

CITY OF SPRINGBORO, OHIO
ORDINANCE NO. _____

AN ORDINANCE EXTENDING THE DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) FOR AN ADDITIONAL FIVE-YEAR PERIOD AND ESTABLISHING REQUIREMENTS TO ENSURE CONTINUED PUBLIC HEALTH AND SAFETY.

WHEREAS, pursuant to Section 4301.82 of the Ohio Revised Code, the City of Springboro established a Designated Outdoor Refreshment Area (DORA) encompassing approximately 28.9 acres to promote economic development, tourism, and community engagement; and

WHEREAS, the initial approval of the DORA included a provision requiring City Council to conduct a review of its operation after five years to determine whether it should continue; and

WHEREAS, the City has conducted a comprehensive review of the DORA's operations and has found it to be in compliance with Section 4301.82 of the Ohio Revised Code, with no adverse effects on public health or safety; and

WHEREAS, City Council finds that the continuation of the DORA will further promote economic growth, enhance the cultural vibrancy of the City, and provide additional opportunities for businesses and residents; and

WHEREAS, public notice regarding the proposed renewal of the DORA was published in accordance with Section 4301.82(I)(1);

NOW, THEREFORE, THE MUNICIPALITY OF SPRINGBORO HEREBY ORDAINS:

SECTION I

The Designated Outdoor Refreshment Area (DORA) is hereby extended for an additional five-year period, effective from the adoption of this Ordinance. The DORA shall continue to encompass the property identified in the attached Exhibit A and depicted in the attached Exhibit B, which are incorporated herein by reference.

SECTION II

In order to ensure public health and safety within the extended DORA, City Council reaffirms the following requirements:

- (a) The specific boundaries of the DORA, including street addresses, are shown on Exhibits "A" and "B" attached hereto.
- (b) Boundary signs shall remain in place to clearly identify the limits of the DORA, with the number, location, and type of signs as detailed in Exhibit "A."
- (c) The hours of operation for the DORA shall remain Monday through Sunday from 12:00 p.m. (noon) to 12:00 a.m. (midnight), unless amended by City Council.
- (d) The previously approved Safety Plan remains in effect to ensure public safety and is attached hereto as Exhibit "C."
- (e) The previously approved Sanitation Plan remains in effect to maintain cleanliness and public health within the DORA and is attached hereto as Exhibit "D."

(f) Beer and intoxicating liquor shall only be served and consumed within the DORA in the specifically designated plastic cups approved by the City.

All exhibits referenced in this Section II are incorporated herein by reference.

SECTION III

City Council shall review the operation of the DORA five years from the effective date of this renewal. Following such review, City Council shall, by ordinance, either approve its continued operation or dissolve it, in accordance with Section 4301.82 of the Ohio Revised Code.

SECTION IV

Public notice of any reviews or actions related to the DORA, as outlined in Section III, shall be provided in compliance with Section 4301.82(I).

SECTION V

It is hereby determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION VI

This Ordinance shall take effect thirty (30) days after its adoption, the earliest date allowed by law.

Adopted: _____.

John H. Agenbroad, Mayor

ATTEST: _____
Lori A. Martin, Clerk of Council

This Ordinance was prepared by Assistant Law Director Marcella T. McHenry.



CITY OF SPRINGBORO, OHIO

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of an Application to the Council of the City of Springboro, Ohio seeking approval for the continuation of a Designated Outdoor Refreshment Area (DORA) within the City of Springboro, Ohio corporation limits, with specific boundaries in the Wright Station area of the City located within the Urban Village District and the Historic Downtown area of the City, which is primarily located within the Central Business and Urban Village Districts, for a 5-year period pursuant to Ohio Revised Code (ORC) Section 4301.82(I)(1), and was filed with the Springboro Legislative Authority in the Office of the Clerk of Council on the 3rd day of January 2025.

Greg L. Shackelford, Assistant City Manager *(for)*
The Office of the City Manager of the City of Springboro, Ohio

Dated:

12/31/24

RECEIPT

The undersigned hereby acknowledges receipt of the foregoing Application.

