

APPLICATION TO THE BRYAN CITY COUNCIL

-for the establishment of a -

DOWNTOWN BRYAN DESIGNATED OUTDOOR REFRESHMENT AREA

O.R.C. 4301.82



The Mayor respectfully submits the following application to the Bryan City Council to approve and enact the Downtown Bryan Designated Outdoor Refreshment Area, in accordance with O.R.C. 4301.82.

Mayor Carrie M. Schlade

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TABLE OF CONTENTS

I. INTRODUCTION AND SUBMITTAL OF APPLICATION 3

IJ. BOUNDARIES4

III. NATURE OF ESTABLISHMENTS7

IV. QUALIFYING PERMIT HOLDERS9

V. LAND USE & ZONING10

VI. PUBLIC HEALTH & SAFETY11

I. INTRODUCTION AND SUBMITTAL OF APPLICATION

Section 4301.82 of the Ohio Revised Code (ORC) authorizes, effective April 30, 2017, municipalities under 35,000 in population to create a Designated Outdoor Refreshment Area or "DORA." In order to consider creation of a DORA, the Executive Officer of the City of Bryan must file an application with the Bryan City Council (City Council), which meets certain statutory requirements. The application filing must be advertised for two consecutive weeks in a newspaper of general circulation. Not earlier than 30 days, but not later than 60 days, after the initial publication of the notice, the City Council may approve or disapprove of the application by ordinance or resolution.

The Bryan Area Chamber of Commerce expressed general support for the concept and indicated by its discussion a desire for this application to be prepared as the next step in considering enactment of a DORA.

In summary, this application would provide the following:

A. The DORA would ease or make more accessible outdoor dining in front of liquor permit holding establishments. It would allow such establishments to serve alcoholic beverages in a plastic cup pursuant to the law within a designated area during certain hours. Creation of the DORA would relieve these establishments of current requirements for fencing around a dining area. Signage, sanitation and safety requirements would be established by permits issued by the City.

B. The Bryan DORA would provide the ability for individuals to walk within the DORA boundaries with an alcoholic beverage purchased from a liquor permit holding establishment during permitted hours. This authority would be limited, initially, to the hours of 12:00 P.M. to 11:00 P.M. Monday thru Saturday.

II. BOUNDARIES

In accordance with **O.R.C. 4301.82(B)(1)(b)**, the boundaries of the DORA are depicted on the following map and described as follows. A list of the street addresses within the DORA are also attached.

Designated Outdoor Refreshment Area (DORA)

The proposed boundary is outlined in solid red lines and encompasses an area of 23.089 Acres. The proposed boundary is defined as follows:

DORA Legal Description:

Commencing at the alleyway at the Northeast Corner of the parcel occupied by 116 North Main Street;

Thence south along the Public Alleyway across East High Street and continuing across East Butler Street to the Northwest Corner of a public parking lot;

Thence, Easterly to the centerline of South Walnut Street and southerly to the North boundary of the parcel occupied by 221 South Walnut Street known as the Eagles;

Thence, East to the centerline of South Cherry Street;

Thence, South to the intersection of South Cherry Street and East Maple Street;

Thence, West along the centerline of East Maple Street to the centerline of South Main Street;

Thence, North along the centerline of South Main Street to the Southeast Corner of the parcel occupied by 224 South Main Street;

Thence, westerly to a point where the north-south alleyway meets the Southwest Corner of the parcel occupied by 224 South Main Street;

Thence, northerly along the Public Alleyway to the southeast corner of the parcel occupied by 125 West Butler Street;

Thence, westerly crossing South Lynn Street thru the southern end of the parcel occupied by 212 South Lynn Street continuing to South Beech Street;

Thence, southerly along the west right of way line of South Beech Street to the southeast corner of the property occupied by 301 West Butler Street;

Thence, westerly to the public alleyway;

Thence, northerly to the north right of way line of West Butler Street;

