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CITY OF BROOK PARK, OHIO

ORDINANCE NO.: ORD. NO. 11554-2026

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE DETERMINING THAT CERTAIN REAL PROPERTY LOCATED IN THE CITY OF BROOK PARK CONSTITUTES A "BLIGHTED AREA" AS SUCH TERM IS DEFINED IN OHIO REVISED CODE CHAPTER 725; AND DECLARING AN EMERGENCY.

WHEREAS, HSG BP DEVELOPMENT, LLC, a Delaware limited liability company (the "Developer") desires to develop and redevelop property more fully described on Exhibit A, attached hereto and incorporated herein, and consisting of multiple parcels of land, formerly known as the Former Brook Park Ford Property (the "Project Area") as a new best-in-class, domed stadium with a maximum capacity of approximately 67,500 and, subject to market conditions, a large-scale, mixed-use development currently anticipated to consist of approximately 525-1,180 residential units, accounting for a total proposed area of approximately 2,000,000 square feet; retail space with a proposed area totaling approximately 260,000 square feet; a 3,000-4,000-capacity event venue, comprising approximately 40,000 square feet; office space with a proposed area totaling approximately 330,000 square feet; hotel and hospitality space with approximately 450 individual rooms and a proposed area estimated to be approximately 330,000 square feet; parking; ancillary spaces and public parks; and other necessary public infrastructure and appurtenances thereto (collectively referred to herein as the "Project") within the City of Brook Park, Ohio ("City") and the Developer and City, upon formal petition, have collaborated to create a new community authority under Ohio Revised Ohio Revised Code ("O.R.C.") Chapter 349 called the Brook Park New Community Authority (the "Authority") to support the Project; and

WHEREAS, the City anticipates that the Authority will issue revenue bonds supported, at least in part, by tax revenues subject to an exemption adopted by the City under a separate ordinance pursuant to O.R.C Chapter 725, and pursuant to a development agreement executed in connection therewith; and

WHEREAS, in order for the City to adopt an exemption under O.R.C. Chapter 725, it is necessary for the City to determine that the Project Area meets the definition of a "blighted area" under O.R.C. 725.01; and

WHEREAS, O.R.C 725.01 defines "blighted area" as "an area within a municipal corporation that substantially impairs or arrests the sound growth of a municipal corporation,

retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use by reason of the presence of a substantial number of slums, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, unsanitary or unsafe conditions, contamination by hazardous substances or petroleum, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions to title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors"; and

WHEREAS, a detailed study performed by McBride Dale Clarion, entitled Brook Park Blight Study Former Brook Park Ford Plant, dated August 24, 2026 (the "Blight Study"), attached hereto as Exhibit B, was undertaken to assess the presence of blight conditions affecting the Project Area; and

WHEREAS, the Blight Study considers, among other things, the location, physical condition of the Project Area, land use, environmental influences, inadequate infrastructure, and the social, cultural, and economic conditions of the Project Area, in all cases using the definitions of "blighted area" in O.R.C. 725.01; and

WHEREAS, as certified by the City Engineer in Exhibit C, or the person or entity acting as the City Engineer, the existing public infrastructure serving the Project Area is inadequate to meet the development needs of the Project (the "Engineer Certificate"); and

WHEREAS, in addition to the findings and conclusions set forth in the Blight Study and Engineer Certificate, City Council has considered information obtained through its ordinary governmental operations and fact-finding activities, including reports, records, inspections, observations, complaints, responses, and recommendations from City's Fire Department, Police Department, Building Department, Economic Development Department, Services Department, and other City departments and agencies, and such information further informs regarding the status of the conditions of the Project Area relating to public health, safety, morals, welfare, building conditions, fire hazards, public infrastructure conditions, utility services, stormwater management systems, street layout, lighting, roadway capacity, traffic congestion, unsafe conditions, access issues, pedestrian safety, lack of public transit, the presence of potentially hazardous substances, and other matters affecting the safety, morals, and welfare of the community, including a fire at the Project Area on November 6, 2025 and a medical emergency in the vicinity of the Project Area on May 27, 2026, which may not be specifically identified or described in the Blight Study, but which have been considered by the Council for the City as part of the record supporting its actions herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brook Park, County of Cuyahoga, State of Ohio, that:

Section 1. This Council hereby accepts and adopts the Blight Study and Engineer Certificate with respect to the Project and the Project Area.

Section 2. This Council hereby finds and determines that the Project Area meets the criteria to be defined as a "blighted area" for purposes of O.R.C. Chapter 725.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City, due to the benefits resulting from implementation of the Project, the elimination of the blighted conditions at the earliest possible time, and the financing and seasonal considerations of the demolition and construction associated with the Project; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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PASSED: September 8, 2026

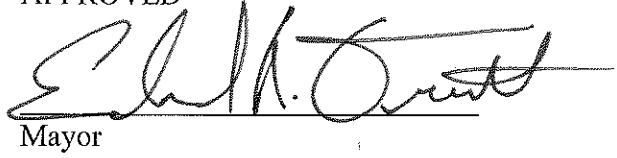

President of Council

ATTEST:


Clerk of Council

Certificate

APPROVED


Mayor

APPROVED AS TO FORM:


Law Director

CERTIFICATE

I, Carol Johnson, Clerk of Council of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance No. 11554 -2026 passed on the 8 day of September 2026 by said Council.