Lori A. Martin, Clerk of Council *(for)*
The City Council of the City of Springboro, Ohio

Dated:

1/3/25

City of Springboro

320 West Central Avenue

Springboro, Ohio 45066

Phone 937 748 4343

Fax 937 748 0815

www.ci.springboro.oh.us

**Application to the Council of the City of Springboro, Ohio
for a five (5) year extension of a Designated Outdoor Refreshment Area,
with specific boundaries, extending to the Historic Downtown area of the City which is
primarily within the Central Business and the Urban Village Districts.**

Submitted January 3, 2025

I. Introduction

The Office of the City Manager of Springboro, Ohio and the Planning Department respectfully submit the following application to City Council of Springboro, Ohio to extend the term of an existing 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 over 21 are permitted to possess and consume alcohol in public, with certain restrictions. 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 Springboro 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 on the following page. The specific boundaries of the DORA have been extended to the Historic District, including street addresses and a map of the proposed area are further depicted in Exhibit “A” and “B” attached hereto and incorporated herein. The existing DORA is approximately 21.1 acres. Also, see attached letter from Chad Dixon, City Engineer authorizing the acreage amount in his professional opinion. The total acreage combined for the area is 28.9 total acres.

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 existing DORA encompasses Springboro’s Historic Downtown primarily located in the Central Business District. There are approximately 40 businesses in this area which are located on the east and west side of S. Main St., and the Wright Station area in the Urban Village District.

Examples of the retail, dining (restaurant), service, and other institutional establishments located in the DORA:

Establishment	Address	Establishment	Address
<i>Retail</i>		<i>Institutional/Government</i>	
Lamplight Antiques	65 S. Main St.	Sugarcreek Educational Concepts	15 S. Main St.
Wooly Bully Yarn Company	135 S. Main St.		

Finance/Service

HER Realtors	209 S. Main St.
Eve's Ink Tattoo	545 S. Main St.
Berkshire Hathaway	140a S. Main St.

Dining

Heather's Coffee & Café' 505 S. Main St.

The businesses that do not have liquor permits have been given the option to allow DORA patrons to enter the business property with a DORA beverage. Businesses will also continue to have the option not to allow patrons with a DORA beverage to enter the property. The City will continue to provide decals that will clearly designate the business chosen status in relation to this opportunity.

In addition to the above referenced business examples, there are approximately 25 homes that will be included in the new DORA. DORA patrons are not permitted to enter individual property owners' homes or property with DORA beverages. DORA patrons must remain on the sidewalk or right of way areas while on individual owners' properties.

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 as follows:

Wright Station DORA:

Permit Holder	Address	Classes	Permit Number
Springboro Community Theatre	115 Wright Station Way, Springboro, OH 45066	D5H	8445245
A M C Pizza Inc. dba Cassanos Pizza & Subs	49 N Main St, Springboro, OH 45066	D5	00057280210
Camarena Spirits dba Tres Amigos Bourbon & Tequila	92 Edgebrook Dr, Springboro, OH 45066	D5I, D6	1252523
Warped Wing Brewing Co. dba Warped Wing	25 Wright Station Way, Springboro, OH 45066	A1A, A1C, A2, B2A	94107230015
TBC Inc. dba The Breakfast Club	5 W. Central Ave.	D2, D3 & D6 (All Pending)	8827933

Historic Downtown
DORA Area:

Suburban Hippie LLC	345 S. Main St., Springboro, OH 45066	D2 (Pending)	8673221
Heather's Café	505 S. Main St., Springboro, OH 45066	D5	8681426
70 70 Social Club LLC	140 S. Main St., Springboro, OH 45066	D1, D2, D3 D6 (Pending)	8001946

Section 4 - Area Impact

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 Springboro, are as follows:

For DORA Existing Area Impact

The site of the existing DORA is currently zoned CBD, Central Business District, and UVD, Urban Village District. The CBD-zoned area comprises most of the DORA expansion area. It is a Euclidean zoning district that permits a mix of uses consistent with South Main Street's development pattern from the City's founding in 1815 to the 1960s: single-family residences, small-scale commercial buildings, none more than two stories and some with residential apartments, churches, and two small parks. The CBD allows as permitted uses restaurants, and bars and taverns. The CBD zoning district also includes development standards—setbacks, development densities, building heights, as well as other development standards—that are consistent with South Main Street's development pattern.

