



City of Dublin

**Office of the City Manager**

5555 Perimeter Drive • Dublin, OH 43017-1090

Phone: 614-410-4400 • Fax: 614-410-4490

# Memo

**To:** Members of Dublin City Council

**From:** Dana L. McDaniel, City Manager

**Date:** February 16, 2021

**Initiated By:** Megan O'Callaghan, Deputy City Manager/Chief Finance and Development Officer  
Jennifer Readler, Law Director  
Alison LeRoy, Community Events Director

**Re:** Designated Outdoor Refreshment Area (DORA) Update

## Background

In support of the local businesses, City Council is considering establishing a Designated Outdoor Refreshment Area (DORA) in Downtown Dublin (Historic Dublin and Bridge Park). The creation of the DORA is intended to enhance the outdoor dining and entertainment experiences, while encouraging more business for participating restaurant and retail establishments in the area.

The DORA designation would allow patrons age 21 and older to purchase an alcoholic beverage from an approved, liquor-permitted establishment within the DORA boundaries, then sip, stroll, shop and explore within the same DORA boundaries.

The State of Ohio approved the DORA concept in 2015, and many cities in Central Ohio have an active DORA including Hilliard, Marysville, Powell, Worthington, Grove City and Delaware.

Staff presented a sample application and information about implementing a DORA in the City of Dublin at the July 27 Council Meeting. Attached are previous DORA memoranda along with the results of the citizen survey from 2020. At that time, Council directed staff to bring a new proposal back to Council for possible implementation of a pilot program in the spring of 2021.

The State of Ohio was considering amendments to better streamline the DORA application process. However, those amendments were not adopted in the final legislation. Therefore, it will take approximately two months to set up due to the timeline required by the State. For example, in order for the DORA to be operational by May, the application would need to be filed by the City Manager in March and approved by Council sometime in April in order to send to the State.

The notice of approval must include a description of the area specified, but City Council has the authority to modify or dissolve a DORA by legislation at any time it deems it necessary.

## Designated Outdoor Refreshment Area, DORA

The Ohio Revised Code (Section 4301.82) permits municipalities to create DORAs, which permit bar and restaurant patrons age 21 and older to walk outside and potentially into other retail establishments within the boundaries of the DORA with an alcoholic beverage that has been served by a liquor-permit holding establishment within that boundary. This would only be permitted during days/times/events designated by Dublin in the legislation creating the DORA. Under current Ohio law, no more than two DORAs can be established for a city with a

population between 35,000 and 50,000 and no more than four DORAs can be established for a city with a population of more than 50,000.

To create a DORA in Dublin, the City Manager would submit an application to City Council. City Council would then consider the application and decide whether to adopt a Resolution that establishes requirements the City determines necessary to ensure public health and safety within the area.

Once an application is filed, a two-week notice is required to be published. Then, a Resolution would be presented for Council's consideration, which, if approved, would be effective immediately. The timeline from the filing of the application to the adoption of the DORA Resolution is approximately 45 days.

If a DORA is approved, the Ohio Division of Liquor Control would then issue an outdoor refreshment area designation to each qualified permit order. City Council has the authority to modify or dissolve a DORA by legislation at any time if it deems it necessary.

## **Summary**

A DORA district in Dublin would have a goal of bringing additional business and tourism to the Downtown Dublin area. In addition, with added vibrancy, the areas will likely draw more interest from retailers. Events can be planned within the DORA district to allow for further connections and gathering spaces, which aligns with the Historic Dublin Task Force recommendations.

## Other Communities

In July, when the DORA was discussed, there were concerns about how the DORA would operate during the COVID-19 pandemic. Since July, numerous Ohio communities have implemented new DORA areas, including Cincinnati, Tiffin, Wooster, Akron, Tipp City, Perrysburg, Kent, Xenia, Harrison, Wapakoneta, Bowling Green and others. Many of the communities listed created a DORA as a way to help their local restaurants and bars during COVID-19, with the idea that being outdoors was a safer way to gather and allowed for physical distancing.

Some communities, including our neighbors in Powell, Delaware and Hilliard, started small with event-only DORAs and then expanded into more consistent days/times. Feedback gathered in the summer from other communities is attached. In general, most have had very few issues with the implementation. Staff has not identified any communities in our research that have dissolved, reduced or suspended their DORA unless for COVID-19 purposes.

Below are Central Ohio Communities with existing DORAs and their times/days:

- Powell: Initially intended to be event-only but extended to 4-10 p.m. Fridays and 11 a.m.-10 p.m. Saturdays and Sundays.
- Hilliard: In 2019, Hilliard held their DORAs one evening a week and in 2020, expanded the area and times to 4-9 p.m. Wednesdays through Fridays and 11 a.m.-9 p.m. Saturday and Sunday.
- Marysville: The DORA is available Monday-Saturday, 9 a.m. to 10p.m., and Sunday noon

to 10p.m. only during official City-approved MORA events. Marysville typically has an event Fridays 4 p.m.–10 p.m.

- Gahanna: Implemented in August of 2020. Hours: 3-11 p.m. Monday through Wednesday and 11 a.m.-11 p.m. Thursday through Sunday.
- Grove City: 2 p.m.-midnight, Monday–Saturday, excluding some specific community events.
- Delaware: Expanded in summer 2020, previously only allowed for events. 11 a.m.-10 p.m. Thursdays, Fridays and Saturdays.
- Worthington: Outdoor dining in ROW and on public property and special events only (all events canceled in 2020 due to pandemic)
- Lancaster: Special events only

#### Resident Outreach & Survey Results

To date, there have been 4,188 respondents and the results are below:

3,586 (85.6%)	Yes, I support the creation of a DORA
394 (9.4%)	No, I do not support the creation of a DORA
153 (3.65%)	I am neutral on the creation of a DORA
55 (1.3%)	I don't know (I haven't formed my opinion yet)

Geographical analysis of the survey results revealed that 82.79% (404 respondents) from Historic District and Bridge Park residents supported the creation of a DORA and 10.66% (52 respondents) did not support, with the remaining residents being neutral or not having an opinion.

At the July 2020 meeting, Council requested staff engage residents adjacent to the potential DORA boundaries so they have the chance to better understand the DORA, ask questions and express any concerns. Staff will host a community information virtual meeting on Wednesday, March 3, 2021. Members of staff, including Police, Planning, Parks and Recreation and Legal, will participate in the meeting and answer questions.

#### Pilot Dora

Council asked staff to revise the potential hours of the DORA to make them shorter as a test for the overall concept. Safe F2 permit events have in the past been successfully held in both Bridge Park and in Historic Dublin. The difference between an F2 permit event and a DORA event is that the fencing of the entire area would not be needed in the DORA and local establishments would sell the alcohol instead of having a non-profit set up temporary selling locations outside.

Based upon Council's previous direction, Staff recommends implementing a Pilot DORA in 2021. The Pilot DORA period would start as soon as feasible in May and run through August. Staff recommends the following days and hours each week during the Pilot DORA period:

Thursdays/Fridays/Saturdays 5 p.m. – 10 p.m.

Staff will monitor the successes and challenges of the Pilot DORA during the Pilot DORA period and make necessary adjustments, as needed. Staff will provide a comprehensive review and assessment of the Pilot DORA to Council at its August 30, 2021, Council meeting, at which time further direction can be provided by Council. This would also give residents, businesses, and other interested parties the opportunity to provide additional input on the Pilot DORA.

Also during the Pilot DORA period, permitted events could request to have the DORA extended during their operating times. Possible events include the Dublin Market at Bridge Park, ForeFest, Saturday Strolls, and/or other possible opportunities that may be brought forward. Some of these are still unconfirmed or expected to start later in the year due to COVID-19 precautions. All events would need to ask permission of City Council for the DORA to be active.

### Official Cups

Last July, staff proposed creating an official cup that retailers would need to buy and the City would receive a cut of the profit from the sales in order to help pay for additional resources needed to operate the DORA. During the pilot, staff recommends that instead of receiving any profit, the City would find a supplier and design the cups that all retailers would need to purchase. By centralizing the ordering, all will be able to take advantage of a bulk price. This process should also be reviewed at the August meeting.

Staff also looked into the possibility of having wristbands required for those who would want to take part in the DORA district. Staff is not recommending this option for a variety of reasons, which include the difficulty of managing such a large area and staffing the wristband sales locations.

### DORA Boundaries

Based on Council feedback in July, the boundaries of the district have been adjusted. The updated maps are attached and identify two DORAs, one on each side of the river. In order to create both, separate applications and Resolutions will be submitted for approval. By having two separate areas, neither the Bridge Street Bridge nor The Dublin Link need to be included in a DORA. Inclusion of The Dublin Link and the Bridge Street Bridge was discussed; however, staff does not recommend including either.

Council members also had questions in July about allowing beverages in the parking lots and garages. Due to retail and restaurants in Bridge Park being contained in the same parcel, it does show some of the garages included but Council could indicate in the Resolution that alcohol would not be permitted in these garages. In addition, the Darby Parking lot is included in the Historic Dublin DORA in order to allow more flexible use of that space for entertainment.

The boundaries will be assessed as part of the DORA Pilot. They can be expanded or reduced with City Council approval. Signage is required to be placed at the boundaries of the DORA.

### Timeline

In order to meet a mid-May implementation, the following timeline would need to be followed:

*General*

Community Information Virtual Meeting	March 3
City Manager files formal application with City Council	March 10
Advertise two consecutive weeks after filing of application	March 15/March 22
Council's Formal Consideration of a Resolution Authorizing the DORA	April 26
Council review of pilot	August 30

*Design/Cups*

Design logo/art package/signage/cups	Feb/March
RFP for cup supplier	Feb/March
Council approve artwork/cups/signage	March 22
Cup supplier selected/plan in place	April 20
Signage package ordered	April 27

**Recommendation**

Staff recommends moving forward with the community information meeting and finalizing the application for the DORA districts with the suggested boundaries and days/times as shown in this memo and implementing a Pilot DORA in May with review in August 2021.

## **DORA (Designated Outdoor Refreshment Area) – Community Research**

### **Questions:**

- What is the overall sentiment? Positive experience? Negative experience? City v. users thoughts?
- Challenges or concerns?
- Lessons learned? Things to consider when implementing?
- Limited geography?
- Who enforces the safety plan? (i.e. someone travels outside the designated boundary)
- What types of violations/issues have been seen and over what period of time?
- Have the days/times, or the boundaries been expanded or contracted since original approval?