Clerk of Council

	Yea	Nay
Gonzalez	☒	☐
Mencini	☒	☐
Roberts	☒	☐
Scott	☒	☐
McCorkle	☒	☐
Poindexter	☐	☐
Dufour	☒	☐

excused

Exhibit A

LEGAL DESCRIPTION OF THE PROJECT SITE

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF CUYAHOGA, STATE OF OHIO, AND IS DESCRIBED AS FOLLOWS:

Situated in the City of Brook Park, County of Cuyahoga and State of Ohio, and known as being Parcels "1", "2", "3", "4", "5", and "6" on that certain Brook Park Stadium Plat prepared by Terrence E. Worsech (Registered Survey No. 8138-Ohio) of Neff & Associates for HSG BP Development, LLC, dated February 24, 2026 executed by City Council on February 26, 2026, and recorded on May 22, 2026, among the Cuyahoga County Records as Instrument No. 202605220170.

Exhibit B

Blight Study

[to be attached]

Brook Park Blight Study

Former Brook Park Ford Plant

Brook Park, OH



Aerial imagery of the Former Brook Park Ford Plant, Cuyahoga County Enterprise GIS (2025).

Prepared by:



Date: August 24, 2026

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Introduction & Executive Summary

The purpose of this study is to present and document conditions that exist within the former Brook Park Ford Plant in the City of Brook Park, Ohio ("subject area"). This study will assist City Council in its consideration of declaring a portion of the former Brook Park Ford Plant a "blighted area" pursuant to Section 725 of the Ohio Revised Code (ORC).

ORC Section 725.01 (B) defines "**blighted area**" as:

"an area within a municipal corporation that substantially impairs or arrests the sound growth of a municipal corporation, retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use by reason of the presence of a substantial number of slums, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, unsanitary or unsafe conditions, contamination by hazardous substances or petroleum, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions to title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors"

Subject Area History, Description, and Uses

Subject Area History

The subject area is located in the City of Brook Park – approximately nine (9) miles southwest from the City of Cleveland and less than one (1) mile from Cleveland Hopkins International Airport (CLE), as identified the in map below.

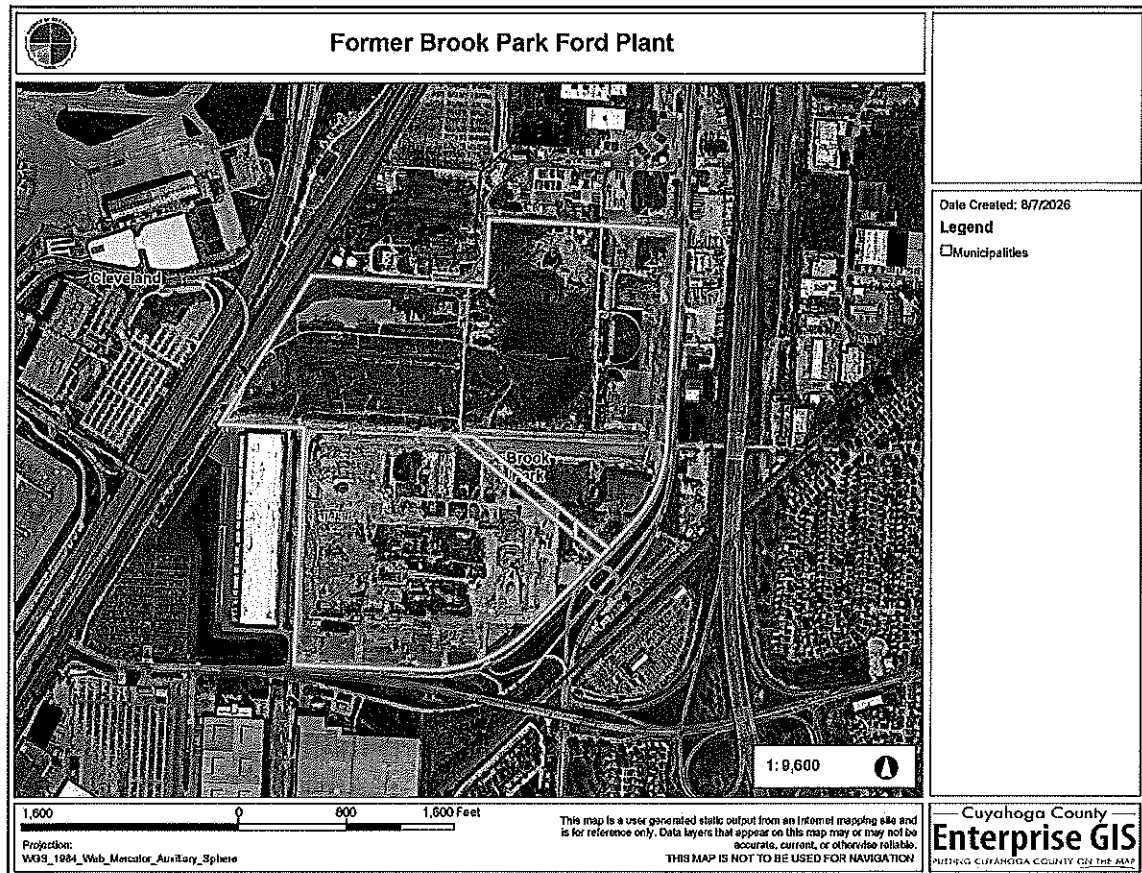


Figure 1: Aerial imagery and property boundary for the Former Brook Park Ford Plant.