The CBD coincides with a federally- and locally-recognized Historic District. For the locally-recognized district, the City of Springboro works in partnership with the National Park Service and the Ohio History Connection as a Certified Local Government (CLG). The City is responsible for managing changes to building exteriors and property and the overall character of the district through an Architectural Review Board (ARB) that acts as a landmark commission. Buildings protected under the CLG program include structures built between 1810 and 2016.

The CBD portion of the DORA expansion is consistent with the City's master plan that was adopted in February 2022. The master plan recommendations are included in 16 policy areas that were created based on proximity, date of development, and land use patterns. Policy Area 13, Historic Code, includes the DORA expansion area and recommends maintenance of the mixed-use character of the area, transforming the area into a destination district, maintenance of the viability of the businesses through Main Street-type programming, and traffic management.

A small portion of the DORA expansion area is zoned UVD. That zoning category also supports the recommendations of the 2022 master plan.

SOURCE: Dan Boron, City Planner, City of Springboro

Section 5 - Signage

In accordance with the ORC § 4301.82 F(1)(b), the Superintendent of Streets states there will be a minimum of 15 signs and anticipates there will be approximately 15 signs designating the boundary of the DORA. The location and spacing of the signs is shown on attached Exhibit “B”. The signs will be mounted and located at all street intersections along the boundary of the DORA. The content and style of this signage shall, in sum or substance, consist of the following:





Section 6 - Hours of Operation

In accordance with ORC § 4301.82 (F)(1)(c), the hours of operation for the DORA will remain: Monday through Sunday, 12:00 p.m. (noon) to 12:00 a.m. (midnight).

The applicant requests that City Council reserve the right to temporarily suspend DORA operations for a period of up to seven (7) days in order to accommodate the permitting of special events that may occur within the boundaries of the DORA.

Section 7 - 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. A copy of which is attached hereto as Exhibit “C”. The Safety Plan can be executed with existing staff.

Section 8 - Sanitation Plan

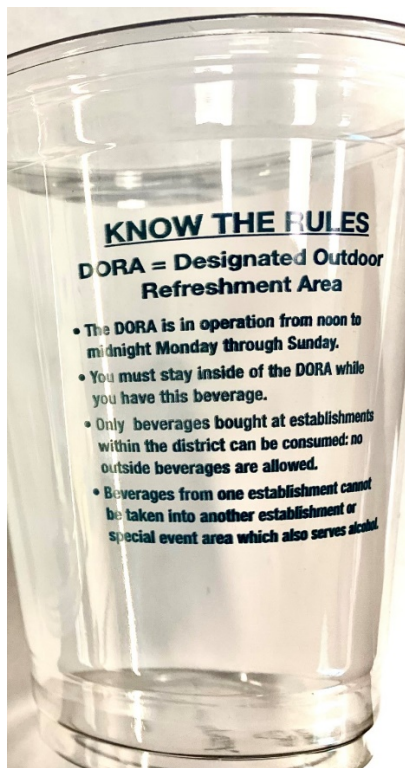
In accordance with ORC § 4301.82 (B)(5), (F)(1)(e), and (F)(1)(f), a Sanitation Plan has been developed that will help maintain the appearance and public health of the area within the DORA. A copy is attached hereto as Exhibit “D”. The Sanitation Plan can be executed with existing staff.

Section 9 - Official DORA Cup

In accordance with ORC § 4301.82 (F)(1)(g), beer, wine, and intoxicating liquor shall only be consumed within the DORA as follows:

Beer, wine, and intoxicating liquor shall only be served and consumed in the DORA in the specifically designated plastic bottles or other plastic containers produced and provided by the City (the “Official Cup”). The Official Cup will be distinctly marked to indicate the seller. Used cups must be disposed of before entering any establishment of a qualified permit holder.

The City Manager requests authority from City Council to approve the design of an official plastic container to be used by all qualified permit holders within the DORA. The City Manager anticipates that the content and style of the Official Cup shall, in sum or substance, consist of the following (**examples only**):



However, if changes are made, qualified permit holders will be given a 90 day notice of the change.

Official Cups will be produced and provided by the City. Each qualified permit holder must order and purchase cups through the City in lots of 500 (unless otherwise agreed upon). The price per cup will be based on a price that will allow the City to recover costs associated with purchase. The City Manager may withhold the sale of cups to any establishment found to be in non-compliance with local, state, or federal law as advised by the Director of Public Safety.

Official Cup charges collected will 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.