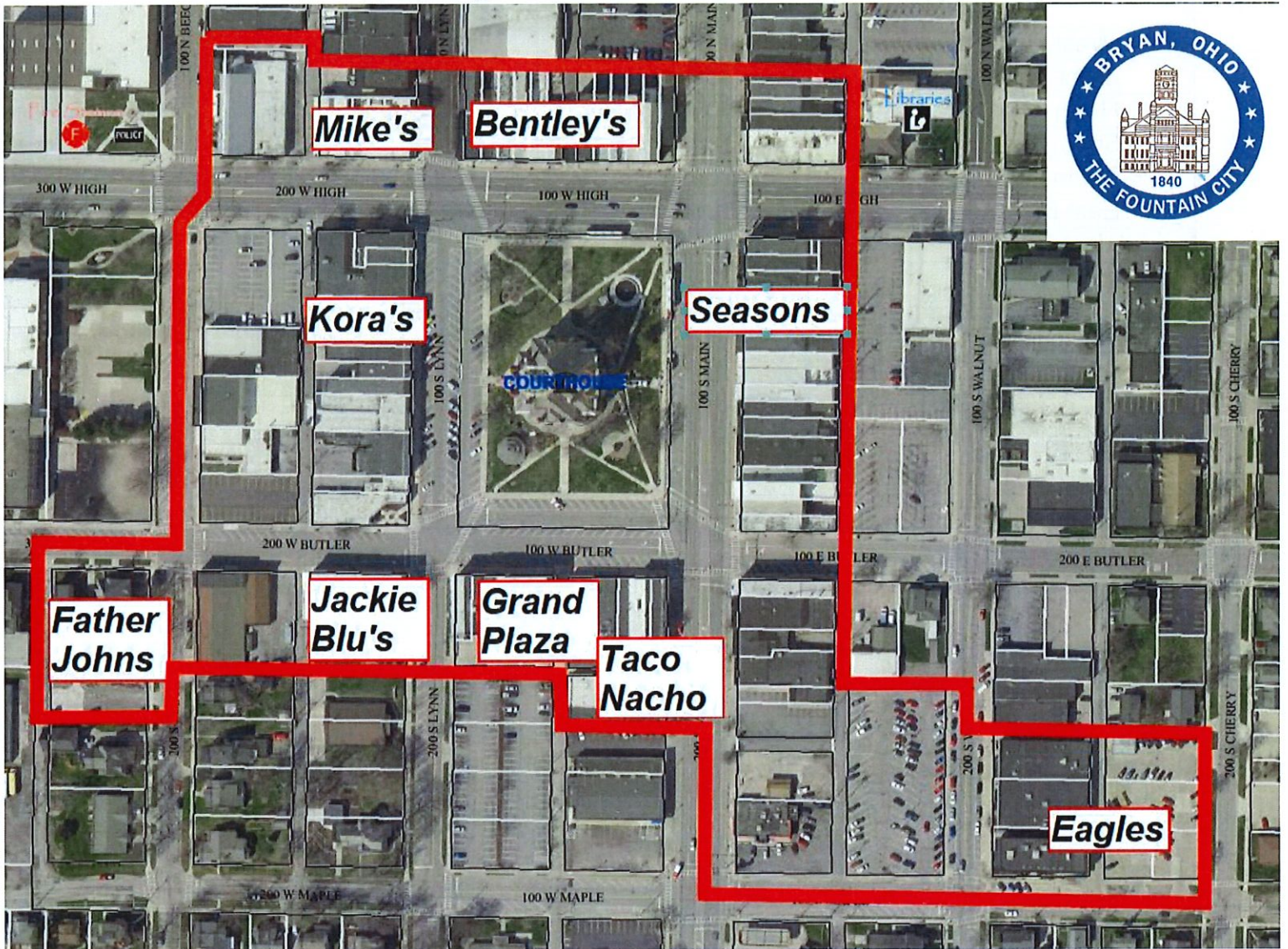
Thence, easterly to the centerline of South Beech Street;

Thence, northerly along the centerline of South Beech Street to the south right of way line of West High Street;

Thence, Northeasterly to the Southwest Corner of the property occupied by 236 West High Street;

Thence, northerly to the northwest corner of the parcel occupied by 236 West High Street;

Thence, easterly crossing a public alley and continuing along a the north line of the parcel occupied by 113 North Lynn Street, crossing North Lynn Street, and continuing east along a public alleyway, crossing North Main Street and continuing along the North line of the parcel occupied by 116 North Main Street to the point of termination of this description.