### **Grove City (Bill Vedra, Safety Director)**

- Boundary is 15.81 Acres
- Some initial community concerns.
- Overall, it is a very positive experience. Backlash when it was halted during the stay at home order.
- Business community believes it is a “must-have”.
- DORA was recently expanded to allow for more days and times than initially approved. Initially only on Thur-Sat, but expanded to all days but Sunday
- Compliance issue: 1-2 people violating in a year period. Outside the designated area and disorderly conduct. Police charged with enforcement.
- Minimal concerns or evidence of additional littering due to DORA cups.

### **Worthington (David McCorkle, Economic Development Director)**

- Boundary is 4.06 Acres
- Public service, safety , and special duty officers enforces the safety plan
- DORA was created to enhance our events and support outdoor dining in Old Worthington by allowing alcoholic beverages on patios that are in the right of way
- Started with only 5 DORA events but have slowly increased that number to have monthly events
- They review their DORA annually
- Didn't want restaurants having to put up obstructive fencing or landscape barriers in the right of way

### **Hilliard (HilliardOhio.Gov)**

- Boundary is 5.2 Acres
- May 26, 2020 Hilliard City Council voted to expand the DORA – includes additional outdoor seating
- “Old Hilliard’s restaurants and other businesses are an important economic driver for our community, residents see this area as a social hub for the community” – City Manager Michelle Crandall
- “Extending the boundaries and hours of the DORA is a logical extension of the partnership the City has with Old Hilliard businesses”
- Police officers are patrolling the area during effected hours

### **Delaware (Delaware Gazette)**

- Initially hours were Wednesday and Thursday from 4PM – 10PM, Friday – Sunday 11AM – 10PM
- May 2020 City Council announced expansion of its DORA
- As of today, DORA hours will be 11AM – 10PM Thursday – Saturday
- “For restaurants that serve alcohol and bars that serve food, alcohol sales can attribute upwards of 70% of revenue for that business” – City Manager Tom Homan
- Expansion of the DORA is a “trial” that will need to be evaluated moving forward. The expansion will last through Aug. 31
- Homan expressed that “if it works, hopefully, we’ll be able to continue it.”
- One of the things I’m noticing a lot during this COVID-19 is a lot of the regulations that we had in place that we are doing away with,” - Council Woman Lisa Keller
- “I’m noticing that after we do away with them, we’re finding that perhaps a lot of them we didn’t need in the first place. We’re finding that, perhaps, our citizens are a lot more responsible than we gave them credit for.” – Council Woman Lisa Keller

### **Powell (Elise Schellin, Zoning Inspector & Megan Canavan, Assistant City Manager/Communications Director)**

- Boundary is 136 Acres
- City of Powell’s DORA was approved in October of 2019 and was only created for special events, but was extended in 2020
- City is held first DORA event June 27-28, 2020
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- Their biggest challenge/concern was from the liquor license establishments, they were worried about how the DORA would impact their liability insurance
- The Powell Police Department is in charge of enforcing safety for DORA events if necessary.
- The feedback from the businesses was very positive. Many saw a significant increase in sales. One of the retail shops indicated their sales were comparable to holiday sales during the first weekend of the DORA.

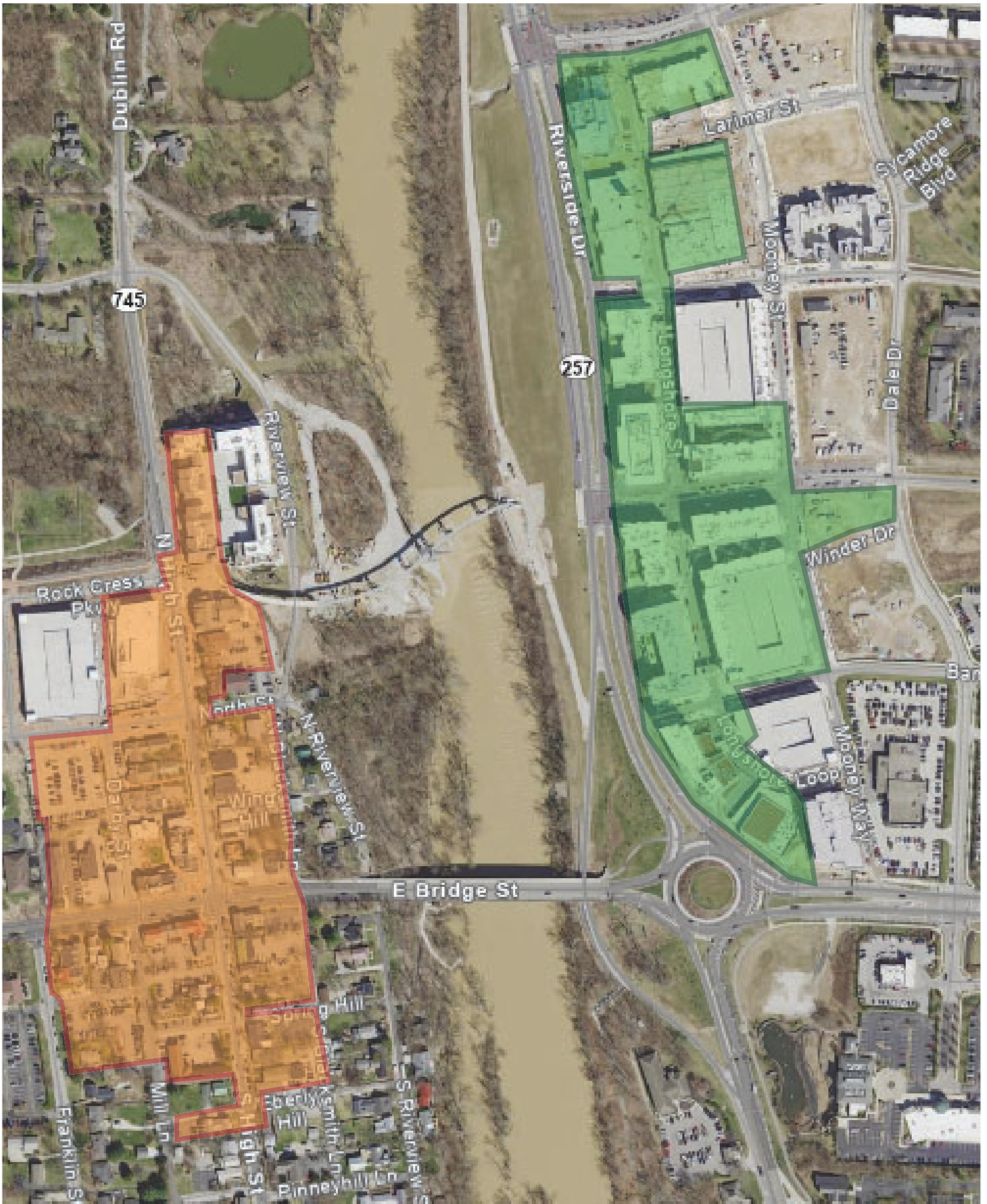
### **Hamilton (Jacob Stone, Department of Neighborhoods)**

- Boundary is 195 Acres
- Seven Days a week 12PM – 12AM
- Downtown businesses are seeing increased foot traffic due to fluid nature of the DORA
- Overall experience has been positive
- Number one concern is from the public with littering and a desire for reusable cups both have been minor
- Keeping it simple works best
- To have a larger walkable area in downtown all covered by the district and then include our adjacent commercial districts with more restricted one off additions to the geography
- Our police department enforces the safety rules
- Schedule has remained the same, currently in process of expanding our boundary

### **Middletown (Matt Eisenbraun, Assistant Director, Economic Development)**

- Boundary is 103.4 Acres
- No negative feedback, first DORA in Ohio with very few restrictions
- Changed to 1 standard cup instead of each bar doing their own
- Added a wrist band system that creates some revenue for use by the DORA regarding marketing
- Communication is key for DORA, more residents having a great experience overall
- Started with a very large area, then we decided to shrink the size, because it would not make enforcement any easier and would diminish overall experience
- Police department enforces the plan, have no real issues at this time
- Only violation they have seen is people going out to their cars for a re-fill when we had closed the street for a band or event
- Started doing Thursday, Friday, Saturday 4PM – Midnight
- With the review, we changed to 7 days a week, noon to midnight and will open for events such as (St Patty's Day, Cinco De Mayo, Fourth of July, etc.)

## Bridge Park & Historic Dublin DORA Boundaries - Proposed



## Historic Dublin DORA Boundaries - Proposed



## Bridge Park DORA Boundaries - Proposed





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# Memo

**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager  
**Date:** July 22, 2020  
**Initiated By:** Jennifer Readler, Law Director  
Alison LeRoy, Community Events Director  
**Re:** Downtown Dublin DORA Application

## Background

Council directed staff at the June 22 meeting of Council to prepare a potential application and resolution in order to consider whether to move forward with creating a Designated Outdoor Recreation Area (DORA) in Downtown Dublin. For purposes of this DORA conversation, Downtown Dublin includes the entire Bridge Street District as well as the non-residential areas of Historic Dublin. Council also directed Staff to gauge community sentiment through a survey.

Attached is a draft application from the City Manager to Council to set up a DORA as well as a draft resolution. In addition, preliminary survey results are included below. Staff will present full results at the July 27 Council meeting.

The June 16 memo to Council from Jennifer Readler is also attached which includes details of the current and proposed Ohio Revised Code process. A summary of the timeline to set up a DORA is as follows:

**First**, the City Manager files an application (**draft attached**) with City Council requesting certain property be designated an outdoor refreshment area under R.C. 4301.82.

Within **45 days** of that application being filed, City Council must publish notice of the application **once a week for two consecutive weeks** in a newspaper of general circulation. The notice must state that the application is on file in the office of the clerk and is available for inspection. It must also state the date and time of the public hearing to be held regarding application.

**Between 30 and 60 days** after initial publication of notice, City Council must approve or disapprove the application by ordinance or resolution.

If Council approves the application, it must provide Liquor Control and the Department of Public Safety notice of approval and description of the area specified.

At the same time City Council considers the application of the DORA, it must also adopt an ordinance or resolution establishing requirements necessary to ensure public health and safety. This legislation (**draft attached**) must include all of the following:

- The specific boundaries of the area, including street addresses;
- The number, spacing, and type of signage designating the area;
- The hours of operation;
- The number of personnel needed to execute the sanitation plan;
- A requirement that beer and intoxicating liquor be served solely in plastic bottles or other plastic containers in the area

The City needs to notice by publication this legislation once a week for two weeks as well. Therefore, before the DORA application is filed with Council, the City should also have its public health and safety plan ready for submission.