Ford Motor Company previously owned the 178-acre subject area, which consisted of two major engine plants known as the Cleveland Engine Plant (CCP) and Cleveland Engine Plant #2 (CEP2). The area was used as an "integrated facility for the manufacturing and assembly of automotive engines dating to 1950(CCP) and 1953(CEP2)" (Source: Page 14 of the No Further Action (NFA) Letter and Request for Covenant Not To Sue (CNS) for Former Brook Park Ford Property, 2023 (NFA Letter). Major engine components such as the engine block and crankshaft were manufactured "via casting processes from raw

materials at the CCP and transferred to CEP1 and CEP2 for assembly". The CCP was shut down in 2010 and subsequently demolished in 2012. The closing of CEP2 followed in 2013. A third engine plant, known as Cleveland Engine Plant #1 (CEP1), is located north of the subject area and remains operational today.

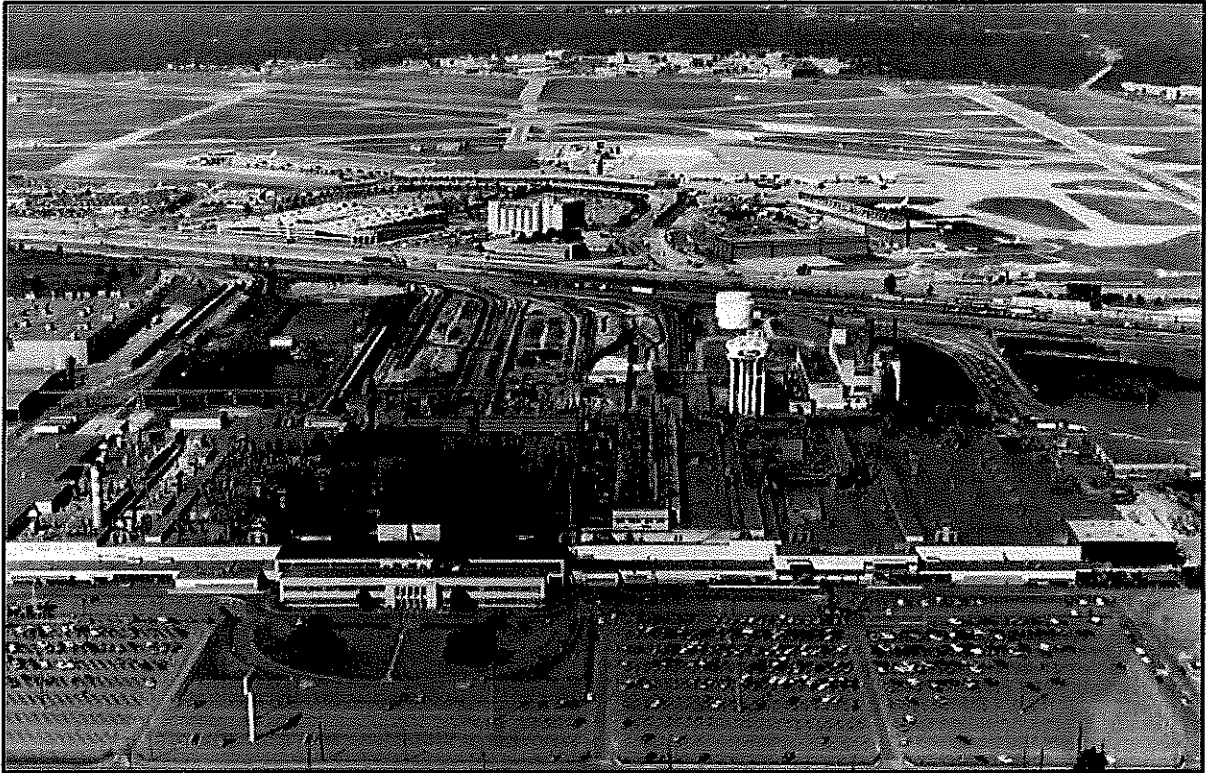


Figure 2: "Ford Motor Brook Park Casting Facility circa 1950." Economic Development, City of Brook Park, www.cityofbrookpark.com/economic-development/, Accessed: 9 August 2026 .

Subject Area & Roadways

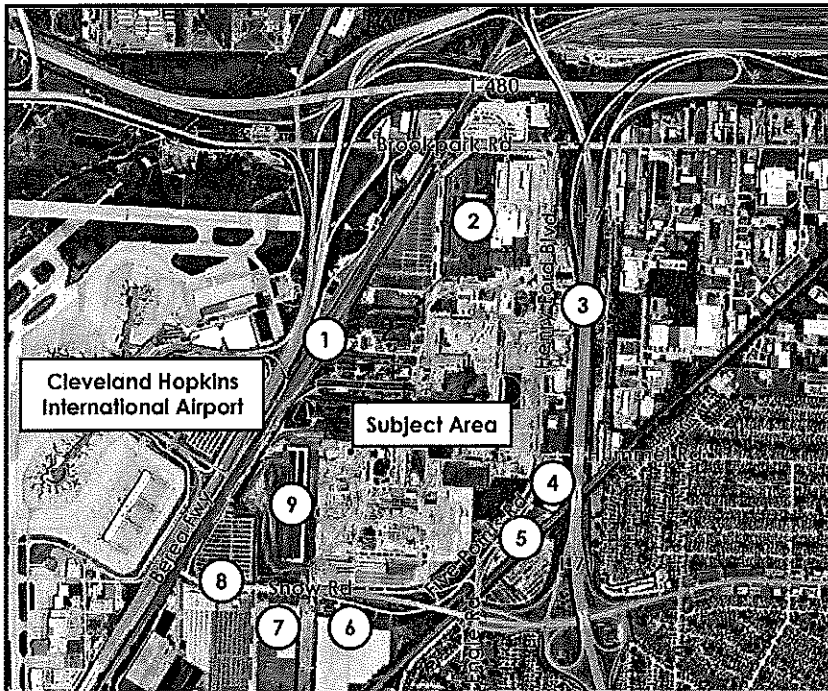
The subject area is accessed by Snow Road, Five Points Road, Engle Road (SR 291) and Henry Ford Boulevard (SR-291). Federal Interstate 71 runs parallel to Henry Ford Boulevard and connects Cleveland, OH to Louisville, KY. There is one interchange southeast of the subject area with entrances/exit ramps at Snow Road. These roads will be referenced further throughout the study.