— DORA BOUNDARY

DESIGNATED OUTDOOR REFRESHMENT AREA
(DORA)

STREET ADDRESSES IN THE DORA

<i>Street Name</i>	<i>Range</i>	<i>Even/Odd</i>
West High Street	100-236	Even & Odd
East High Street	100-112	Even & Odd
North Main Street	100-116	Even & Odd
South Main Street	101-147	Odd
South Main Street	200-233	Even & Odd
East Butler Street	100-114	Even & Odd
West Butler Street	101-145	Odd
West Butler Street	200-225	Even & Odd
West Butler Street	301	Odd
South Beech Street	101-127	Odd
North Lynn Street	100-113	Even & Odd
South Lynn Street	100-156	Even
South Lynn Street	200-212	Even & Odd
East Maple Street	101-205	Odd
South Walnut Street	221	Odd

III. NATURE OF ESTABLISHMENTS

In accordance with O.R.C. 4301.82(B)(2), the nature and types of establishments that will be located within the DORA are listed below. The types of establishments located within the DORA are primarily businesses in the retail, dining or services sectors. Examples include:

Business Name	Business Category	House Number	Street Direction	Street Name	Street Type
Not Used		106	N	BEECH	ST
Not Used		111	N	BEECH	ST
Vacant		112	N	BEECH	ST
Inspiring Hope Counseling	BUSINESS/OFFICE	113	S	BEECH	ST
Not Used		115	S	BEECH	ST
Art of Movement	HEALTH/BEAUTY	119	S	BEECH	ST
Not Used		123	S	BEECH	ST
Used Appliance Store	BUSINESS/OFFICE	125	S	BEECH	ST
Not Used		127	S	BEECH	ST
City of Bryan Parking Lot			S	BEECH	ST
Not Used		104	E	BUTLER	ST
Not Used		108	E	BUTLER	ST
Not Used		110	E	BUTLER	ST
Not Used		112	E	BUTLER	ST
Not Used		114	E	BUTLER	ST
CGS Comics	BUSINESS/OFFICE	103	W	BUTLER	ST
Vacant		105	W	BUTLER	ST
Job& Family Services	BUSINESS/OFFICE	107	W	BUTLER	ST
Job & Family Services	BUSINESS/OFFICE	117	W	BUTLER	ST
Gretlick, Harvey & Thompson Law Office	BUSINESS/OFFICE	121	W	BUTLER	ST
Vacant		125	W	BUTLER	ST
Not Used		127	W	BUTLER	ST
Grand Plaza Mexican Grill	FOOD/DRINK	137	W	BUTLER	ST
Not Used		139	W	BUTLER	ST
Joe Short Insurance	BUSINESS/OFFICE	141	W	BUTLER	ST
Not Used		145	W	BUTLER	ST
Jackie Blu's	FOOD/DRINK	201	W	BUTLER	ST
Willimas County Community Theater, Inc.	BUSINESS/OFFICE	206-208	W	BUTLER	ST
Not Used		219	W	BUTLER	ST
Partee's Carpet & Floor Coverings	BUSINESS/OFFICE	225	W	BUTLER	ST
Father John's	FOOD/DRINK	301	W	BUTLER	ST
Williams County Courthouse	BUSINESS/OFFICE	1		COURTHOUSE	
Not Used		106	E	HIGH	ST
Bryan Public Library	BUSINESS/OFFICE	107	E	HIGH	ST
Not Used		108	E	HIGH	ST
Jim's Gym	HEALTH/BEAUTY	110	E	HIGH	ST
Not Used		112	E	HIGH	ST
Johnson Financial Group	BUSINESS/OFFICE	102	W	HIGH	ST
Testament Tatoo	HEALTH/BEAUTY	104	W	HIGH	ST
Not Used		106	W	HIGH	ST
The Revival Hub	BUSINESS/OFFICE	108	W	HIGH	ST
LS Wealth Management	BUSINESS/OFFICE	110	W	HIGH	ST
Hallock Realty, Inc.	BUSINESS/OFFICE	114	W	HIGH	ST
Vacant		116	W	HIGH	ST
Black Market Brazilian	HEALTH/BEAUTY	120	W	HIGH	ST
Bad Seed Tatoo	HEALTH/BEAUTY	122	W	HIGH	ST
Bentley's	FOOD/DRINK	124	W	HIGH	ST
Waterford Bank, N.A.	BUSINESS/OFFICE	128	W	HIGH	ST
Vacant		132	W	HIGH	ST
Ohioans Home Healthcare	BUSINESS/OFFICE	134	W	HIGH	ST
Ohio Gas Company	BUSINESS/OFFICE	200	W	HIGH	ST
Ohio Gas Company	BUSINESS/OFFICE	200	W	HIGH	ST
Not Used		201	W	HIGH	ST
Ohio Gas Company	BUSINESS/OFFICE	206	W	HIGH	ST
Mike's Place	FOOD/DRINK	210	W	HIGH	ST
Pencil Box Tatoo	HEALTH/BEAUTY	214	W	HIGH	ST
The Blackest Crow Tatoo Studio	HEALTH/BEAUTY	218	W	HIGH	ST
My Furniture Place	BUSINESS/OFFICE	222	W	HIGH	ST
Vacant		232	W	HIGH	ST
Vacant		236	W	HIGH	ST