As soon as possible after receiving notice of approval, Liquor Control issues an outdoor refreshment area designation to each qualified permit holder within the area that is in compliance with all applicable requirements under Chapters 4301 and 4303 of the Revised Code. There is no fee to the city or establishments for this designation.

City Council has the authority to modify or dissolve a DORA by legislation at any time if it deems it necessary.

Finally, 5 years after creation, City Council must review the operation of the area and approve or disapprove the continued operation of the area.

## **Summary**

Staff has reviewed the criteria and goals to create a DORA in Downtown Dublin. This DORA is a long-term planning and economic initiative exclusive of the current pandemic situation. Council may choose when to activate the DORA should the State of Ohio approve it.

## ***Goals & Criteria***

While the DORA that Council is currently considering is specifically for the Downtown Dublin area, the state legislature is reviewing changing the law that may allow more DORAs in the City. In addition, while currently a DORA is required to have 4 participating liquor establishments, the new law may allow areas with only two.

In order to make sure the DORAs are a positive addition to the City, Council could adopt a mission statement and criteria for each area, samples of which are below:

Mission: To enhance economic vitality by providing an area where vibrancy and walkability is encouraged in order to attract visitors and increase business for all in the established district.

- Criteria:
- Any proposed district/s should:
- have a high concentration of retail, restaurants and bars
  - encourage walkability between establishments
  - be an attraction for residents and visitors to Dublin and should first seek support from the Dublin Convention and Visitors Bureau
  - not be in a primarily residential area

### ***Preliminary Survey Results***

A community survey was initiated on Friday, July 10. Post cards were sent to residents and surrounding residents of the proposed area and it was promoted through social media channels and email newsletters to residents. To date we have 3,992 respondents, and the preliminary results are below. The full results will be presented at the Council meeting.

- 3,418 Yes, I support the creation of a DORA
- 376 No, I do not support the creation of a DORA
- 145 I am neutral on the creation of a DORA
- 53 I don't know (I haven't formed my opinion yet)

#### **Significant comments:**

Overall, the comments are positive especially from people who have experienced a DORA in another town. As anticipated, the consideration of a DORA now is somewhat influenced by the effects of the current pandemic. There are mixed results in light of the reaction to the current pandemic. Some respondents believed it would help by allowing more social distancing while others were concerned that it would encourage people to gather and not properly social distance. Implementing a DORA is not intended to address the issues of the current pandemic, but again, to look at the long-term value of such an arrangement, post-pandemic. Multiple respondents suggested a schedule that would be evenings during the weekdays and all day on weekends - this was not an option we offered.

### ***Boundaries***

The map included in the application is a broad view, which shows the boundaries including the entire Bridge Street District as well as the non-residential areas of Historic Dublin. Riverside Crossing Park is included in the boundaries but it is staff's recommendation for Council to include a provision that does not allow alcohol in the Park other than on the West Plaza of the Bridge. Staff recommends The Dublin Link Bridge be included in order to connect both sides of the DORA district and prevent the need for two DORA districts. However, alcohol will not be permitted on the bridge itself. If Council wishes to remove the bridge from the DORA, two separate DORAs would possibly need to be set up because they are no longer contiguous. The Dublin Library, Garage, Veterans Park and School property are not included in the boundaries. Staff did reach out to the Dublin City Schools and Library administrations. Both appreciated the outreach and did not express any concerns as long as the boundaries are clearly defined, times did not overlap with school times, and the boundaries are enforced. Staff anticipates that Council will review the boundaries at least annually.

### ***Public Health and Safety***

Staff has reviewed the public health and safety plans and believe they can manage the area with their current staffing levels except for any additional events. Staff will review operational requirements and costs on an ongoing basis to ensure that the level of staffing is adequate and to report on the costs of the DORA, should it be established.

### ***Times/Days***

Based on the survey, residents would like to see more consistent hours for the DORA with longer hours on the weekend. Based on research staff conducted, many communities started as one-night or for an event only and then expanded over time. Permitted events could petition for different hours to Council and Council could review and change these hours at any time. Staff recommends the following schedule for specified days of the week. As mentioned previously, Council can determine what days of the week and associated times, by event, or start small and grow, etc.:

Monday – Thursday	5 p.m. – 9 p.m.
Friday	5 p.m. - 10 p.m.
Saturday	10 a.m. – 10 p.m. (considers brunch times)
Sunday	10 a.m. – 9 p.m. (considers brunch times)

### ***Beverages and Official Cups***

City Council can determine whether beer, wine, and/or intoxicating liquor shall be allowed in the DORA. Any such beverages should only be served and consumed in the DORA in the plastic bottles or other plastic containers as designated by the City. Staff has researched and recommends that only plastic cups be permitted in order to allow for uniformity.

Staff is recommending a 16 oz. green cup that would be standard for all establishments. Staff will issue an RFP for a cup supplier. All establishments will order from the official supplier and will be responsible for their own supply and inventory. Anticipated cost is around 20 cents per cup.

In order to pay for added expenses of a DORA area, the City could add a fee of 20 cents per cup, which will be paid directly to the cup producer who will then pay the City any funds collected. This fee should be reviewed after a year of operation.

The charges collected would only be used to fund the direct costs incurred by the City in the administration of the DORA, or to otherwise benefit the operations within of the DORA. Last year, the City of Hilliard reported needing more than 50,000 cups for 7 businesses when operating approximately 10 DORA events. Depending on the number of DORA nights the City of Dublin allows, staff conservatively estimate that the amount collected per week would be between \$500-\$2000.

The 16 oz. official cup will include the following guidelines:

- Beverages cannot be taken outside the DORA boundaries
- Used cups must be disposed before entering another liquor establishment
- All beverages must have been purchased at a participating bar/restaurant
- You must be 21 or older to consume alcohol

A sample of the cups is below:



### **Recommendation**

Staff seeks Council direction on whether to move forward with submitting a DORA application. Specific questions that still need to be answered are whether the boundaries are correct, days/times the DORA will be operational, type of cup, and additional charge per cup.

If the application is filed before August 14 the resolution could appear on the agenda for the September 14 Council Meeting. At that time, Council could determine a time for the DORA to start.

**To:** Members of Dublin City Council

**From:** Dana L. McDaniel, City Manager

**Date:** June 16, 2020

**Initiated** Jennifer D. Readler, Law Director

**By:** Alison LeRoy, Community Events Director  
Jennifer M. Rauch, AICP, Planning Director

**Re:** Potential Creation of a DORA

## Summary

Both the Dublin Convention and Visitors Bureau (DCVB) and Crawford Hoying have inquired as to whether City Council would consider creating a designated outdoor refreshment area (DORA). Below is a discussion of the DORA creation process as well as a potential timeline. Staff seeks Council input and direction at this time.

On June 11, the Ohio House passed significant revisions to the DORA legislation in House Bill 197. This language is expected to pass the Ohio Senate and to be signed into law by Governor DeWine. The timeline is uncertain, but the revisions would become law 90 days after the Governor signs it. This memorandum addresses the current procedure and the procedure to be followed HB 197 becomes law.

## Current Procedure for Creating a Designated Outdoor Refreshment Area, DORA

The Ohio Revised Code (Section 4301.82) permits municipalities to create DORAs, which legally permit bar and restaurant patrons to walk outside and potentially into other retail establishments within the boundaries of the DORA with an alcoholic beverage that has been served by a liquor-permit holding establishment within that boundary. This would only be permitted during days/times/events designated by Dublin in the legislation creating the DORA.

To create a DORA in Dublin, the City Manager must submit an application to City Council that contains the following information:

- A map or survey of the proposed outdoor refreshment area in sufficient detail to identify the boundaries of the area, which shall not exceed three hundred twenty contiguous acres or one-half square mile;
- A general statement of the nature and types of establishments that will be located within the proposed outdoor refreshment area;
- A statement that the proposed outdoor refreshment area will encompass not fewer than four qualified permit holders;
- Evidence that the uses of land within the proposed outdoor refreshment area are in accordance with the master zoning plan or map of the municipal corporation or township;
- Proposed requirements for the purpose of ensuring public health and safety within the proposed outdoor refreshment area.

City Council would then consider the application and potentially adopt a resolution that establishes requirements the City determines necessary to ensure public health and safety within the area. The resolution shall contain all of the following:

- The specific boundaries of the area, including street addresses;
- The number, spacing, and type of signage designating the area;
- The hours of operation for the area;
- The number of personnel needed to ensure public safety in the area;
- A sanitation plan that will help maintain the appearance and public health of the area;
- The number of personnel needed to execute the sanitation plan;
- A requirement that beer and intoxicating liquor be served solely in plastic bottles or other plastic containers in the area.

Once an application is filed, a two-week notice is required to be published and then a resolution would be presented for Council consideration, which, if approved, would be effective immediately. The timeline from the filing of the application to the adoption of the DORA resolution is approximately 45 days.

If a DORA is approved, the Ohio Division of Liquor Control will then issue an outdoor refreshment area designation to each qualified permit holder, as long as the permit holder is in compliance with all applicable requirements under Ohio Revised Code Sections 4301 and 4303. There is no fee to the City or to the permit holders for this designation.

City Council has the authority to modify or dissolve a DORA by legislation at any time if it deems it necessary.

This topic has been raised by the Downtown Dublin Strategic Alliance in the past (see attached email). Grove City, as well as several other Ohio communities, including Worthington, Hillard, Delaware, Powell, Hamilton and Middletown have created DORAs. We have provided Grove City's application/legislation for background information as well as a DORA FAQ sheet that answers some of the most common questions.

Since we are currently operating under a pandemic, we realize it is unlikely that Council would consider creating a DORA now. In the future though, if Council were to consider a DORA, public input would be solicited and Staff would seek direction from Council as to potential DORA boundaries, suggested hours of operation and the design of any DORA signage and plastic cups used within the DORA. We would also examine whether City staff time would be required in order to implement the required sanitation plan and to ensure public safety.

### **Procedure for Creating a DORA Under Proposed HB 197**

House Bill 197 made several changes to the existing DORA requirements. It reduced the required number of permit holders in the DORA from 4 to 2, eliminated the limitation on the number of DORAs that a city can create, and eliminated the acreage limitations on the area of a DORA.

It also eliminated the requirement that the legislative authority of a municipal corporation pass a resolution or ordinance to approve the formation of the DORA. Under this new procedure, the

City Manager is tasked with certain duties and the City Council is required only to pass the health and safety plan resolution discussed above.