Surrounding Land Uses

The surrounding land uses consist of the following, each of which are indicated in Figure 3: Subject Area and Surrounding Land Uses, from McBride Dale Clarion analysis:

1. Norfolk and Southern RR.
2. Cleveland Engine Plant #1.
3. Various industrial businesses, including a tire shop, construction service company, and welding supply store; additional land uses include various private parking lots and a vacant property (former restaurant).
4. Ready Mix Concrete Plant.
5. Extended-stay parking lot on Engle Road and limousine service.
6. A second airport parking/shuttle service.
7. One distribution/transportation facility.
8. Two additional airport parking lots – on either side of Snow Rd.
9. One manufacturing and distribution facility.

These uses reflect an industrial environment utilized for automotive and truck storage, construction and trades support services, manufacturing, and distribution. Larger buildings and parking lots are primarily located along Snow Road, with smaller buildings/parking lots along Henry Ford Boulevard. The subject area has frontage along Snow Road, Five Points Road, and Henry Ford



Boulevard. Adjacent to the north of the subject area is the existing Cleveland Engine Plant #1, which has frontage along Henry Ford Boulevard and Brookpark Road.

Figure 3: Map showing the subject area and surrounding land uses, McBride Dale Clarion Analysis, Created: 31 July 2026.

Blight Assessment

Introduction

Under Ohio Revised Code Section 725.01(B), the determination of a "blighted area" involves a two-part statutory test:

- Eleven (11) disjunctive physical or economic conditions; and
- Three (3) disjunctive and overarching conditions regarding the nature and effect of the area. In combination with the physical or economic conditions, this two-part test will help City Council with the determination of the presence of a blighted area. The criteria include: "an area within a municipal corporation that":
 - I. "substantially impairs or arrests the sound growth of a municipal corporation,"
 - II. "retards the provision of housing accommodations,"
 - III. "or constitutes an economic or social liability"

Below is a detailed analysis of each factor and condition, based on evidence from multiple sources, including a site evaluation of the physical conditions, environmental documentation, and transportation analysis.

Blighted Area Conditions and Influences

ORC 725.01(B) states a designated area qualifies as a "blighted area" if it is a "menace to the public health, safety, morals, or welfare in its present condition and use by reason of the presence of":

- I. "a substantial number of slums,"
- II. "deteriorated or deteriorating structures,"
- III. "predominance of defective or inadequate street layout,"
- IV. "faulty lot layout in relation to size, adequacy, accessibility, or usefulness,"
- V. "unsanitary or unsafe conditions,"
- VI. "contamination by hazardous substances or petroleum,"
- VII. "deterioration of site or other improvements,"
- VIII. "diversity of ownership,"
- IX. "tax or special assessment delinquency exceeding the fair value of the land,"
- X. "defective or unusual conditions to title,"
- XI. "or the existence of conditions which endanger life or property by fire and other causes,"

The definition continues..."or any combination of such factors." Each of the applicable factors are addressed below.

Deteriorated or Deteriorating Structures

There are deteriorated structures on the property including the pump house, and connected stormwater infrastructure, stormwater covers, concrete tunnel, water pipe, asphalt, and guardrail – as further described in each image caption.