Lilly's Pad	RETAIL	110	N	LYNN	ST
General Telephone Company	BUSINESSOFFICE	113 - 115	N	LYNN	ST
Speciality Eye Institute	BUSINESSOFFICE	100	S	LYNN	ST
Not Used		104	S	LYNN	ST
Vacant		106	S	LYNN	ST
Not Used		108	S	LYNN	ST
Endless Creations	RETAIL	110	S	LYNN	ST
Vacant		110	S	LYNN	ST
Not Used		116	S	LYNN	ST
Not Used		118	S	LYNN	ST
Kora Brew House & Wine Bar	FOOD\DRINK	120	S	LYNN	ST
Creative Minds	BUSINESSOFFICE	122	S	LYNN	ST
Penrod & George	BUSINESSOFFICE	124	S	LYNN	ST
Hillman Chiropractic	BUSINESSOFFICE	128	S	LYNN	ST
Not Used		130	S	LYNN	ST
Not Used		136	S	LYNN	ST
Bryan Chamber of Commerce	BUSINESSOFFICE	138	S	LYNN	ST
Bryan Theatre	BUSINESSOFFICE	140-142	S	LYNN	ST
Vacant		144	S	LYNN	ST
Not Used		146	S	LYNN	ST
Not Used		148	S	LYNN	ST
Willimas County Community Theater, Inc.	BUSINESSOFFICE	152	S	LYNN	ST
Not Used		154	S	LYNN	ST
Not Used		156	S	LYNN	ST
Bryan Public Library	BUSINESSOFFICE	102	N	MAIN	ST
Labo's Aquatics	BUSINESSOFFICE	106	N	MAIN	ST
Crossed Rifles	BUSINESSOFFICE	110	N	MAIN	ST
Franz Karate	BUSINESSOFFICE	114	N	MAIN	ST
Mary Stoller Realty	BUSINESSOFFICE	116	N	MAIN	ST
Real Estate Advantage	BUSINESSOFFICE	103	S	MAIN	ST
Seasons Coffee & Bistro	FOOD\DRINK	105	S	MAIN	ST
Seasons Coffee & Bistro	FOOD\DRINK	105	S	MAIN	ST
Bill's Locker Room	RETAIL	109	S	MAIN	ST
Coldwell Banker	BUSINESSOFFICE	111	S	MAIN	ST
Vacant		113	S	MAIN	ST
Not Used		115	S	MAIN	ST
Not Used		117	S	MAIN	ST
Ella Ann's Boutique	RETAIL	119	S	MAIN	ST
Mad Ox	RETAIL	121	S	MAIN	ST
AJAV'S	HEALTH\BEAUTY	125	S	MAIN	ST
Just Liv Boutique	RETAIL	125	S	MAIN	ST
Antiques on the Square	BUSINESSOFFICE	133	S	MAIN	ST
Vacant		137	S	MAIN	ST
Not Used		139	S	MAIN	ST
Special Touch Hair Designs, LLC	HEALTH\BEAUTY	141	S	MAIN	ST
Tri-State Vision Centers, Inc.	BUSINESSOFFICE	143	S	MAIN	ST
Corner Stone Critters	BUSINESSOFFICE	145	S	MAIN	ST
Not Used		147	S	MAIN	ST
Sarah's House	BUSINESSOFFICE	201	S	MAIN	ST
LaMichoacana Foods Ltd.	FOOD\DRINK	205	S	MAIN	ST
Not Used		207	S	MAIN	ST
Jenn's Boutique	RETAIL	211	S	MAIN	ST
Not Used		213	S	MAIN	ST
Not Used		214	S	MAIN	ST
Peter's Family Eyecare	BUSINESSOFFICE	215	S	MAIN	ST
Not Used		216	S	MAIN	ST
Subway	FOOD\DRINK	217	S	MAIN	ST
Peter's Family Eyecare	BUSINESSOFFICE	219	S	MAIN	ST
Not Used		220	S	MAIN	ST
Not Used		221	S	MAIN	ST
Taco Ncho	FOOD\DRINK	222	S	MAIN	ST
Peter's Real Esate	BUSINESSOFFICE	223	S	MAIN	ST
Not Used		224	S	MAIN	ST
Four Seasons Restaurant	FOOD\DRINK	233	S	MAIN	ST
F.O.E. Bryan Aerie 2233	FOOD\DRINK	221	S	WALNUT	ST
F.O.E. Bryan Aerie 2233 Parking Lot			S	WALNUT	ST
City of Bryan Parking Lot			S	WALNUT	ST

IV. QUALIFYING PERMIT HOLDERS

In accordance with **O.R.C. 4301.82(B)(3)**, the DORA will encompass not fewer than four qualified permit holders.