Under the new requirements, to create a DORA, the City Manager must:

- Ensure that a map or survey of the proposed DORA is made in sufficient detail to identify the boundaries of the area;
- Create a general statement of the nature and types of establishments that will be located within the proposed area;
- Ensure that the proposed area will encompass not fewer than 2 qualified permit holders;
- Ensure that the uses of land within the proposed area are in accordance with the master zoning plan or map of the municipal corporation; and
- Ensure that the ordinance or resolution required under division (E) of this section has been adopted.

The resolution required by division (E) is the same health and safety plan that is currently required. Council must give notice of its consideration of such a resolution by publication in one newspaper of general circulation and provide a copy to the Division of Liquor Control if it were to pass. At that point, the DORA is established. Council retains the authority, as under the current legislation, to amend or abolish a DORA at any time.

### **Recommendation**

Staff seeks guidance from Council as to whether the creation of a DORA should be pursued at this time or at some other point in the future.

# ORDINANCE C-17-19

## AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA FOR THE GROVE CITY TOWN CENTER AND ENACTING REGULATIONS

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WHEREAS, pursuant to the provisions of Ohio Revised Code §4301.82, the City of Grove City is permitted to create a Designated Outdoor Refreshment Area ("DORA"); and

WHEREAS, on April 03, 2019 Mayor Stage submitted an application to City Council for approval of a DORA in a specified section of the Grove City Town Center; and

WHEREAS, pursuant to §4301.82(C), notice of the filing of the DORA Application and the date of a public hearing thereon was published in a newspaper of general circulation in the City on April 18, 2019 and April 25, 2019; and

WHEREAS, the public hearing on the application was held on May 20, 2019 during which public testimony was held; and

WHEREAS, the DORA Application as submitted meets the requirements of Ohio Revised Code Section 4301.82.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY,  
STATE OF OHIO, THAT:

SECTION 1. City Council approves the DORA Application as having met the requirements of ORC 4301.82(B)(1-5) and approves the establishment of a Grove City Town Center Designated Outdoor Refreshment Area comprised of the area as depicted on Exhibit A, attached hereto and made a part hereof, such area to include and encompass the premises of the permit holders located at the street addresses listed in Exhibit C, as is required to be included pursuant to ORC Section 4301.82(F)(1)(a).

SECTION 2. The DORA encompasses not fewer than four (4) qualified permit holders, all of which are identified in Exhibit C, attached hereto and made a part hereof, by business name, address, liquor permit type and liquor permit number.

SECTION 3. That in order to ensure public health and safety and in accordance with ORC 4301.82(F)(1)(b), the number, spacing, and type of signage designating the DORA boundary shall be as set forth on Exhibit F, attached hereto and made a part hereof.

SECTION 4. Section 6 of the DORA Application in accordance with ORC 4301.82(F)(1)(c) are the hours of operation for the DORA, which will apply to all activity within the DORA. City Council hereby recognizes that the DORA shall not be applicable and/or in operation for the events set forth in Section 6 of the DORA Application.

SECTION 5. The Public Health & Safety Plan as described in Section 5 of the DORA Application, attached hereto and made a part hereof is hereby approved as meeting the requirements of ORC 4301.82(F)(1)(d), including the manner in which the number of personnel needed to carry out the plan shall be determined.

SECTION 6. The Sanitation Plan that will help maintain the appearance and public health of the area as described in Section 5 of the DORA Application, attached hereto and made a part hereof, is hereby approved as meeting the requirements of ORC 4301.82(F)(1)(e), including the manner in which the number of personnel needed to carry out the plan shall be determined.

SECTION 7. As is required by ORC4301.82(F)(1)(g), beer and intoxicating liquor shall only be served in plastic bottles or other plastic containers, which shall be provided by the qualified permit holders in a readily-identified container that identifies the name of the establishment that is serving the beverage, as approved by the City's Department of Public Safety.

SECTION 8. City Council shall review the requirements of the DORA, as established herein, at a minimum one (1) year from the effective date of this Ordinance to determine whether to continue the DORA under the same or modified terms and conditions, or dissolve it according to statutory provisions.

SECTION 9. City Council determines that all public notice requirements of ORC 4301.82 prior to the passage of this Ordinance have been met.

SECTION 10. The Clerk of Council is hereby instructed to forward a copy of this Ordinance to the Ohio Division of Liquor Control and to the investigative unit of the Ohio Department of Public Safety, all in accordance with ORC 4301.82(C) and 4301.82(F)(3).

SECTION 11. This Ordinance shall take effect at the earliest date permitted by law.

Passed: 05-20-19

Effective: 06-20-19

Attest:

I certify that this  
ordinance is correct as to form.

  
Steven R. Robinette, President of Council

  
Richard L. Stage, Mayor

  
Tami K. Kelly, MMC, Clerk of Council

  
Stephen J. Smith, Director of Law

C-17-19

# APPLICATION TO THE GROVE CITY COUNCIL

*for the establishment of a*

## GROVE CITY TOWN CENTER DESIGNATED OUTDOOR REFRESHMENT AREA



O.R.C. 4301.82

The Office of the Mayor of Grove City, Ohio respectfully submits the following application to the Grove City Council to approve and enact the Grove City Town Center Designated Outdoor Refreshment Area, in accordance with O.R.C. 4301.82

Submitted: \_\_\_\_\_

\_\_\_\_\_  
Richard L. Stage, Mayor

## **I. INTRODUCTION AND SUBMITTAL OF APPLICATION**

Section 4301.82 of the Ohio Revised Code (O.R.C.) authorizes municipalities to create Designated Outdoor Refreshment Areas ("DORA"). To begin the process of creating a DORA, the municipality's Executive Officer may submit an application to City Council which meets certain statutory requirements. The application must be advertised for two consecutive weeks in a newspaper of general circulation within 45 days of the application submission to City Council. Not earlier than 30 days, but not later than 60 days, after the initial publication of the notice, City Council may approve, disapprove or modify the application.

In September 2018, the Heart of Grove City organization submitted a request that the City Council adopt legislation to create a DORA in the Grove City Town Center. Members of the Heart of Grove City organization met with Council Members and the Administration to discuss the desirability of such a project as well as the requirements for establishing a DORA.

The creation of a DORA is meant to serve as an economic tool to attract patrons to the Grove City Town Center and highlight the area as a destination for dining and entertainment. The purpose of this application is to request that City Council create and approve a Designated Outdoor Refreshment Area (DORA) in Grove City.

### **Section 1. Map of Proposed DORA, not exceeding 150 contiguous acres**

Please refer to **Exhibit A** attached. In accordance with O.R.C. 4301.82 (B)(1), Exhibit A includes a map of the proposed DORA that does not exceed 150 acres in size. The proposed area is 15.81 acres in size.

### **Section 2. Nature and Types of Establishments located within the DORA**

Please refer to **Exhibit B** attached. In accordance with O.R.C. 4301.82 (B)(2), Exhibit B lists the names and types of establishments located within the DORA.

### **Section 3. List of Qualified Permit Holders**

Please refer to **Exhibit C** attached. In accordance with O.R.C. 4301.82 (B)(3), Exhibit C outlines the establishments within the DORA that currently have a D liquor permit which is the necessary permit required to participate in a DORA. The DORA will include not fewer than four (4) qualified permit holders. Grove City identified nine (9) qualified permit holders located in the DORA.

### **Section 4. Evidence that Use of Land within the DORA are in accord with Grove City's Comprehensive Plan**

Please refer to **Exhibit D** attached. In accordance with O.R.C. 4301.82 (B)(4), Exhibit D shows a map of Grove City's zoning for the DORA that shows the uses of land within the DORA.

### **Section 5. Proposed Requirements for Ensuring Public Health and Safety within the DORA**

In accordance with O.R.C. 4301.82(B)(5), the proposed requirements for ensuring public health and safety are included below. The Grove City Public Service Department will be responsible for maintaining the appearance and public health within the DORA.

#### **Required Cups:**

Those liquor permit establishments within the DORA selling alcohol that can be carried outside its permit area must provide special cups marked with the name of the establishment. The city will establish rules for the types and cost of cups. Cups shall be made of compostable material.

#### **Law Enforcement Duties:**

The Grove City Division of Police will be responsible for providing law enforcement services within the DORA. The city is divided into four (4) patrol districts with at least one officer assigned to each district. The DORA is in District 1 and the officers assigned to the district will have primary responsibility for providing services within the DORA.

The on-duty supervisor shall ensure that appropriate attention is provided to the DORA during the hours of operation. In the event a larger than normal number of people are in the DORA, the on-duty supervisor may assign additional officers, and/or assign an officer to specifically patrol the DORA. The use of foot patrol, bicycle patrol as well as the special operation bureau will be considered as alternate methods of patrolling in the DORA.

For special events in the DORA drawing large attendance, additional officers, other agency personnel and/or private security may be required as determined by the Safety Director.

**Fire/EMS Responsibilities:**

Jackson Township Fire Department will be responsible for providing Fire, Rescue and EMS within the DORA.

- Donald F. Miller Station 201 is located approximately 0.7 miles away from the closest boundary and one (1) mile from the farthest boundary. The estimated response time would be between one (1) and three (3) minutes to any area within the DORA.

For planned events in the DORA drawing large attendance, the Fire Chief may stage personnel and/or equipment in a location within or near the DORA to allow for an immediate response.

**Sanitation:**

Please refer to **Exhibit E** attached. Grove City has staff specifically allocated to the Town Center area to ensure the area remains clean. Grove City will install 12 additional refuse and recycling containers.

**Signage:**

Please refer to **Exhibit F** attached. Grove City will install 22 DORA signs as indicated, nine (9) on existing signposts and 13 on newly placed signposts. Portable signs may be used as needed.

**Special Events:**

Grove City is home to numerous events and festivals throughout the year including, but not limited to, Alumni Weekend, Homecoming, Wine and Arts Festival, Bourbon Festival, and other Heart of Grove City Events.

Grove City may require event organizers pay for special duty officers, private security or overtime for public service or safety personnel if necessary to ensure adequate health and public safety requirements are maintained at the event holders expense.

### **Outdoor Dining and/or Events on Property within the DORA:**

Permit holders that sell alcoholic beverages as part of providing an outdoor dining area in Grove City's right of way (adjacent to the establishment), must obtain a right of way permit (or encroachment agreement) and meet the requirements of the Codified Ordinances for right of way use, the DORA, and the City's Outdoor Seating policy in the Town Center (Chapter 907.) The permit holder may not sell alcoholic beverages outside their liquor permit area. These policies will require the qualifying permit holder to submit sanitation and signage plans and a physical layout of the tables, chairs, and other facilities. Additionally, the permit review will ensure there are adequate pedestrian passageways and ingress/egress for emergency services is adequate. Failure to comply with the requirements of the permit can result in revocation.

