

**Application to the Council of the Village of New Richmond, Ohio for
the establishment of a Designated Outdoor Refreshment Area, with
specific boundaries, in the New Richmond Core Business District.**

Submitted February 11, 2020

I. Introduction

The Village of New Richmond Planning Commission respectfully submit the following application to the Village Mayor for presentation to Village Council of New Richmond, Ohio to approve and establish a Designated Outdoor Refreshment Area (hereinafter "DORA"), pursuant to Ohio Revised Code ("ORC") 4301.82.

A DORA is an area where the statutory open container restrictions do not apply at particular hours, and adults are permitted to possess and consume alcohol in an identified area, with certain restrictions. A DORA established within the Village of New Richmond would be the first DORA established in a village in Clermont County. The purpose of the DORA would be for economic betterment of businesses, residents, and property owners within the DORA, as well as the Village of New Richmond as a whole.

Section 1 — Boundaries

In accordance with the ORC 4301.82(B)(1)(b); ORC 4301.82(D)(b); and ORC 4301.82F(1)(a), the boundaries of the DORA are depicted on the following page. The area is bounded by the following:

- The southwest boundary is Front Street right of way continuing to Susanna Way from Sycamore Street to right of way of Augusta Street.
- The east boundary line proceeds up Augusta to Washington Street and heads west.
- The west boundary line is the west right-of-way line of Sycamore Street commencing at its intersection with the Front Street moving north to the intersection of Willow Street.
- The north boundary line commences at intersection of Sycamore and Willow and commences south along Willow right of way until the intersection of Union Street. The line commences along Union Street right of way until the intersection of Washington Street and commences east.

The specific boundaries of the DORA, including street addresses and a map of the proposed area are further depicted in Exhibit "A" and "B" attached hereto and incorporated herein. The DORA is approximately 33 acres.

EXHIBIT A



Linda L. Fraley
Clermont County Auditor

Clermont County Ohio, Esri, HERE, Garmin, OpenStreetMap, DigitalGlobe, GeoEye, Earthstar Geographics, and the GIS User Community, Clermont County



Clermont County Auditor Map

1/3/2020

The information contained in this representation. Clermont County herein and assumes no liability

EXHIBIT B



The information contained on this map is a public resource for general information and is provided for use only as a graphical representation. Clermont County makes no warranty as to the content, accuracy, or completeness of the information contained herein and assumes no liability for any errors. Any reliance on this information is at the exclusive risk of the user.
 Map prepared by Clermont County GIS.

The proposed Designated Outdoor Refreshment Area for New Richmond is estimated to encompass approximately 33 acres.

Kelly Perry 4/12/20
 Kelly Perry, GIS Administrator
 Clermont County GIS

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 Village of New Richmond Designated Outdoor Refreshment Area (DORA) are as follows: Within the DORA, the majority of the buildings will have retail and restaurants on their first floor and there will also be residential, multi-family and single family.

Examples of the retail, dining, services, and government establishments that will initially be located in the DORA:

Establishment	Address	Establishment	Address
<i>Retail</i>		<i>Major Employers</i>	
Mr. Grim's	128 Front Street New Richmond, Ohio 45157	Park National Bank	100 Western Avenue New Richmond, OH 45157
Past Times Games and Books	221 Front Street New Richmond, OH 45157	River Hills Bank	110 Front Street New Richmond, OH 45157
Worshouse Laundromat	426 Front Street New Richmond, OH 45157	Captains Cove	301 Washington Street New Richmond, OH 45157
<i>Dining</i>		<i>Government</i>	
Front Street Cafe	120 Front Street New Richmond, OH 45157	Village Hall Offices	102 Willow New Richmond, OH 45157
Bucks Riverside Grill	100 Front Street New Richmond, OH 45157	Police Department	102 Willow New Richmond, OH 45157
Green Kayak	300 Front Street New Richmond, OH 45157		

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 within ORC 4301.82 (A) and which consist of the following permit holders:

Permit Holder	Street	Classes	Permit Number	DBA
Front Street Café, INC.	102 Front Street	D1, D2, D3, D6	2948474	Front Street Café 1 st Fl & Patio & Rear
GreenKayak Market LLC	200 Front Street	D5, D6	3361821	
Fred Calaway Post 6770	111 George St.	D4	962235567700	
Joseph Allen Vogel	395 Susanna Way	D5, D6	9297210	Steamboat Marina
Al Post0550	550 Washington Street	D4	009039505506	American Legion

SOURCE: Ohio Department of Commerce, Division of Liquor Control

Note: All entries are permit holders who are committed at time of application to participate.