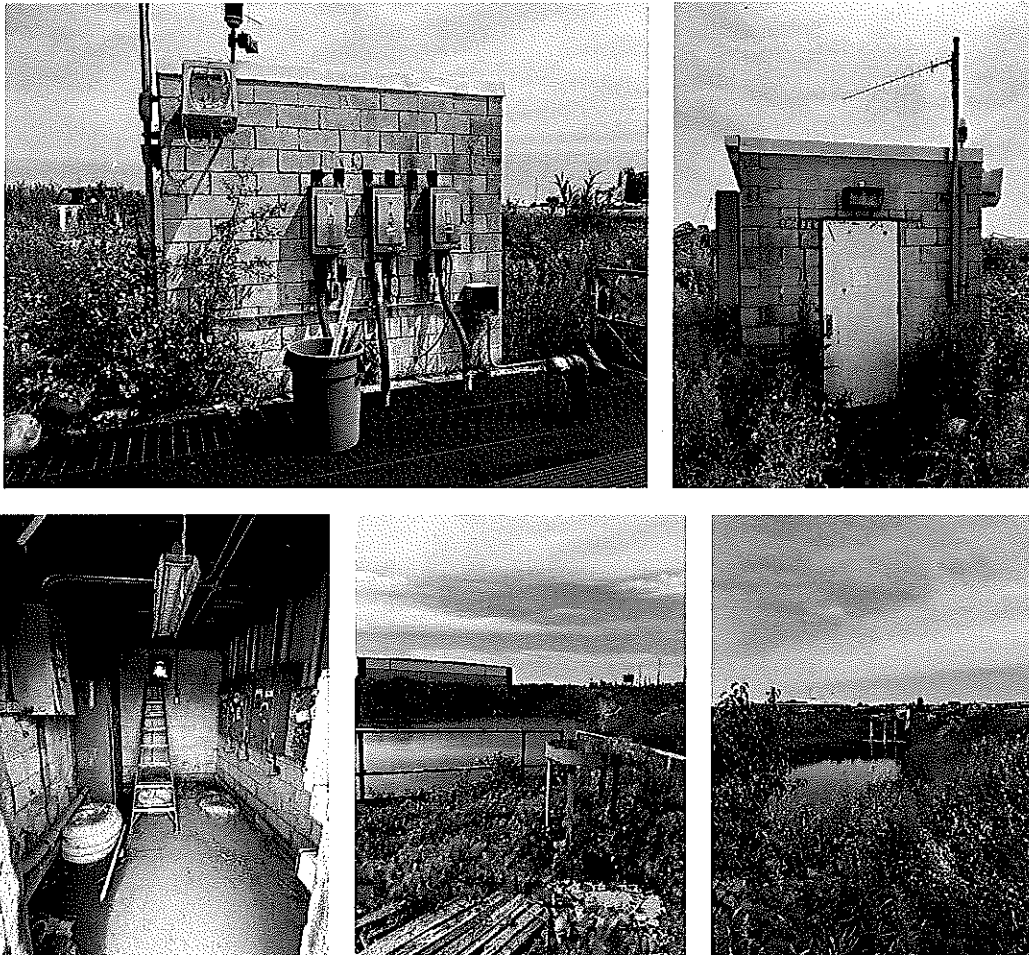


Figure 4: Pump house remains unmaintained with non-working electrical and lighting utilities, and significant vegetative overgrowth; attached detention pond with standing water. McBride Dale Clarion site evaluation photos. Photos Captured: 24 July 2026.

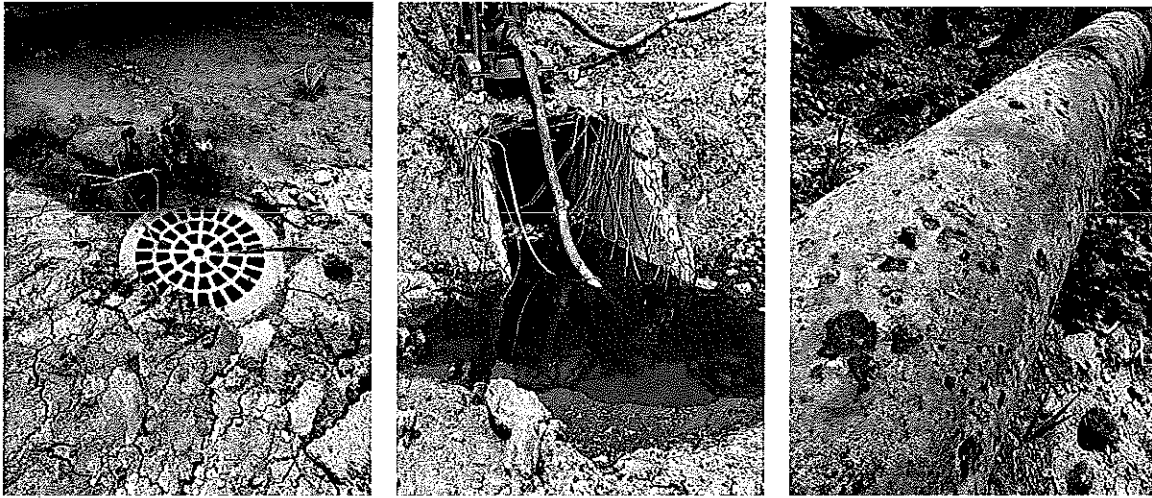


Figure 5: From top left to right: Stormwater cover; concrete utility tunnel; non-functional and rusted utility pole remains. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.



Figure 6: Cracked asphalt pavement; failing safety guardrail. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.

Defective or Inadequate Street Layout

The presence of a defective or inadequate street layout was observed from the subject area access points. Off-site improvements providing vehicle access include 10 curb entrances and two (2) signalized traffic signals. There are no improved roadways on the subject area and entrances are gated off.

As part of a completed roadway study, Page 4 of the *I-71 & Snow Road Interchange Modification Study (2026)* describes the subject area's surrounding roads as follows:

"Full-movement access between Snow Road and Engle Road does not currently exist due to the grade separation between the roadways. Five Points Road, SR 237/Berea Freeway Ramps, and Henry Ford Boulevard provide additional roadway connectivity and access to the development site by circuitous one-way access roads that use inefficient intersection geometry and roadway alignments."

"In the three years between 2022 and 2024, there were 24 crashes in a three-year period (8.0 crashes per year) on Engle Road in the vicinity of Snow Road and Five Points Road. The crashes included 16 (67%) angle crashes and sideswipe collisions. These crashes appear to be related to the confusing configuration of one-way roadways and unconventional intersections in the study area."



Figure 7: There are no finished streets or lighting infrastructure on the Former Brook Park Ford Property. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026..

Unsanitary or Unsafe Conditions

Conditions are present on-site and off-site which may contribute to an unsanitary and unsafe environment including barbed wire fencing, aging fire

hydrant infrastructure, debris, stockpiled materials, abandoned improvements, and similar conditions across the subject area and along surrounding roads.