Restaurants without a liquor permit and any other establishment within the DORA may allow patrons with DORA cups to enter their establishment if permitted by the owner.

### **Section 6. Designated Hours of Operation**

The hours of operation of the DORA will be Thursday, Friday and Saturday from 2:00 p.m. to Midnight. The days which the following events occur are specifically excluded:

Boo Off Broadway/Beggars Night;  
Christmas Celebration;  
Homecoming; and

Circumstances or situations determined by the Safety Director to be in the best interest of the community in maintaining public safety.

# EXHIBIT A

Liquor Permit Holders



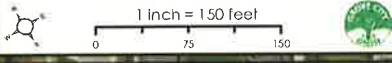
City of Grove City, Ohio  
DORA 2019

● Liquor Permit Holder

□ DORA District - 15.81 acres

1 Inch = 150 feet

0 75 150



**Exhibit B**

3975	Arbutus Avenue, Suite A	Sonic Lounge Recording Studios
3937	Broadway	Hair Gallery and Day Spa
3937	Broadway Ste D	The Honey House
3937	Broadway Unit A-1	Vacant
3937	Broadway, Suite B	Country Hearth Primitives
3940	Broadway	Zassy's Tap Room and Home Décor
3946	Broadway	Grove City Brewing Company
3946	Broadway	Plum Run Winery
3952	Broadway	Kitty's Kottage
3952	Broadway	The Farm Table on 62
3968	Broadway	Vacant
3971	Broadway	Personal Expressions, LLC
3974	Broadway	White's Barber Shop
3980	Broadway	Roach Enterprises
3981	Broadway	Little Theatre Off Broadway
3984	Broadway	Tammy's Pizza of Grove City
3985	Broadway	Michael's Hibachi
3989	Broadway	Certify, Inc.
3989	Broadway	Cultivate
3989	Broadway	KatBro Marketing
3989	Broadway	Keller Williams
3989	Broadway	Rampart Websites and Mobile Apps
3989	Broadway	Sensus
3989	Broadway	Tammel Homecare Solutions
3989	Broadway	The Garden Bar
3989	Broadway	ViaForge
3989	Broadway Ste 275	Healthcare Revenue Services & Consulting
3995	Broadway	Grove City Visitors Center
3995	Broadway	Quick Square Consulting, LLC
3998	Broadway	Parkers Tavern
3999	Broadway	Shepherd Insurance Partners Inc
3999	Broadway, Suite A	Vacant
3999	Broadway, Suite B	Jeans Tax Service
4007	Broadway	Edward Jones Investments / Jeff Danziger, AAMS
4008	Broadway	Lilly's Kitchen Table
4009	Broadway	Capital City Cakes & Sweet Treats
4011	Broadway	Coldwell Banker King Thompson
4014	Broadway	Sharp's Grove City Auction Gallery

**Exhibit B (continued)**

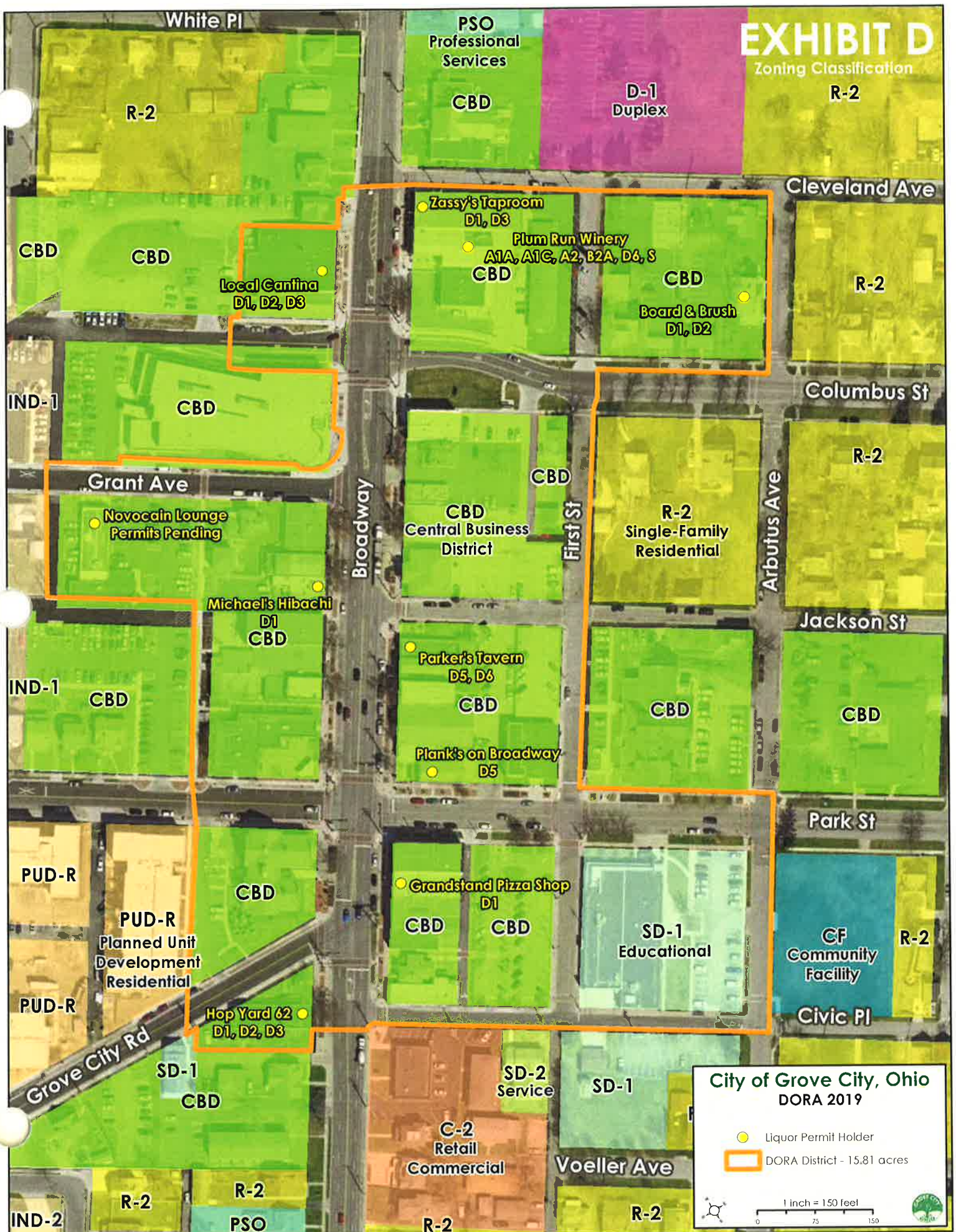
4018	Broadway	Grove City Barber Shop
4022	Broadway	Plank's on Broadway
4026	Broadway	Marks Sports Cards Plus
4030	Broadway	Bowshier, Davitz & Rieser LLC
4030	Broadway	S.J. Parkway Properties, Inc.
4030	Broadway, Suite 100	Steve J. Edwards, Attorney at Law
4030	Broadway, Suite 300	Peters, Laura, Attorney at Law, LLC
4032	Broadway - 2nd Floor	Rise Yoga Ohio
4034	Broadway	Grandstand Pizza
4038	Broadway	Sommer House Gallery, Inc.
4002	Broadway	Never Grow Up Boutique
4050	Broadway	Transcend Coffee + Roastery
4056	Broadway	Broadway Cleaners LLC
4057	Broadway	Hop Yard 62
4063	Broadway	Total Platinum Salon
4063	Broadway, Suite B	A Classic Touch, Inc.
3323	Cleveland Avenue	Daystarz Childcare Center
3306	Columbus St	Board & Brush Grove City
3343	Columbus Street	The Hair Shoppe
3425	Grant Ave., Suite B	Novocain Lounge (pending)
3425	Grant Avenue, Suite A	John J. Dubos, D.D.S.
3449	Grove City Road	Heritage Cycles
3391	Park Street	Scruffy to Fluffy
3378	Park Street, Suite B	Southwest Franklin County Historical Society
3378	Park Street, Suite C	Grove City Town Center Inc.
3378	Park Street, Suite D	The Franklin County Genealogical & Historical Society
3378	Park Street, Suite E	Grove City Arts Council

**Exhibit C**

<b>Business Name</b>	<b>DBA</b>	<b>Business Address</b>	<b>Permit Types</b>	<b>Permit #</b>
MJG Design Co. LLC	Board and Brush	3306 Columbus St.	D1, D2	60699020010
Parkers Tavern LLC	Parkers Tavern	3998 Broadway	D5, D6	6713399
Planks Garden Inc.	Planks on Broadway	4022 Broadway	D5	69562980005
Kevin S. Bradley	Grandstand Pizza Shop	4034 Broadway	D1	0904575
Grey Beard LLC	Hop Yard 62	4057 Broadway	D1, D2, D3	3374329
Michael Cui, Inc.	Michaels Hibachi	3985 Broadway	D1	5903470
Local Cantina Grove City LLC	Local Cantina	3937 Broadway	D1, D2, D3	5253979
Zassy Taproom LLC	Zassy's Tap Room	3940 Broadway	D1, D3	9896574
Plum Run Vineyard LLC	Plum Run Winery	3946 Broadway	A1A, A1C, A2, B2A, D6, S	6970215
Novocain Lounge	Novocain Lounge	3425 Grant Ave	Pending	Pending