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 Village of New Richmond, are as follows:

The uses of land within the proposed DORA are in accord with the Village's current master zoning map. All of the parcels within the DORA are currently zoned one of the following: B-1 Business; B-2 Business; R5-C Multifamily Residential Core; and/or R-3 Single Family Residential. Restaurants that serve alcohol, bars, and nightclubs (uses that would typically utilize a DORA license) are permitted uses in all of the aforementioned zoning districts.

The area of the DORA is envisioned as a mixed-use center of the community. The DORA designation complements this vision and will foster continued investment supporting the retail, restaurants, establishments, and residential uses contained within the DORA area. .

Section 5 - Signage

In accordance with the ORC 4301.82 (B)(5) and ORC 4301.82 (F)(1)(b), the New Richmond Director of Public Safety & Service has determined there must be a minimum of 14 signs designating the boundary of the DORA. The locations and spacing of the signs are shown on attached Exhibit "C". 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:

Front Side of Street Signs:



Section 6 - Hours of Operation

In accordance with ORC 4301.82 (B)(5) and ORC 4301.82 (F)(1)(c), the hours of operation for the DORA will be: Monday through Sunday, 12:00 p.m. (noon) to 10:00 p.m.

The applicant requests that Village 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 ORC 4301.82 (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 "D". The Safety Plan can be executed with existing staff.

Section 8 - Sanitation Plan

In accordance with ORC 4301.82 (B)(5) and ORC 4301.82 (F)(1)(d), 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 "E". The Sanitation Plan can be executed with existing staff.

Section 9 - Official DORA cup

In accordance with ORC 4301.82, 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 plastic bottles or other specifically designated plastic containers produced and provided by the Village of New Richmond (the "Official DORA Cup"). The Official Cup will be distinctly marked with the DORA logo. No other container will be permitted. Used cups must be disposed of before entering any establishment of a qualified permit holder.



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

Official Cups will be produced and provided by the Village of New Richmond. Each qualified permit holder must order and purchase cups through the Village. The price per cup is to be determined.

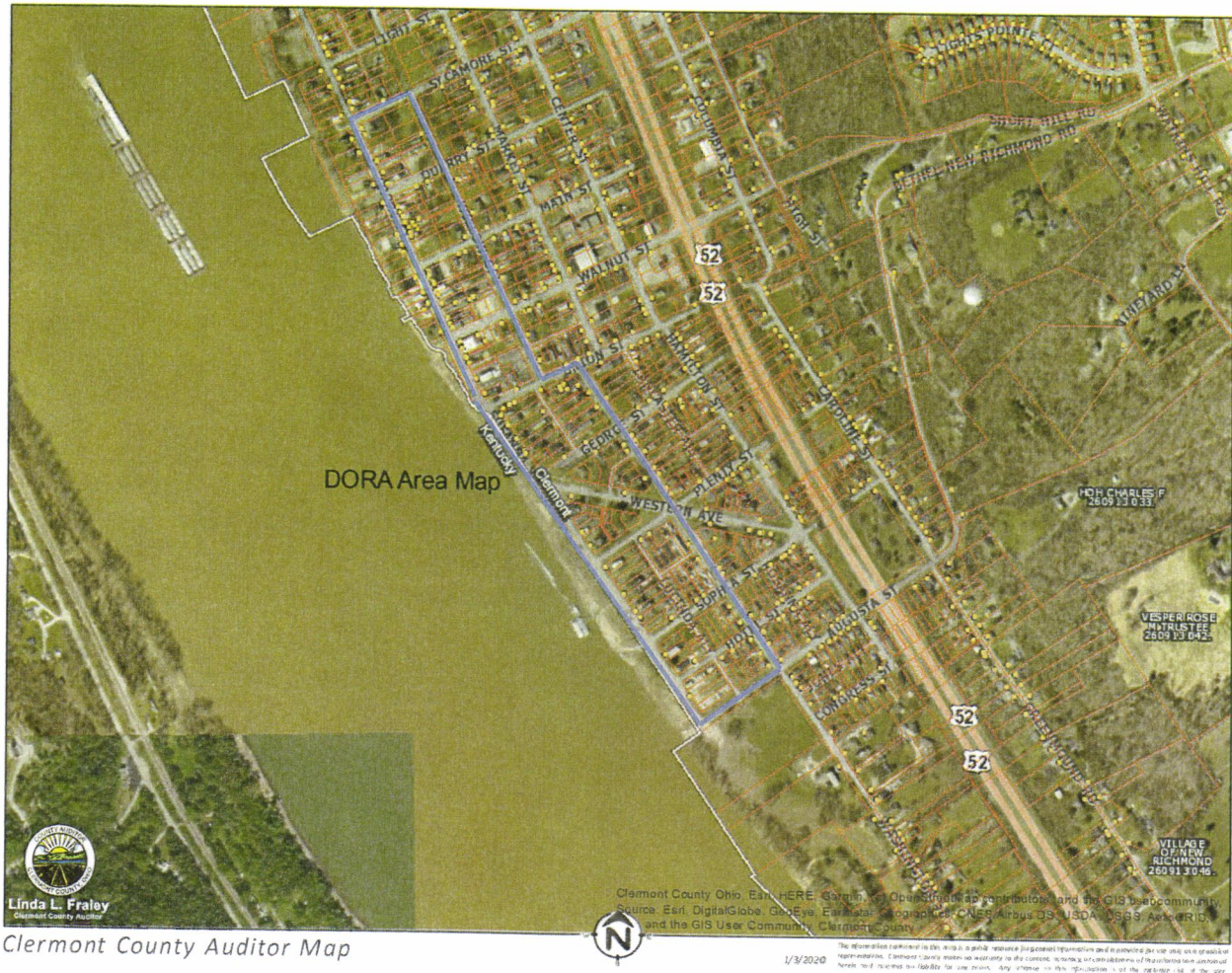
Section 10 - Additional Rules and Requirements