Section 10 - 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.

In accordance with ORC § 4301.82 (D)(2), the City of Springboro's population as of the 2020 Census is 19,040, and the City has not created more than three outdoor refreshment areas which complies with the requirements of ORC 4301.82 (D)(2).

Greg Shackelford, Assistant City Manager, City of Springboro

EXHIBITS A & B

Exhibit A is the Street Boundary Listing. See attached

Exhibit B is the Street Map with DORA boundaries, signage, and receptacle locations. There is also a diagram showing the current and future building locations. See attached.

EXHIBIT "C"

Safety Plan

Designated Outdoor Refreshment Area (DORA)

Springboro Division of Police DORA Safety Plan

The goal of the Police Division safety plan is designed to help maintain public safety within the DORA, and designate the philosophy initiated to meet that goal.

Current staffing levels within the Police Division are adequate to provide a regular and routine presence in the DORA at all times. Supporting this function are a number of other agency resources

and outside agencies that are prepared to assist in the event of a critical incident or event that requires a deployment of significant resources.

The Springboro Division of Police has significant flexibility in the deployment and assignment of resources on an hourly basis to meet the changing needs of the DORA daily. The greater Springboro area hosts a variety of events that routinely draw hundreds of people and residents to an outdoor venue.

Specific deployment strategies involve.

1. The Springboro Police Division maintains a 24/7 staffing of uniform police resources within the corporate limits of the City of Springboro.
2. The location of the DORA is at the convergence of three patrol districts. All three patrol districts will be authorized to provide police and first responder services within the DORA.
3. Depending on the nature of the activities scheduled within the DORA, the businesses within the DORA will periodically supplement the assignment of Springboro Police Officers with extra duty officers. This extra duty officer's primary responsibilities will be strictly to the boundaries of the DORA.
4. When the City of Springboro is a participating entity in special events and activities within the DORA, additional police officers are assigned and dedicated to the DORA as required by the nature of the special event. There is no additional costs passed on to the businesses located within the DORA for this police presence.

Beginning with the commencement of the DORA, and continuing for the duration of the extended DORA period, the City of Springboro will continue to schedule and to attend regular meetings with the businesses within the DORA for the purpose of determining whether updates, modifications, or supplementation may be advisable or required in the safety plan.

The Chief of Police of the City of Springboro 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 City of Springboro.

Exhibit D. City of Springboro's DORA Sanitation Plan

The Sanitation Plan that will help maintain the appearance and public health of the DORA, and the number of personnel needed to execute the Sanitation plan is as follows:

There are currently fifteen (15) trash receptacles located in the proposed outdoor refreshment area, and locations are identified in the map on Exhibit "B".

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. The Director of Public Works 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 Director of Public Works. Upon approval of the Director of Public Works, 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.

Each qualified permit holder located within the DORA shall be responsible for the collection of litter near or around the premises occupied by the permit holder.

Director of Public Works, with input from Superintendent of Streets, 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.

Director of Public Works, and Street Supervisor have 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 Springboro.

SOURCE: Director of Public Works, Vince Murphy, City of Springboro
 Street Supervisor, Ryan Michel, City of Springboro

Warren County
Springboro, Ohio
Wright Station/Downtown
August 27, 2020 - Original DORA Date
Renewal Date May, 2025



Exhibit A

Street Boundary Listing

Street Name	Range	Even & Odd
West Central Avenue	10-20	Even
North Main Street	15-49	Odd
Wright Station Way	25	Odd
Wright Station Way	115	Odd
Founders Drive	50	Even
Edgebrook Drive	92	Even
South Main Street	15-550	Even & Odd
West Mill Street	5-15	Odd
East Central Avenue	25	Odd

LIST STREETS LATER DEVELOPED AND ADDED, OR ANY CORRECTIONS TO THE ORIGINAL STREET LISTING, WITHIN THE BOUNDARIES OF THE CED.