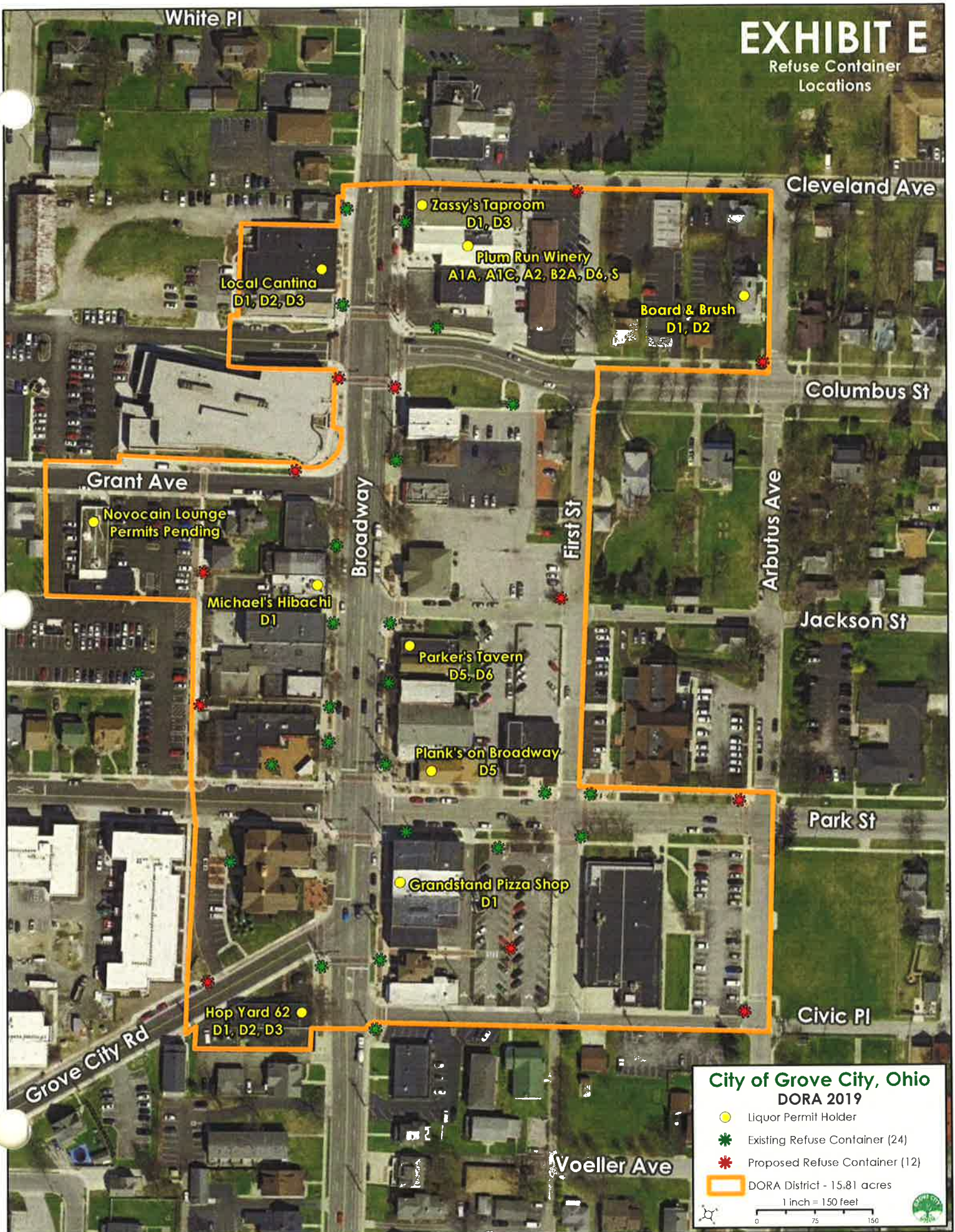
# EXHIBIT D

Zoning Classification



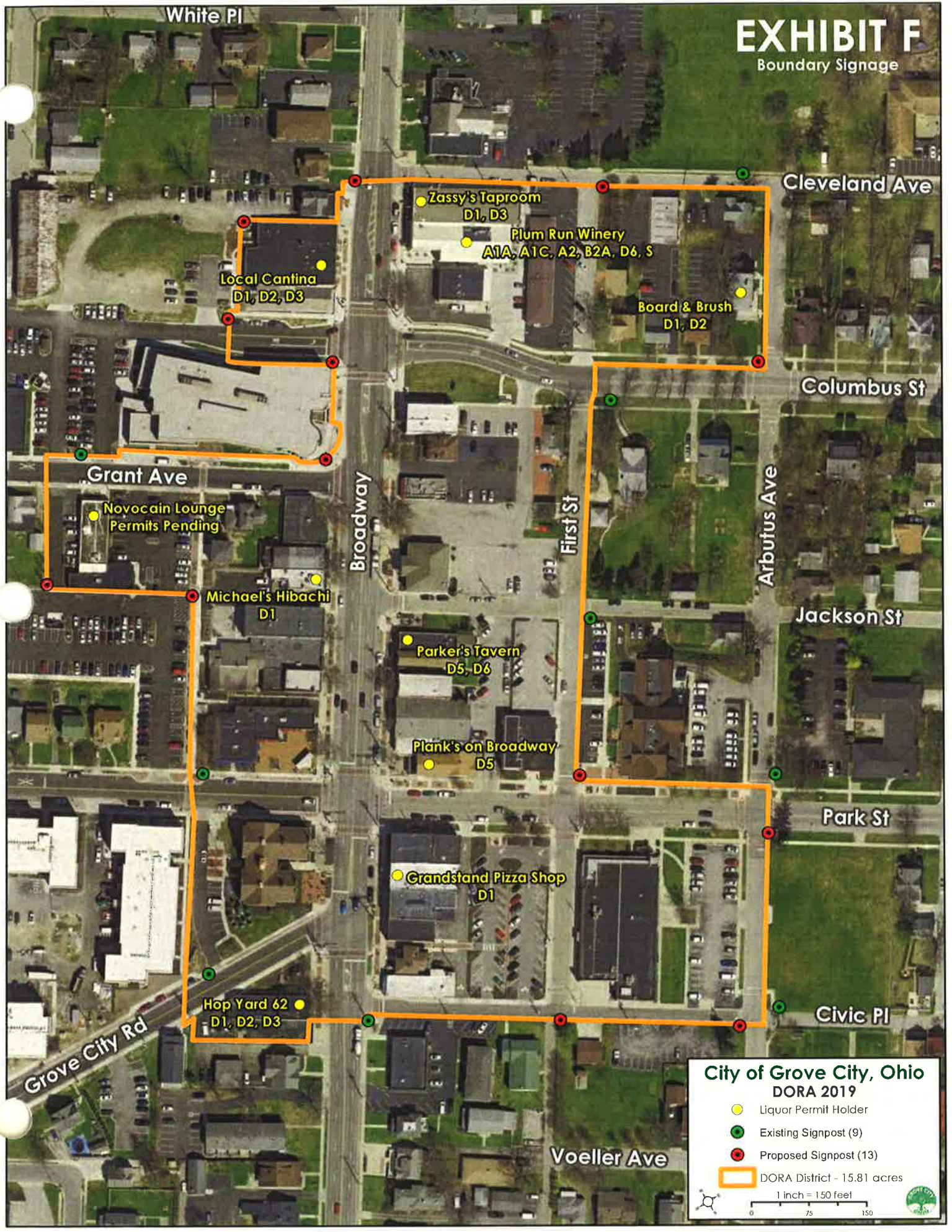
# EXHIBIT E

Refuse Container  
Locations



# EXHIBIT F

Boundary Signage



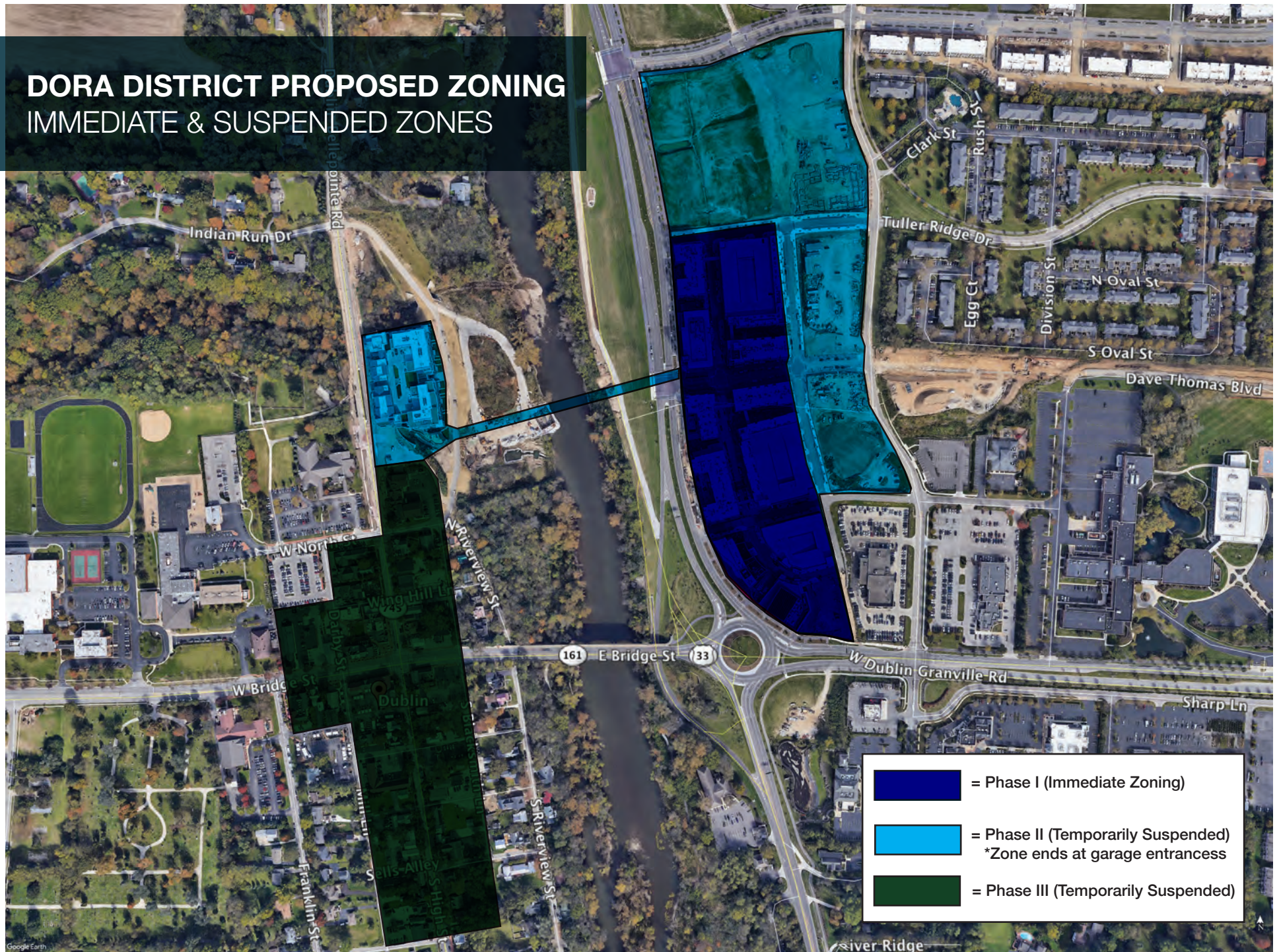
## DORA Q & A

1. Who provides the glassware?
  - a. Option 1: Each participating establishment will be responsible for providing their own cups. The alcohol needs to be served in a plastic container with the name of the establishment and DORA printed on it.
  - b. Option 2: The city will purchase the cups and the DORA establishments can purchase order the cups for the city at cost.
2. How is over-consumption monitored and by whom?
  - a. By those serving alcohol, citizens, and the police.
3. Are consumers able to have beer, wine and liquor or just beer and wine?
  - a. The city can decide which alcohols will be allowed, but all are permitted within the ORC for a DORA.
4. How do we control underage drinking? If another establishment serves underage and then they come to us with a beverage from another establishment, are we to be the “bad guy” and toss their drink and ask them to leave? Or what if their 21-and-over friend buys 3 drinks and then passes them to their underage friends outside of the establishments’ perimeter, who carries that liability? (The establishment or the City?)
  - a. You cannot take a beverage purchased at one DORA establishment into another DORA establishment.
  - b. Some cities, such as Middletown, charge patrons \$1 for a wristband that allows them to take their alcoholic beverages outside an establishment within the DORA boundary.
  - c. Every establishment serving alcohol needs to check IDs, even if they already have a wristband.
  - d. Limit the amount of drinks a person can buy at one time.
5. Is the plan for this to evolve into a weekly weekend happening?
  - a. It depends on the desires of the business owners and residents.
6. What happens when some of the events occur when establishments are not open? Is the City expecting these establishments to open for this? (ex. farmers market, street market- start at 9 am and ends hour after most establishment open)
  - a. You are not required to open your establishment for off hours DORA events.
7. How quickly can the DORA district/rules change if it is just for special events and who would make the decision to make changes?
  - a. The changes would have to be approved by Council
8. Logistically, how will it work? Would a consumer be required to finish their current drink before entering another drinking establishment? Would not want to bring liquor from one establishment into a competitor establishment.
  - a. You are unable to take your alcoholic DORA drink from one bar/restaurant to another establishment that serves alcohol.
9. Do you need a liquor permit if you are within the DORA?
  - a. No, only those with liquor licenses will be able to serve alcohol. However, customers will be able to bring the alcohol into other stores if the business owners allow it. Window signage will be helpful.
10. How will the extra expenses of sanitation and/or extra security be absorbed?
  - a. Payment made for wristbands can go toward the costs of running DORA events.
11. Will it require extra liability insurance?
  - a. For the City no. For the businesses participating in the DORA their current liability insurance should cover, however each business will need to check with their own carrier.
12. Will there be any education of the public of rules/regulations of the DORA?
  - a. The establishment of a DORA needs to be posted in a newspaper.

- b. The city can create additional signage for this and create a webpage for the DORA.
- 13. Would there be a community resource officer and who will pay for the expense?
  - a. Possibly, and expenses could potentially be paid for by wristband sales.
- 14. What will the fees be to be part of the DORA?
  - a. As much as possible, if possible, we would like the participating establishments to not have to put money into the DORA.
- 15. How will the common cup be designed? Will it list no sponsors, some sponsors or no sponsors?
  - a. No sponsors will be listed. The only things on the cup should be DORA and the establishment where the beverage was purchased.
- 16. Will the liquor license establishments that are participating in the DORA need a special DORA license on top of their liquor license?
  - a. As soon as possible after receiving notice that an outdoor refreshment area has been approved, the division of liquor control, for purposes of section 4301.62 of the Revised Code, shall issue an outdoor refreshment area designation to each qualified permit holder location within the refreshment area that is in compliance with all applicable requirements under Chapters 4301 and 4303 of the Revised Code. The division shall not charge any fee for the issuance of the designation.
- 17. How will liability insurance work? Will it be an umbrella policy under the city's insurance?
  - a. The businesses should not have to take on any additional insurance; their current liability insurance should cover these events, just as it would normally.

# DORA DISTRICT PROPOSED ZONING

## IMMEDIATE & SUSPENDED ZONES



TO APPROVE THE APPLICATION FILED BY THE CITY MANAGER THEREBY CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA AND ENACTING REGULATIONS

WHEREAS, R.C. 4301.82, et seq., permits a municipal corporation to designate certain property as an outdoor refreshment area. ("Designated Outdoor Refreshment Area" or "DORA"); and

WHEREAS, on July tbd, 2020, pursuant to R.C. 4301.82 (B), the City Manager of the City of Dublin submitted an application to City Council, through its Clerk, to establish a Designated Outdoor Refreshment Area in downtown Dublin "DORA Application." The Application is attached and incorporated herein as Exhibit A; and

WHEREAS, pursuant to R.C. 4301.82(F)(2), City Council, within 45 days of receiving the application, published notice of the DORA Application once a week for two consecutive weeks in The Columbus Dispatch on tbd and tbd; and

WHEREAS, City Council finds that the DORA Application meets the requirements of R.C. 4301.82(F); and