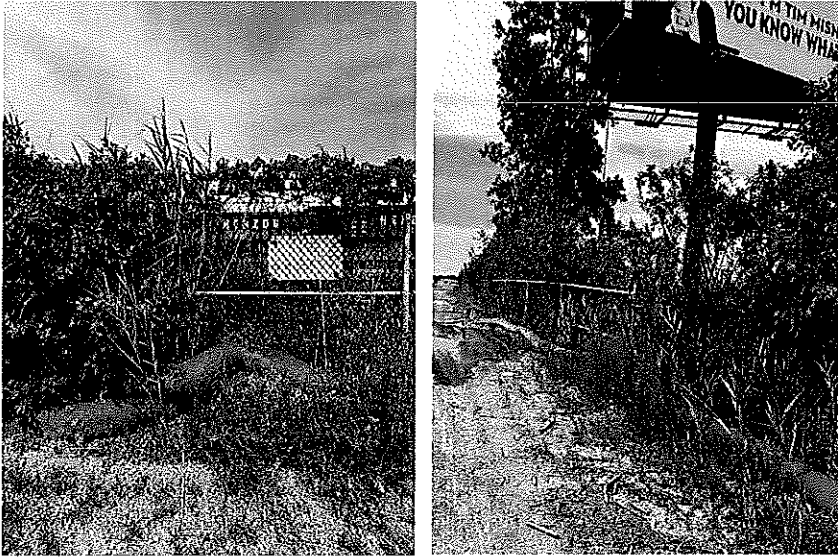


Figure 8: Barbed fencing and overgrowth on the subject area, including water management objects. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.

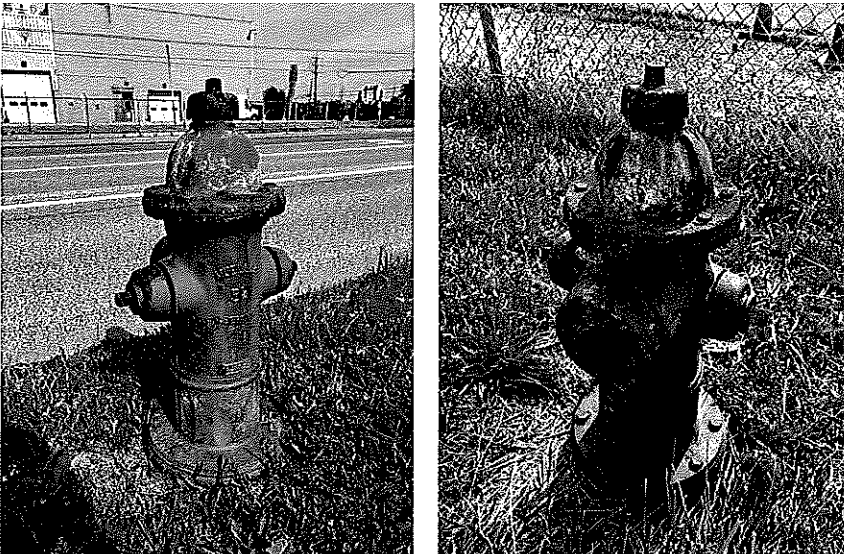


Figure 9: Off-site improvements showing signs of deterioration that may contribute to unsafe conditions include aging fire hydrant infrastructure. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.



Figure 10: Off-site traffic light pole is rusted and deteriorating (located Northeast of intersection of Hummel Road and Engle Road). McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.

Contamination by Hazardous Substances or Petroleum

According to the "Executive Summary for Filing" (Page 14 of the NFA Letter): there are a "Number of areas on this property that have known or suspected contamination: **14 Identified Areas**".

The paragraph following on Page 15 states: "A total of thirty-one (31) Identified Areas (IAs) were initially established on the Property in the 2020 Phase I. These IAs were reworked in the current 2023 Phase I based on historical records review and a review of previous investigations performed as part of the current Phase I, technical assistance (TA) discussions with Ohio EPA related to the consolidation of Property IAs, and information provided by Ford related to the completion of remedial activities in the remedial areas established at the Property by Ford. A total of fourteen (14) IAs were agreed upon through TA with Ohio EPA based on similar facility operations and use of chemicals of concern across the Property to capture all of the known or potential sources of contamination. The specifications of the former identified area designations, and the consolidated (i.e., current) IAs are provided in tabular format at the end of this NFA Letter as Table E.1, Summary of IAs."

Pages 15 and 16 of the NFA Letter under "Contamination Remaining on the Property" conclude that "The following contamination remains on the property but has been determined to meet applicable standards for the safe reuse of the property for its intended land use:

[X] Soil — With the exception of certain to soils within IA-7 (i.e., Sand Parcel) for which there is a Beneficial Use Permit (BENU028330), COCs in soil within the Commercial/Industrial Worker 2-foot point of compliance meet Property-specific standards for commercial use; however, soil below the 2-foot point of compliance in several areas across the Property exceeds standards for commercial/industrial land use. Excluding IA-7, soils at depth must remain below 2 feet. COCs in soil within RMP Areas 1 (i.e., the former CCP basement footprint) and RMP Area 2 (i.e., the former Mill Pond Area) exceed Property specific direct contact soil standards for the Construction/Excavation Worker below the Commercial/Industrial Worker 2-foot point of compliance. The RMP will be implemented when intrusive excavation activities exceed at depth of 2 feet in these two areas.

