



PUBLIC NOTICE

Notice is hereby given that on June 25, 2020, the City Council for the City of Tipp City received an application to establish a Designated Outdoor Refreshment Area (DORA) pursuant to Ohio Revised Code Section 4301.82. A copy of the Application is on file in the Clerk of Council's Office and is available for viewing between the hours of 9:00 am – 5:00 pm at the Tipp City Government Center, 260 S. Garber Drive. A copy of this Application is also available for viewing on the City's website: www.tippcityohio.gov.

A Public Hearing will be held on **Monday, August 17, 2020, to modify, approve or disapprove the application.** *The meeting will take place at the Tipp City Government Center, 260 S. Garber Drive. All meetings are open to the public and interested citizens are invited to attend and participate. Citizen requests should contact the Clerk of Council, at (937) 667-8425 or email: batesj@tippcity.net.*

Application to the Tipp City Council
for the Establishment of a
Historic District Designated Outdoor Refreshment
Area
in conformance with O.R.C. 4301.82



Office of the City Manager

The Office of the City Manager of the City of Tipp City, Ohio, respectfully submits the following application to the Tipp City Council to approve and enact the Historic Downtown Designated Outdoor Refreshment Area, in accordance with O.R.C. 4301.82.

Submitted: June 25, 2020



Timothy J. Eggleston, City Manager

RECEIVED

JUN 25 2020

CLERK OF COUNCIL

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1. INTRODUCTION AND SUBMITTAL OF APPLICATION

Effective April 30, 2017 Section 4301.82 of the Ohio Revised Code authorizes municipalities under 35,000 in population to create Designated Outdoor Refreshment Areas or “DORAs.” In order to consider the creation of a DORA, the City Manager must file an application with City Council which meets certain statutory requirements outlined below. The application filing must be advertised for two (2) consecutive weeks in a newspaper of general circulation. Not earlier than thirty (30) days, but not later than sixty (60) days, after initial publication of the notice,

City Council may approve or disapprove of the application by ordinance or resolution. The creation of a Designated Outdoor Refreshment Area will serve as an economic tool to attract patrons to the City of Tipp City, generate additional sales at local restaurants, retailers, and continue to highlight the area as a destination for dining, shopping, and entertainment.

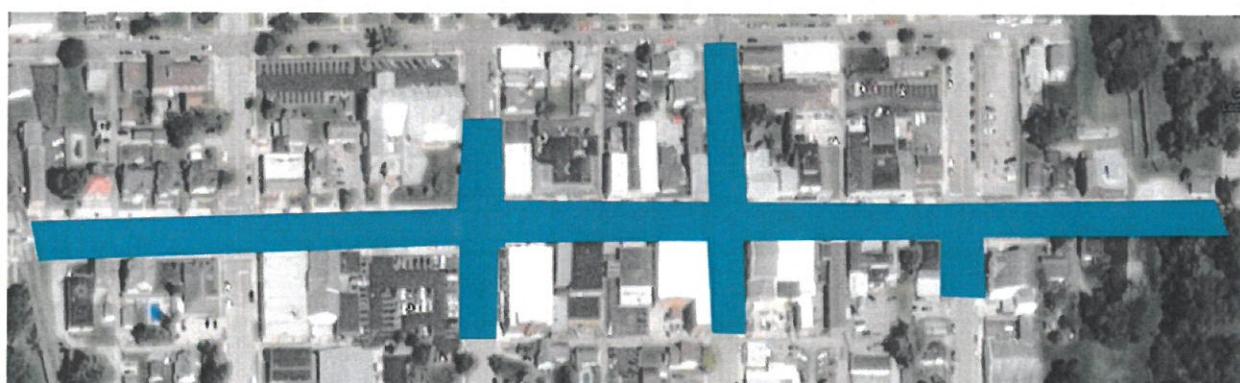
On June 15, 2020 the City Manager presented to the City Council, at their work session, the application process and requirements for the establishment of a DORA District. The Downtown Tipp City Partnership and Tipp City Chamber of Commerce support the idea of creating a DORA to enhance the outdoor dining, shopping, entertainment, and special events experience. The idea was discussed with the local businesses in the Historic Downtown. All involved appear in favor of moving the process forward to create a DORA in the Historic District downtown as there is an economic benefit to the food and retail establishments.