WHEREAS, City Council finds that creating the DORA is in the best interest of the City of Dublin and its residents.

WHEREAS, pursuant to R.C. 4301.82(F)(1), it is necessary for City Council to establish requirements of the DORA to ensure public health and safety within the area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, \_\_\_\_\_ of the elected members concurring, that:

SECTION 1. City Council accepts the application as submitted and hereby approves the creation of a Designated Outdoor Refreshment Area within the boundary area, including street addresses, as depicted and described in Section 1 of the Application, attached hereto and incorporated herein, and that establishing the Dublin Downtown DORA is in accord with the City's Community Plan.

SECTION 2. The Dublin Downtown DORA will encompass no fewer than four (4) qualified permit holders, as identified in Section D.

SECTION 3. To ensure public health and safety and pursuant to R.C. 4301.82(F)(1), Sections 5 and 6 of the Application include the following: the number, spacing, and type of signage needed to designate the DORA'S geographic area; the dates and hours of operation; the number of personnel needed to ensure public safety; the sanitation plan required to maintain the appearance and public health of the designated area; and the number of personnel needed to execute the sanitation plan.

SECTION 4. All beer and intoxicating liquor served in the area shall be served solely in plastic bottles or other plastic containers to readily identify such alcoholic beverages as being permitted in the DORA during the dates and times specified in the application, section 6.2.

SECTION 5. Pursuant to R.C. 4301.82(H)(I), in five years City Council shall conduct a review of the Dublin Downtown DORA and either approve the continued operation of the Dublin Downtown DORA or dissolve the area.

SECTION 6. City Council may, at any time, dissolve all or part of the Dublin Downtown DORA.

SECTION VII. City Council has fulfilled the requirements contained in R.C. 4301.82(C) and R.C. 4301.82(F) with respect to noticing the receipt of the DORA application, setting the date and time for a public hearing and for this Council's proposed action on this Resolution.

SECTION VIII. This Resolution shall take effect and be in force upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor - Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council



**Application to the Council of the City of Dublin, Ohio  
for the establishment of a Designated Outdoor Refreshment  
Area, with specific boundaries, in the Downtown Dublin area.**

Submitted: **Date TBD**

## **Introduction**

The Office of the City Manager of Dublin, Ohio respectfully submit the following application to City Council of Dublin, Ohio to approve and establish a Designated Outdoor Refreshment Area (hereinafter "DORA"), pursuant to Ohio Revised Code ("ORC") § 4301.82. The proposed application meets all the state requirements.

A DORA is an area where the open carry restrictions do not apply at particular hours, and adults are permitted to possess and consume alcohol in public, with certain restrictions. DORAs have already been established in several cities in central Ohio. The purpose of the City's DORA would be for economic betterment of businesses, residents, and property owners within the DORA, as well as the City of Dublin as a whole.

## **Section 1 – Boundaries**

In accordance with the ORC § 4301.82(B)(1)(a) and F(1)(a), the boundaries of the DORA are depicted in the map on the next page. The specific boundaries of the DORA, including street addresses are in shown below. This proposed DORA area is approximately sixty five acres, the limit for a DORA boundary in a City with over 35,000 is three hundred and twenty contiguous acres.

Street	Starting Address	Final Address
E. Bridge St.	8	16
W. Bridge St.	1	65
S. High St.	6	129
N. High St.	3	108
Longshore St.	6554	6784
Riverside Dr.	6520	6770
Bridge Park Ave.	4495	4587
Banker Dr.	N/A	N/A
Tuller Ridge Dr.	N/A	N/A
John Shields Parkway	N/A	N/A
Mooney St.	N/A	N/A

## DORA Boundaries Map



## Section 2 - Nature and types of establishments located within the proposed DORA

In accordance with ORC § 4301.82 (B)(2), the nature and types of establishments located within the DORA are as follows:

The DORA encompasses portions of downtown Dublin, including portions of the Bridge Street District, Bridge Park development and Historic Dublin. The Dublin Link pedestrian bridge and Riverside Crossing Park are not included with the exception of the west Plaza.

Within the DORA, the majority of the buildings have retail and restaurants on their first floor. The floors above have a mixture of office space, apartments, condominiums and hotel rooms. There are also institutional uses typical of a historic downtown and new mixed-use development.

Examples of the retail, dining and services establishments located in the DORA:

<b>Retail:</b>	<b>Address</b>
Dublin Toy Emporium	28 N High St.
Extravagifts	24 N High St.
Boho	72 N High St.
Daso Cabinetry	13 S High St.
Bend	4544 Bridge Park Ave
Apricot Lane	4541 Bridge Park Ave
J. Hilburn	6560 Longshore St
ZerOZ	4548 Bridge Park Ave

<b>Dining:</b>	
Our Cupcakery	54 S High St.
Dublin Village Tavern	27 S High St.
Coast Wine House	75 S High St.
Tuccis	35 N High St.
Harvest Pizza	45 N High St.
Z Cucina	6584 Riverside Dr
North Market at Bridge Park	6745 Longshore St
Urban Meyer's Pint House	6632 Longshore St
Pins Mechanical Co	6558 Riverside Dr

<b>Services:</b>	
Mesh Fitness	6678 Riverside Dr
Spavia	4546 Bridge Park Ave
Anthony Vince Nail Salon	4545 Bridge Park Ave
AC Marriott Hotel	6540 Riverside Dr
Wells Fargo Advisors	6515 Longshore Loop Suite 200
HER Realty	22 N High St.
Casa Décor	18 E Bridge St.
Shamrock Barber Shoppe	86 S High St.
O'Brien Medicine	53 N High St. Suite C

Residential housing within the DORA is limited, and consists primarily of urban apartments and condominium within the Bridge Park development. There are a limited number of single-family residential units in the historic downtown area.