Streets Developed and Added	(Type Date streets added)	Even & Odd
South Main Street	June 29, 2022	Even & Odd
West Mill Street	June 29, 2022	Odd
East Central Avenue	June 29, 2022	Odd

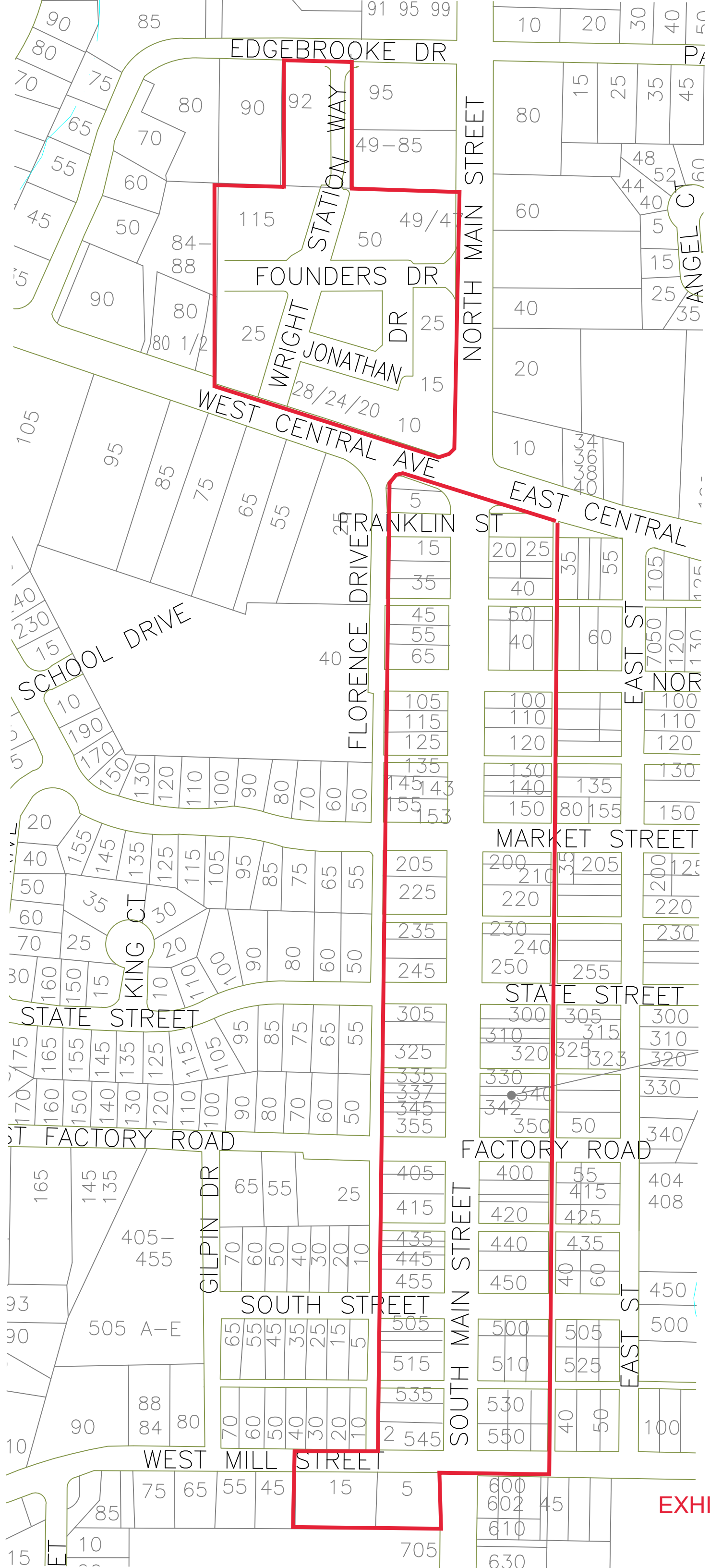


EXHIBIT B



June 22, 2022

Ohio Department of Commerce
Division of Liquor Control
6606 Tussing Road, PO Box 4004
Reynoldsburg, Ohio 43068

RE: City of Springboro Designated Outdoor Refreshment Area

To whom it may concern,

I have reviewed the map attached as Exhibit A hereto, with the purpose of substantiating the stated Designated Outdoor Refreshment Area (DORA) acreage. The map was created using the Warren County Geographical Information System (GIS). It has been my professional experience that the data contained within the Warren County GIS is reliable for use in determining the acreage of the DORA. I believe the acreage has been calculated using the most reliable and accurate data currently available given the considerable resources that would be needed to survey the area.

If you have any questions or need additional information, please call me at 937-748-6184.

Sincerely,

Chad Dixon, P.E.
City Engineer



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