[X] Soil gas — Soil gas exceeds screening criteria for vapor intrusion into buildings in the vicinity of IA-1 (i.e., former underground storage tanks [UST] Area) based on pre-remedy soil gas data for benzene and 1,3-butadiene. Due to shallow perched groundwater in the vicinity of IA-1, post-remedy soil gas data could not be collected after several attempts. As a precaution, the potential for vapor intrusion into a building in the vicinity of IA-1 is being mitigated by implementation of a BOL until it can be demonstrated that the pathway is not complete, or the soil gas concentrations are below acceptable GNS. This limitation applies to any future buildings constructed on the identified portion of Property as defined in the Environmental Covenant.

[X] Ground water — At several locations across the Property, concentrations of select COCs in groundwater exceed acceptable hazard and risk goals for the Construction/Excavation Worker. RMP Area 3 will be implemented Property-wide to mitigate potential direct contact exposure to shallow groundwater. Additionally, although the Property is located within the limits of an Urban Setting Designation (USD), a use restriction will be implemented indicating that no person shall extract or use ground water at or underlying the Property for any purpose, potable or otherwise, except for investigation, monitoring, or remediation of the

groundwater, or in conjunction with construction or excavation activities or maintenance of subsurface utilities at or underlying the Property."

Another contributor is the presence of "Foundry Sand" – per the *Individual Beneficial Use Permit and Exemption for Foundry Sand (2023)*.



Figure 11: Foundry sand compiled on the Former Brook Park Ford Property. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.

Deterioration of Site or Other Improvements

In addition to the deteriorated structures discussed above, signs of deteriorated site improvements are present in the aging stormwater management systems, drainage, sanitary sewer, utilities, and street lighting.



Figure 12: Off-site entrance culvert with standing water and broken sidewalk/sewer collection cover. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.

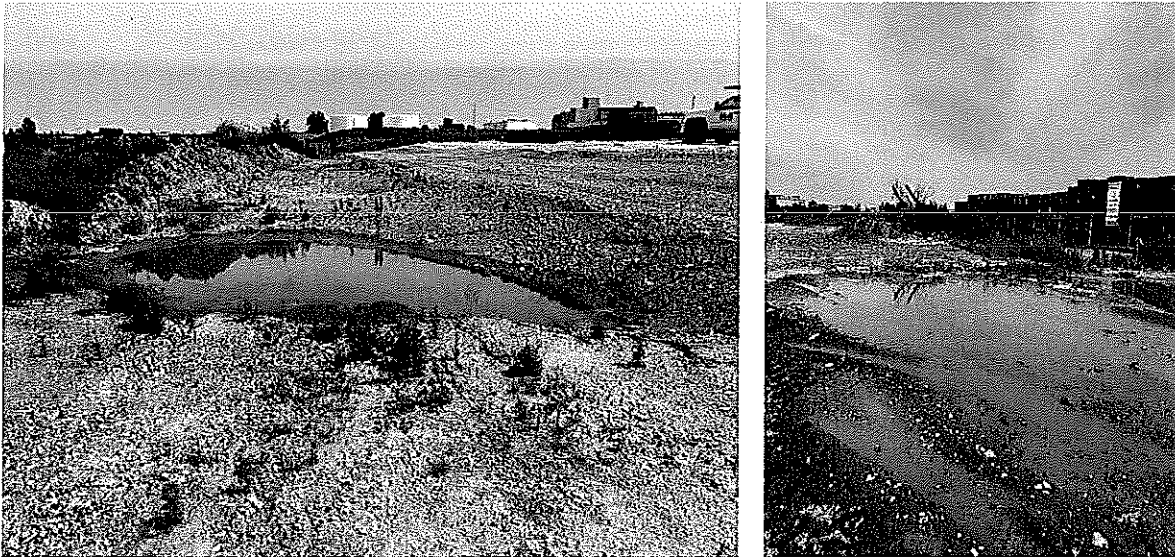


Figure 13: Standing water found across the subject area, with the majority on the Former Brook Park Ford Property. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.

Conditions Endangering Life or Property

Conditions exist which may endanger life or property – foundry sand remains on site which was described in the *Individual Beneficial Use Permit and Exemption for Foundry Sand (2023)* as: “a solid waste” (Page 13). The presence of historic foundry sand deposits may create uncertain subsurface conditions, increasing the need for environmental investigation and remediation.

The subject area does not have streets or lights – which may present additional hazards.