### Section 3 - Qualified Permit Holders

In accordance with ORC § 4301.82 (B)(3), the DORA will encompass not fewer than four qualified permit holders as defined by ORC § 4301.82 (A), which are identified in the chart below. As new establishments receive a permit in the DORA area, they will be added.

Permit Number	Permit Name	DBA	Street1
0302495	A V NAIL SPA BRIDGE PARK INC	DBA ANTHONY VINCE NAIL SPA	4545 BRIDGE PARK AVE
0406560	B2AM DUBLIN LLC		52 S HIGH ST
0463587	BARNUM TIBBETTS LTD	DBA OSCARS	84 N HIGH ST & PATIO
0951198	BRIDGE PARK HOTEL LLC	DBA AC HOTEL COLUMBUS DUBLIN	6540 RIVERSIDE DR & PATIOS
1657350	CONDADO TACOS 9 LLC	DBA CONDADO TACOS	102 N HIGH ST & PATIO
2279530	DUBLIN IRISH PUB LLC	DBA FADO	6652 RIVERSIDE DR & PATIO
2848117	4553 BRIDGE LLC	DBA REBOL COLUMBUS	6608 LONGSHORE ST & PATIO
2959360	FUKURYU RAMEN DUBLIN INC	DBA FUKURYU RAMEN	4540 BRIDGE PARK AVE 1ST FL ONLY
2978896	GTN CORP	DBA DUBLIN VILLAGE TAVERN	27-29 S HIGH ST & PATIO
3648875	HARVEST DUBLIN LLC	DBA HARVEST PIZZERIA	45 N HIGH STREET
4004329	HOUSE OF STYLE INC	DBA MODERN MALE	24 DARBY ST
4179535	J LIU OF DUBLIN INC	DBA J LIUS	50 W BRIDGE & PATIO
4379870	JORDAN RESTAURANT GROUP HQ LLC	DBA HEN QUARTER & PATIO	6628 RIVERSIDE DR
4741683	KOK ENTERPRISES LLC	DBA MR SUSHI 1ST FL & BSMT & PATIO	3 N HIGH ST
4768540	KONA CRAFT KITCHEN LLC	DBA KONA CRAFT KITCHEN	6757 LONGSHORE ST
5241130	LOCAL CANTINA DUBLIN LLC	DBA LOCAL CANTINA	4537 BRIDGE PARK AVE
6423720	NO SOLICITING DUBLIN LLC	DBA NO SOLICITING & PATIO	86 N HIGH ST STE 100
6442899	NORTH HIGH BREWING DUBLIN LLC	DBA NORTH HIGH BREWING	56 N HIGH ST & PATIO
6779370	PEARL BRIDGE PARK LLC	DBA THE PEARL	88 N HIGH ST & PATIOS
7294550	REMYRHT LIMITED	DBA MEZZO RISTORANTE & BAR	12 WEST BRIDGE ST PATIO & BALCONY
8199930	6632 LONGSHORE VENTURE LLC	DBA URBAN MEYERS PINT HOUSE	6632 LONGSHORE ST & PATIO
9083131	TUCCIS LTD		35 N HIGH ST & PATIOS
9232059	Z CUCINA DUBLIN LLC	DBA Z CUCINA & PATIO	6584 RIVERSIDE DR

12046700155	CAMERON MITCHELL RESTAURANTS LLC	DBA THE EXCHANGE	6520 RIVERSIDE DR
12046700160	CAMERON MITCHELL RESTAURANTS LLC	DBA CAP CITY DUB	6644 RIVERSIDE DR & PATIO
12046700165	CAMERON MITCHELL RESTAURANTS LLC	DBA THE AVENUE STEAK TAVERN	94 N HIGH ST 1ST FL & PATIO ONLY
22506630006	DONATOS PIZZERIA LLC	DBA DONATOS PIZZA 1ST FL ONLY	6 S HIGH ST
69301160005	PINS MECHANICAL CO DUBLIN LLC		& 6558 RIVERSIDE DR UNIT 1A & PATIOS, 6564 RIVERSIDE DR & PATIO
95119800003	BRIDGE PARK HOTEL LLC		6540 RIVERSIDE DR & PATIOS

## Section 4 – Master Zoning Plan for Area

In accordance with ORC § 4301.82 (B)(4), evidence that the uses of land within the DORA are in accord with the master zoning map of the City of Dublin, and the parcels are zoned as follows:

- BSD-HC: Bridge Street District - Historic Core
- BSD-HT: Bridge Street District – Historic Transition
- BSD-HS: Bridge Street District – Historic South
- BSD-SRN: Bridge Street District - Scioto River Neighborhood
- BSD-P: Bridge Street District – Public

Eating and drinking establishments that serve alcohol are permitted uses in all of these zoning districts, with the exception of BSD Public. The proposed DORA is located within an area of the city that supports a mix of uses, including entertainment, dining, retail, office, residential and parkland and complements the uses within this area.

## Section 5 - Proposed Requirement for the Purpose of Ensuring Public Health and Safety

### Section 5.1 - Safety Plan

In accordance with ORC § 4301.82 (B)(5) and (F)(1)(d), a Safety Plan has been developed to ensure public safety in the DORA. Current Public Safety personnel are adequate to maintain public safety within the DORA. The City of Dublin Police Department has multiple resources that will enable it to maintain public safety within the DORA.

Staffing in the DORA would consist of:

- Permanently assigned district officer(s) will patrol the DORA as it is within their assigned area. These officer(s) have the flexibility to patrol on foot, on a bicycle or in their patrol cars. The DORA will encompass two separate police districts, each with a police officer

assigned to these areas 24 hours a day, 7 days a week.

- To help supplement the district officer(s) on a regular basis during evening and weekend hours, Community Service Officers (CSO's) with specialized training by the Dublin Police Department will assist in monitoring the DORA.
- The Chief of Police and/or designee may assign additional officers to events occurring within the DORA or establish other staffing mandates based on upon events occurring within the DORA.
- The Chief of Police and/or designee shall meet and review the Safety Plan, as needed, for any special events within the DORA or as other circumstances may require additional public safety staffing.
- Special event organizers may be required to pay for special duty officers or overtime for public service if necessary to ensure adequate health and public safety requirements.

Beginning with the commencement of the DORA, continuing for a period of six (6) consecutive months, the City of Dublin Police Chief and/or designee shall meet monthly and review the Safety Plan herein for the purpose of determining whether updates, modifications, or supplementation may be advisable or required, and in said event, such changes shall be presented for consideration and implementation.

The Chief of Police has determined that the Safety Plan described herein is sufficient to maintain public safety within the DORA. This Safety Plan can be executed with the existing personnel of the Dublin Police Department.

### **Section 5.1.1 - Additional Rules and Requirements**

In accordance with ORC § 4301.82 (B)(5), and in conjunction with other rules, standards and requirements set forth in this application, additional rules and requirements for the purpose of ensuring public safety and health within the DORA are as follows:

A. A person may have in the person's possession an open container of beer, wine, or intoxicating liquor at an outdoor location within the DORA if the open container of beer, wine, or intoxicating liquor was purchased from a qualified permit holder to which both of the following apply:

1. The permit holder's premises is located within the DORA; and
2. The permit held by the permit holder has an outdoor refreshment area designation.

B. No person shall do any of the following:

1. Enter the premises of an establishment of a qualified permit holder within the DORA while possessing an open container of beer, wine, or intoxicating liquor acquired elsewhere, or
2. Possess an open container of beer, wine, or intoxicating liquor while being in or on a

motor vehicle within the DORA, unless the possession is otherwise authorized under division (D) or (E) of ORC § 4301.62.

## **Section 5.2 - Sanitation Plan**

In accordance with ORC § 4301.82 (B)(5), (F)(1)(e), and (F)(1)(f), a Sanitation Plan has been developed that will help maintain the appearance and public health of the area within the DORA.

There are currently sufficient permanent trash receptacles located within the proposed outdoor refreshment area. The trash receptacles will be serviced by the City on a regular schedule. Additional collections will be done on an as needed basis and will be serviced by the City's refuse collection contractor. City staff will monitor the receptacles and coordinate additional collections, if needed.

Trash receptacles may be moved and additional trash receptacles may be added within the DORA at the discretion of the Deputy City Manager/Chief Operating Officer or designee. Upon approval of the Deputy City Manager/Chief Operating Officer or designee, additional receptacles may be added by the city or any qualified permit holder, and the servicing of such receptacles shall remain the responsibility of the installing entity.

Temporary trash receptacles will be placed at various locations throughout the outdoor refreshment area during special events depending on the size of the event and the attendance expected. The purchase, installation, maintenance and removal of temporary trash receptacles will be the responsibility of event organizers.

Additionally, each participating establishment will be required to provide and maintain adequate trash receptacles at the entryways of their businesses and/or patio areas.

The Deputy City Manager/Chief Operating Officer shall evaluate the need and frequency of street sweeping and servicing trash receptacles, and, if needed or advisable, implement changes or modifications to the sanitation plan from the commencement of the DORA until the dissolution of the DORA.

The Deputy City Manager/Chief Operating Officer has determined that the Sanitation Plan described herein is sufficient to help maintain the appearance and public health within the DORA. This Sanitation Plan can be executed with the existing personnel of the City of Dublin.

## **Section 6 – Additional Information**

### **Section 6.1 - Signage**

In accordance with the ORC § 4301.82 F(1)(b), there will be approximately 32 signs designating the boundary of the DORA. The location and spacing of the signs is shown on the map on the

following page, sign locations are indicated by stars on the map. The signs will be mounted and located at all street intersections along the boundary of the DORA. A sample of the sign is below:



Signage Map



## **6.2 - Hours of Operation & Events**

In accordance with ORC § 4301.82 (F)(1)(c), the hours of operation for the DORA will be:

Monday – Thursday	5 p.m. – 9 p.m.
Friday – Saturday	9 a.m. –Midnight
Sunday	9 a.m. – 9 p.m.

These hours/days can be changed by council at any time.

The City of Dublin requires that each Community Event receives a permit through the Division of Community Events. Permit requirements may differ between events depending on their size, layout, use of right of way, and program. However, each event will be reviewed to ensure that adequate sanitation, signage, and public safety requirements are established. The necessity of portable restrooms, handicap accessibility, pedestrian mobility, public safety ingress and egress, crowd control, DORA boundary management, and trash management will be addressed. Should an event wish to sell alcohol within the DORA boundaries, the requests will still be approved by Council and the event will need to acquire an F class license from the State of Ohio.