which divert or abate tax revenues as an incentive to encourage particular economic projects to occur; and

WHEREAS, in the creation of these zones, O.R.C. 5709.85 provides that a Tax Incentive Review Council (TIRC) shall be as required to review these agreements between New Albany and the private sector entities to establish compliance to the terms of the agreements; and

WHEREAS, the New Albany-Licking County TIRC is mandated to review and make formal recommendations as to the compliance of the terms of each Tax Increment Finance (TIF) and Community Reinvestment Area (CRA) agreements within its zone on an annual basis prior to September 1 for the preceding year that concluded on December 31; and

WHEREAS, the recommendations of each TIRC is required to be forwarded to council within 60 days of making the recommendation and council is required to act upon those recommendations.

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. The New Albany – Licking County Tax Incentive Review Council met on July 25, 2023.

Section 2. Council will consider the recommendations of the Licking County TIRC as described below:

- i. Oak Grove II CRA – Ohio Power & American Electric Power Service Corp.; approved for continuation
- ii. Oak Grove II CRA – Dream Industries/Accel, Inc.; approved for continuation
- iii. Oak Grove II CRA – Vee Pak Ohio, LLC; approved for continuation
- iv. Oak Grove II CRA – Dream Industries/Multi-Tenant Building I; approved for continuation

- v. Oak Grove II CRA – KDC/One; approved for continuation
- vi. Oak Grove II CRA – Axiom Plastics (PJP Holdings); approved for continuation
- vii. Oak Grove II CRA – Anomatic Corporation; approved for continuation
- viii. Oak Grove II CRA – Amcor Rigid Plastics; approved for continuation with conditions
- ix. Oak Grove II CRA – Distribution Land Corp.; approved for continuation
- x. Oak Grove II CRA – Vadata, Inc.; approved for continuation
- xi. Oak Grove II CRA – Bocchi Laboratories Ohio, LLC; approved for continuation
- xii. Oak Grove II CRA – AEP Ohio Transmission Company; approved for continuation with conditions
- xiii. Oak Grove II CRA – Dream Industries/Multi-Tenant Building II; approved for continuation
- xiv. Oak Grove II CRA – CCL Label, Inc.; approved for continuation
- xv. Oak Grove II CRA – 9750 Innovation Campus Way, LLC; approved for continuation
- xvi. Oak Grove II CRA – Montauk (Google); approved for continuation
- xvii. Oak Grove II CRA – Sidecat LLC (Facebook); approved for continuation
- xviii. Oak Grove II CRA – URSF OH New Albany, LLC (Bluescope/Alene Candles); approved for continuation
- xix. Oak Grove II CRA – COI New Albany CMH7 LLC; approved for continuation
- xx. Oak Grove II CRA – COI New Albany 315; approved for continuation

Section 3. Council accepts the recommendation for continuance of the CRA Agreements made by the New Albany-Licking County TIRC.

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

Section 5. Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 19 day of Sept, 2023.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:



Benjamin Albrecht
Law Director

Legislation dates:	
Prepared:	08/03/2023
Introduced:	09/19/2023
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