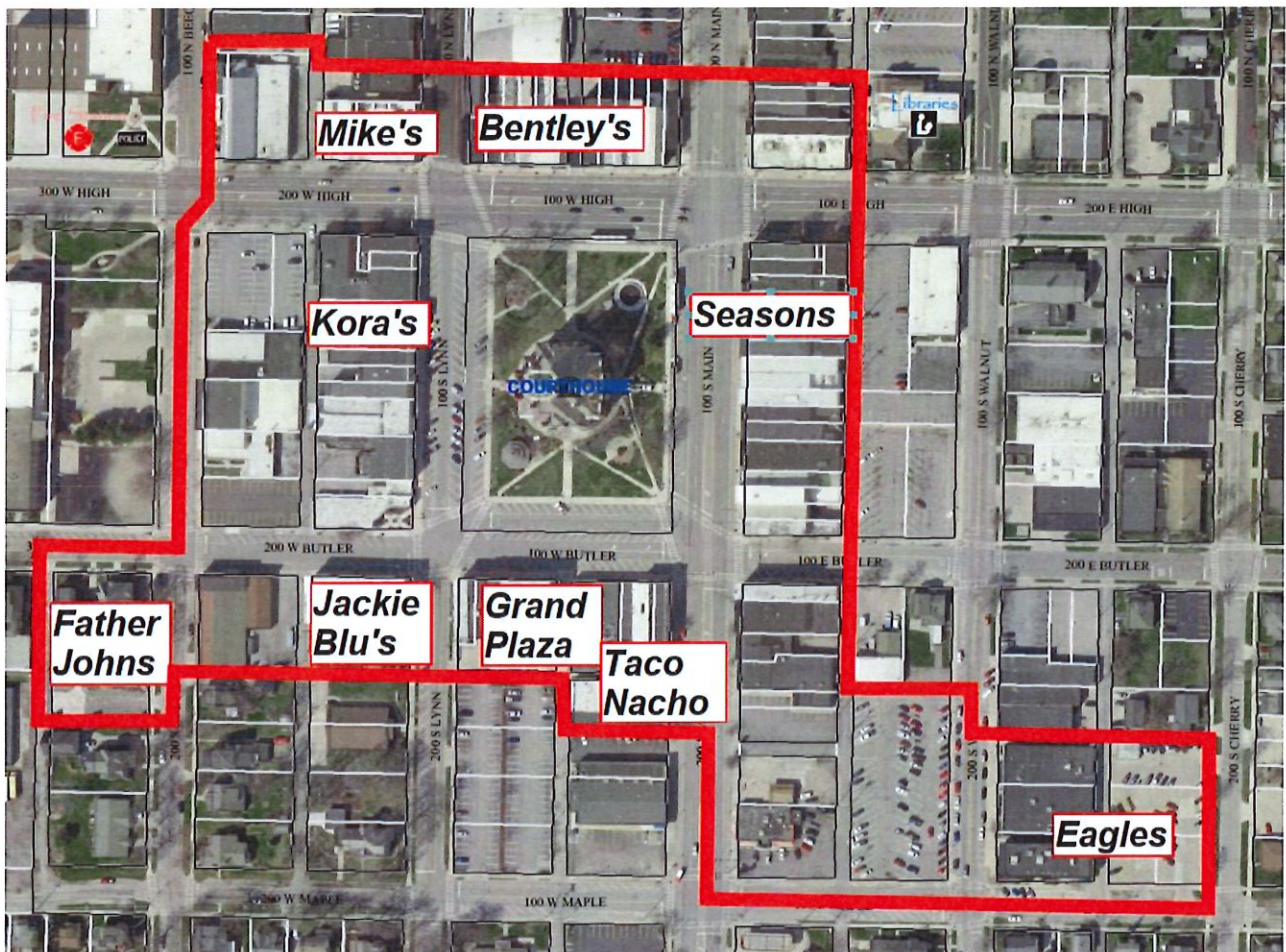
Bryan has identified 8 (EIGHT) qualified permit holders that will likely be included in the DORA:

ESTABLISHMENT NAME	ADDRESS	PERMIT TYPE	PERMIT NUMBER
MIKE'S PLACE	210 W. HIGH	D1-D2-D3-D3A	6198501
CLUB BENTLEY'S	124 W. HIGH	D5	2113609
KORA BREW HOUSE & WINE BAR	120 S. LYNN	D5	4791997
FATHER JOHN'S MICROBREWERY	301 W. BUTLER	A1A-A1C-A2-A3A-D6	25999590010
JACKIE BLU'S	201 W. BUTLER	D5	24551410005
GRAND PLAZA MEXICAN GRILL	139 W. BUTLER	D5-D6	29498070005
TACO NACHO'S	224 S. MAIN	D3	8777112
FOE AERIE 2233 BRYAN	221 S. WALNUT	C2-C2X-D4-D6	27940112233 279401122335

V. LAND USE & ZONING

In accordance with O.R.C. 4301.82(B)(4), the uses of land within the current and future DORA are zoned C-2 (General Commercial), and C-3 (General Business), and are in accord with Bryan's master zoning plan:

<u>Zoning Code Property Type</u>	
R-1	Single Family Residential
R-1-A	Assisted Care/Independent Living
R-2	Single Family Residential
R-3	Single Family Residential
R-4	Multiple Family Residential
C-1	Local Commercial
C-2	General Commercial
C-3	General Business
M-1	Light Industrial
M-1-A	Medium Industrial Manufacturing
M-2	Heavy Industrial



VI. PUBLIC HEALTH & SAFETY

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

Outdoor Dining in Right of Way:

Qualifying permit holders that desire to sell alcoholic beverages as part of providing an outdoor dining area in the City of Bryan's right of way (adjacent to the establishment), must obtain a right of way permit and meet the requirements of the Codified Ordinances for right of way use, and the DORA. These policies will require the qualifying permit holder to submit a sanitation plan, and the physical layout of the tables, chairs and other facilities to among other things comply with ADA requirements. It is anticipated that busing of tables will be required and/or adequate trash cans be in place. Additionally, the permit review will ensure that there are adequate pedestrian passageways and that ingress/ egress for emergency services is adequate. Failure to comply with the requirements of the permit can result in revocation.

Special Events:

The City of Bryan requires that each special event using City property receive a permit from the City. As is the City's practice, each event will be reviewed as required in the Codified Ordinances of the City of Bryan. 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 for portable bathrooms, handicap accessibility, pedestrian mobility, police, fire and emergency medical ingress and egress, crowd control, DORA boundary management and trash management (dumpsters, cans, pick-up, etc.) will be addressed. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary to ensure adequate health, public and safety requirements.

City of Bryan DORA Safety Plan:

The Safety Plan will help maintain public safety within the DORA, and designate the number of personnel needed to execute the Safety Plan. This will be accomplished in the following manner.

Current Public Safety personnel are adequate to maintain public safety within the DORA district. The City of Bryan Police Department (BPD) currently has multiple overlapping shifts which will enable it to maintain public safety within the DORA district.

BPD has flexibility when deploying resources and has years of experience dealing with all of the downtown events such as the Bryan Jubilee and other individual bar events which draw large crowds throughout the year.

Staffing for the DORA would consist of:

1. Utilizes the current scheduled overlapping shifts of 11a-9p, 5p-3a and 9a-7a and gives the ability to actively patrol the DORA and have a visible presence in the assigned area.

2. During pre-planned or known special events that will increase the activity in the DORA area the BPD will seek organizations involved with the events to help supplement the manning needed to effectively police the DORA area. BPD will seek payment from such organizations for extra duty officer(s) as needed. The officer(s) primary responsibility would be the downtown core business district and main street district where the DORA is located.

3. All supervisors or OIC's (Officer's in Charge) have the flexibility to call in additional manning for emergency situations or if large crowds start to get out of control. Beginning with the commencement of the DORA and continuing for a period of six (6) consecutive months, the Mayor of the City of Bryan, the Chief of Police of the City of Bryan and the DORA review committee shall meet quarterly to review the Safety Plan herein. The purpose of this meeting will be to determine whether updates, modifications or supplementation may be advisable or required, and in said event, such changes shall be presented to Council for consideration and implementation.

The Mayor of the City of Bryan, the Chief of Police of the City of Bryan and the DORA review committee shall meet and review the Safety Plan as needed for any special events within the DORA or as other circumstances may require or arise.

The Mayor of the City of Bryan, the Chief of Police of the City of Bryan and the DORA review committee have 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 City of Bryan.