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 been issued an outdoor refreshment area designation by the division of liquor control.
- 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.

EXHIBIT A

Map of the Outdoor Refreshment Area



Said description contains approximately 33 continuous acres.

SOURCE: Area Certified by Clermont County GIS Office.

EXHIBIT B

Street addresses of real property included in specific boundaries of the DORA

Village of New Richmond Street Address Locations

<u>STREET NAME</u>	<u>ADDRESS/RANGE</u>
FRONT	100-500
WASHINGTON	201-507
UNION	102, 112-305
SUSANNA WAY	104-500
HOTEL	502
GEORGE	111
WILLOW	102-411
WESTERN	101
SYCAMORE	101-220
QUARRY	114
MAIN	111-203

EXHIBIT C



Sign Locations

EXHIBIT D

Designated Outdoor Refreshment Area (DORA) Security Plan

The Number of Personnel Needed to Ensure Public Safety in the DORA

The DORA's primary security force will be off-duty police officers (Outside Security) for private events and on-duty extra Village of New Richmond police officers specifically assigned to the DORA for Village of New Richmond sponsored and approved events. The Village commits to staffing, or requiring private events to staff special events at adequate security levels based on a risk analysis performed by the Village of New Richmond Police Department. Police officers working as outside security may not leave the DORA without supervisor permission. Their primary responsibility is to ensure the safety of people and property existing within the DORA. Their secondary responsibility is to enforce DORA regulations.

In addition, the New Richmond Police Department staffs a minimum of one (1) on-duty Police Officer to monitor the DORA as often as possible during DORA Hours of Operation as the *redundant* security force. This is not an open-ended commitment, and shall be tailored based on attendance, and risk to public safety, in an efficient, ongoing basis. These on-duty Village police officers' first responsibility is to respond to calls for service throughout the Village of New Richmond.

Finally, the Village will provide a minimum of one (1) marked Village of New Richmond Police vehicle for the on-duty Village Officers' use while in the DORA.

This Security Plan will be reviewed continuously, and may be updated at any time, but only with Village approval to ensure public safety.

EXHIBIT E

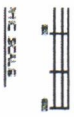
Designated Outdoor Refreshment Area (DORA) Sanitation Plan