The purpose of this application is to request that City Council create and approve a Designated Outdoor Refreshment Area (DORA) in the Historic Downtown of the City of Tipp City. The application includes the following sections:

- A map of the proposed Designated Outdoor Refreshment Area (150 acres or less).
- A statement of the nature and type of establishments in the proposed area.
- A statement verifying that not less than four liquor permit holders are included in the area.
- Evidence that the proposed Designated Outdoor Refreshment Area is in accord with the City of Tipp City’s Comprehensive Plan and Future Land Use Map.
- Proposed requirements that ensure the public health and safety in the Designated Outdoor Refreshment Area.
- Dates and hours of operations.

2. BOUNDARIES

In accordance with O.R.C. 4301.82(B)(1)(b), the boundaries of the proposed DORA are depicted below and contain 6.75 acres (see attached engineer letter).



The boundaries are as follows (4301.82(F)(1)(a):

1. East side of the CSX tracks of Main Street.
2. North side intersection of Main St. and N. Fourth Street.
3. South side intersection of Main St. and S. Fourth Street.
4. N. Third Street mid-block on the west side and to the south side of the Alleyway on the east side.
5. S. Third Street mid-block on the west side and to the north side of the Alley on the east side.
6. N. Second Street from Main to Walnut.
7. Both sides of S. Second Street from Main Street to the north side of the alleys.
8. North side intersection of Main St. and First Street both sides.
9. South intersection of Main and First Street to the south property line of 134 E Main and to the south property line of 202 E Main Street.
10. North side of Main Street to the east property line of 275 E Main.
11. South side of Main Street from First Street heading easterly approximately 374' feet.

The Street address of the proposed DORA are as follows:

Miami County, Tipp City, Historic Downtown Designated Outdoor Refreshment Area 6/26/2020		
Street Name	Range	Even/Odd
W. Main	15 - 131	Even & Odd
E Main	3 - 275	Even & Odd
W Walnut	14	Even
W Dow	11	Odd
S 3rd	6 thru 12	Even
N 2 nd	4 thru 22	Even & Odd
S 2nd	15	Odd
E. Main – South side - East property line of Vacant Parcel Number G15005890	See Bullet 11 & zoning map	Even side of the street

3. QUALIFYING PERMIT HOLDERS

In accordance with ORC 4301.82(B)(3) the DORA will encompass not fewer than four (4) qualified permit holders. The following five (5) qualified permit holders were identified:

Business Name	DBA or Name of Business	Permit Type	Location	Permit #
Tony's Bada Bing	Tony's Bada Bing LLC 1st & 2nd Floor	D5	132-34 W Main St & Patio	8985519
Tipp City Aerie 2201 Fraternal Order of Eagles	Eagles	D4 & D6	202E Main	279401122010
Coldwater Café & Catering Inc.	Coldwater Cafe	D1, D2, D3	19 E Main St 1st & 2nd Floor	16094780001
MRM Ventures LLC	Harrison's Restaurant	D1, D2, D3, D6	106 E Main St 1st & BSMT	6208658
VRW Post 4615 Tipp City Memorial	VFW	D4	121 E Main St. 1 st FL Only	926235546156

4. NATURE AND TYPES OF ESTABLISHMENTS LOCATED WITH THE DORA

Per 4301.82(B)(2), the proposed DORA includes Main Street and the Side Streets in the Historic District. These areas restaurants, boutique stores, financial institutions, professional services, residential, churches, government offices, apartments B&B rental, and miscellaneous retail. The proposed DORA was specifically designed to encompass key areas of business and retail in the community using boundaries that are easily identified. The uses in the area in accordance with Tipp City's Zoning Ordinance and Comprehensive Plan.

5. LAND USE & ZONING

In accordance with O.R.C. 4301.82(B)(4), the uses of land within the DORA is zoned as a Community Center/Restoration District. All Districts allow for mixed uses in accord with the City of 2016 Tipp City Comprehensive Plan and Zoning Ordinance Table 154.04-2 Principally Permitted Uses.