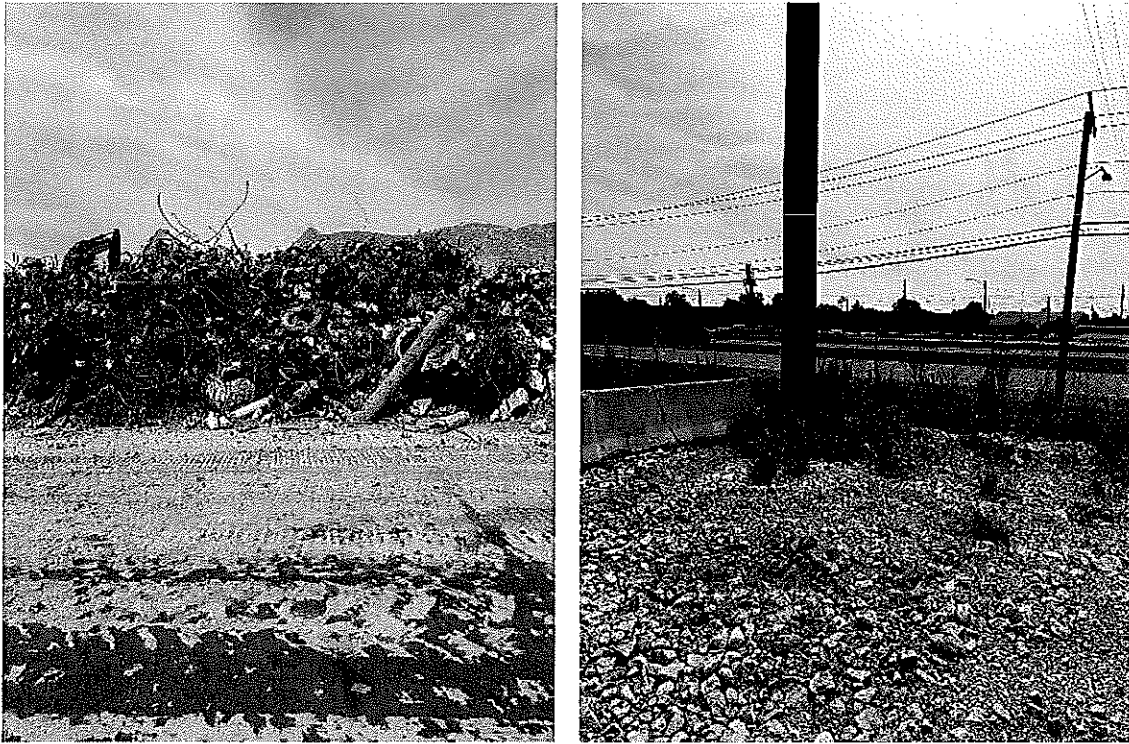


Figure 14: Various remaining materials piled up on-site – including vehicle tires, rebar, pieces of broken concrete, pipes, and other unknown materials. McBride Dale Clarion site evaluation photos, Photos Captured: 24 July 2026.

Findings and Conclusions

Based upon the totality of the existing site conditions, evidence exists that six of the eleven statutory blighting factors are present within the subject area. As previously noted, the statutory list of factors is disjunctive, meaning that the presence of any one or more of the identified factors may support a finding of blighting conditions when the resulting conditions substantially impair or arrest the sound growth of the municipal corporation, retard the provision of housing accommodations, or constitutes an economic or social liability. A summary table of blight factors and the presence of supporting evidence can be found below. A checkmark (✓) indicates there is supporting evidence and "N/A" means "not applicable":

Blight factor:	Supporting Evidence	Page #
"a substantial number of slums,"	N/A	-
"deteriorated or deteriorating structures,"	✓	7-8
"predominance of defective or inadequate street layout,"	✓	9-11
"faulty lot layout in relation to size, adequacy, accessibility, or usefulness,"	N/A	-
"unsanitary or unsafe conditions,"	✓	10-11
"contamination by hazardous substances or petroleum,"	✓	11-13
"deterioration of site or other improvements,"	✓	13-14
"diversity of ownership,"	N/A	-
"tax or special assessment delinquency exceeding the fair value of the land,"	N/A	-
"defective or unusual conditions to title,"	N/A	-
"or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors."	✓	14-15

The presence of six identified statutory blighting factors suggest a pattern of deterioration, disinvestment, and underutilization. The cumulative effect of these conditions can create circumstances inconsistent with the sound and orderly growth of the municipal corporation.

The identified conditions further address the disjunctive statutory criteria in the following ways:

- **Substantially impairs or arrests the sound growth of the municipal corporation.** The identified conditions may reduce property productivity and economic vitality, discourage private investment, and create barriers to redevelopment and economically productive uses.
- **Retards the provision of housing accommodations.** The persistence and concentration of these conditions may discourage the investment necessary to expand housing opportunities.
- **Constitutes an economic or social liability.** The accumulation of these conditions may impose ongoing public costs, reduce the productivity and tax-generating capacity of properties, and create conditions that adversely affect the health, safety, and general welfare of residents and property owners.

Exhibit C
CERTIFICATE OF ENGINEER

The undersigned does hereby certify that:

1. I am the duly chosen, qualified and acting engineer for the City of Brook Park, Ohio.

2. I have reviewed the Preliminary Development Plan considered by the Brook Park Planning Commission at its meeting on March 2, 2026 (the "Preliminary Development Plan") for the area in which HSG BP Development, LLC plans to build a new best-in-class, domed stadium and mixed-use development (respectively, the "Development Site" and the "Project").

3. The public infrastructure currently serving the proposed Development Site is inadequate to meet the development needs of the Project, as evidenced by the Preliminary Development Plan.

4. The certification in paragraph 3 above is based on the following identified infrastructure needs in relation to the proposed Stadium Development:

- construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), sidewalks, bikeways, medians, bridges, viaducts, and providing lighting systems;
- construction, reconstruction, extension, and installation of water lines, sanitary sewer lines, and storm water management systems;
- construction of utilities, including but not limited to electric, gas, and communications systems;
- construction or reconstruction of one or more public park space including grading, trees, park plantings, bikeways, trails, park accessories and related improvements;
- construction or installation of streetscape improvements including trees, tree grates, curbs, sidewalks, street and sidewalk lighting, landscaping, signage, trash receptacles, benches, burial of overhead utility lines and related improvements; and
- design and traffic studies preliminary to the foregoing.

IN WITNESS WHEREOF, I have hereunto set my hand on this _____ day of August, 2026.

Printed Name: Edward R. Piatak, PE
Title: Consulting City Engineer