Requirements for Ensuring Public Health and Safety within the DORA

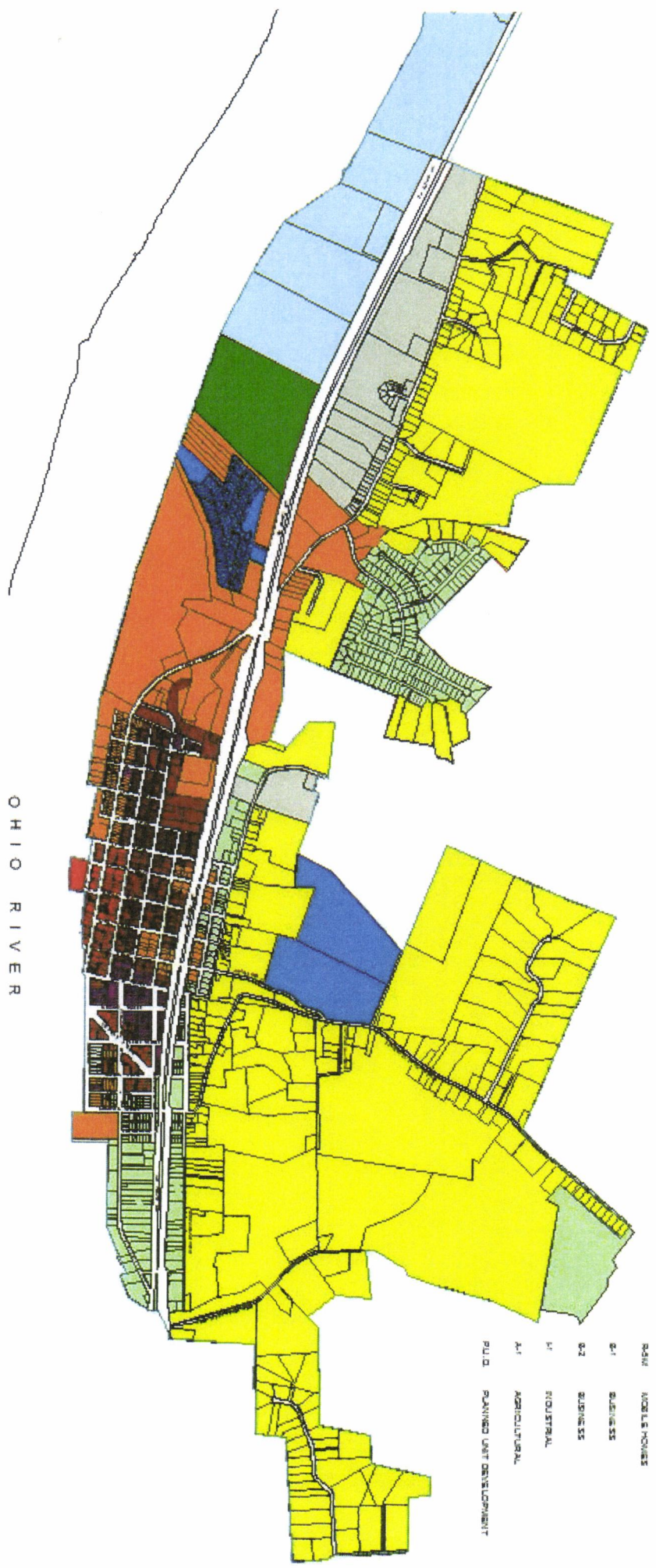
The Village of New Richmond Public Works Department will be responsible for maintaining the appearance and public health within the DORA. The Village of New Richmond currently has multiple permanent trash receptacles placed along Front Street and Susanna Way. The trash receptacles will be serviced by the Village's waste and recycling contractor once per week. Additional collections will be done on an as-needed basis. The Village's Public Works Department will monitor the receptacles and coordinate additional collections if needed.

For planned events in the DORA that may draw larger than normal attendance, portable restroom facilities shall be required at a central location within the DORA at the expense of the event organizer. Businesses with liquor permits within the DORA that are participating will be encouraged to allow general public access to their restroom facilities during the hours DORA is in effect.

(Date):



NEW RICHMOND, OHIO ZONING MAP



OHIO RIVER

LEGEND	
R2	SINGLE FAMILY RESIDENTIAL
R3	SINGLE FAMILY RESIDENTIAL
R4	SINGLE FAMILY RESIDENTIAL
R5C	MULTI-FAMILY RESIDENTIAL (CONDO)
R5	MULTI-FAMILY RESIDENTIAL
R5B	MEDIUM DENSITY RESIDENTIAL
R5D	MEDIUM DENSITY RESIDENTIAL
R5E	MEDIUM DENSITY RESIDENTIAL
R5F	MEDIUM DENSITY RESIDENTIAL
R5G	MEDIUM DENSITY RESIDENTIAL
R5H	MEDIUM DENSITY RESIDENTIAL
R5I	MEDIUM DENSITY RESIDENTIAL
R5J	MEDIUM DENSITY RESIDENTIAL
R5K	MEDIUM DENSITY RESIDENTIAL
R5L	MEDIUM DENSITY RESIDENTIAL
R5M	MEDIUM DENSITY RESIDENTIAL
R5N	MEDIUM DENSITY RESIDENTIAL
R5O	MEDIUM DENSITY RESIDENTIAL
R5P	MEDIUM DENSITY RESIDENTIAL
R5Q	MEDIUM DENSITY RESIDENTIAL
R5R	MEDIUM DENSITY RESIDENTIAL
R5S	MEDIUM DENSITY RESIDENTIAL
R5T	MEDIUM DENSITY RESIDENTIAL
R5U	MEDIUM DENSITY RESIDENTIAL
R5V	MEDIUM DENSITY RESIDENTIAL
R5W	MEDIUM DENSITY RESIDENTIAL
R5X	MEDIUM DENSITY RESIDENTIAL
R5Y	MEDIUM DENSITY RESIDENTIAL
R5Z	MEDIUM DENSITY RESIDENTIAL
A1	AGRICULTURAL
PUD	PLANNED UNIT DEVELOPMENT