Page 24 of the 2016 Imagine Tipp City Comprehensive Plan - Historic Downtown - Tipp
City's Historic Downtown will serve as the local and regional destination for shopping, entertainment, and community activities. It will serve as a mixed-use, urban center of historic character and charm and provide a civic component where the community can "come together". Buildings will typically be two or more stories with infill development respecting the architectural character and feel of existing development through compliance with the City's historic preservation guidelines and standards. Mixed uses will integrate residential units or office uses over storefronts that face onto a strong network of walkable streets is essential

6. PUBLIC HEALTH AND SAFETY WITHIN THE DORA

In accordance with O.R.C. 4301.82(B)(5) proposed requirements for the purpose of ensuing public health and safety within the DORA district shall include:

- The Public Works Department will be responsible for ensuring that all trash receptacles in the DORA are emptied regularly and are ample to handle generated waste in accordance with the Trash Hauler Contract in place **O.R.C 4301.82(F)(1)(f)**.
- All DORA beverages must be served in a new unused plastic cups or containers. Each participating permit holder will be required to utilize and purchase plastic DORA cups or containers or wrist bands that have the date written on them in permanent marker. The establishments will coordinate with the Downtown Tipp Partnership. **O.R.C 4301.82(F)(1)(g)**
- Assumption of good behavior by DORA participants. DORA participants are expected to follow all the rules of the DORA and maintain a decorum of good behavior, free of public drunkenness, property destruction, or any action that disrupts the enjoyment of another participant or disrupts any establishment, property owner, resident, visitor, passerby or patron within the DORA.
- All other laws and ordinances of the City of Tipp City shall be followed.
- There are public restrooms located at the in the Old Municipal Building on Main Street as well as those provide for by the permit holders in their establishments that participate.
- The Police Department will routinely patrol the main areas of the DORA (the Downtown) and will enforce responsible behavior. For planned events that may draw an additional crowd, the Police Chief may have additional officers assigned specifically to the DORA. **O.R.C. 4301.82(F)(1)(d)**
- The boundaries of the DORA will be strictly enforced. Boundary signage will be installed on the perimeter of the DORA on both sides of the street.
- Private property owners reserve the right to prohibit the consumption of alcohol on their property. Adequate signage shall be placed and clearly displayed at the owner's expense in order for this rule to be enforced. See attached notification markings.
- No one may enter the DORA district while in possession of an opened container of beer or intoxicating liquor acquired elsewhere.
- No one may possess an opened container of beer or intoxicating liquor while being in or on a motor vehicle within the DORA district unless the vehicle is stationary or otherwise exempt under 4301.52 of the Open Carry Law.
- Intoxicating beverages shall only be purchased from establishment within DORA district holding the appropriate licenses with the DORA designation.
- No liquor license holder in the DORA district is required to participate in the selling intoxicating beverages that will leave the premise.

Signage – Per 4301.82(F)(b), 20 signs will be placed at the following locations (noted on zoning map). Both sides of each street location will be posted. See district map under Land Use & Zoning.

- East side of the CSX tracks of Main Street.
- North side intersection of Main St. and N. Fourth Street.
- South side intersection of Main St. and S. Fourth Street.
- N. Third Street mid-block on the west side and to the south side of the Alleyway on the east side.
- S. Third Street mid-block on the west side and to the north side of the Alley on the east side.

- N. Second Street from Main to Walnut.
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- North side intersection of Main St. and First Street both sides.
- South intersection of Main and First Street to the south property line of 134 E Main and to the south property line of 202 E Main Street.
- North side of Main Street to the east property line of 275 E Main.
- South side of Main Street from First Street heading easterly approximately 374' feet to the east side of vacant parcel #G15005890.

7. DESIGNATED HOURS OF OPERATION

Per 4301.82(F)(c), the DORA will be in operation from Monday – Thursday 11:00 a.m. to 10:00 p.m., Friday and Saturday from 11:00 a.m. to 11:00 p.m., and Sunday 12:00 p.m. to 8 p.m. Special hours of DORA operation will be allowed as designated in advance by the City Manager for the occasion of holidays or special events, with the consent of City Council.



IBI GROUP
8101 N High St – Suite 100
Columbus OH 43235 USA
tel 614 818 4900 fax 614 818 4901
ibigroup.com

June 23, 2020

To Whom It May Concern

CITY OF TIPP CITY OHIO DORA DISTRICT APPLICATION
TIPP CITY OH

Acting as contract City Engineer on the behalf of the City of Tipp City I certify that the area of the proposed City of Tipp City DORA is 6.75 acres.

Should you have any questions about the materials presented, or need additional information, please do not hesitate to contact me at (614)818-4900.

Sincerely,

A handwritten signature in blue ink that reads 'Michael S. Murray'.

Principal

Michael S. Murray, P.E.
(614)818-4900
mike.murray@ibigroup.com





STREET SIGNS

