



**APPLICATION TO THE DELAWARE CITY
COUNCIL:
DOWNTOWN DELAWARE DESIGNATED
OUTDOOR REFRESHMENT AREA**

O.R.C. 4301.82



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

Submitted

By: _____

R. Thomas Homan, City Manager

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I. 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 “DORA’s”. In order to consider creation of DORA, the City Manager must file an application with the City of Delaware City Council which meet certain statutory requirements. The application filing must be advertised once per week 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, City Council may approve or disapprove of the application by ordinance or resolution.

At its meeting on May 22, 2017, members of City Council directed staff to prepare the application for a DORA for downtown Delaware that includes Sandusky Street from Spring Street to Central Avenue and on William and Winter Streets from Franklin Street to Union Street that it could be brought before City Council for formal action.

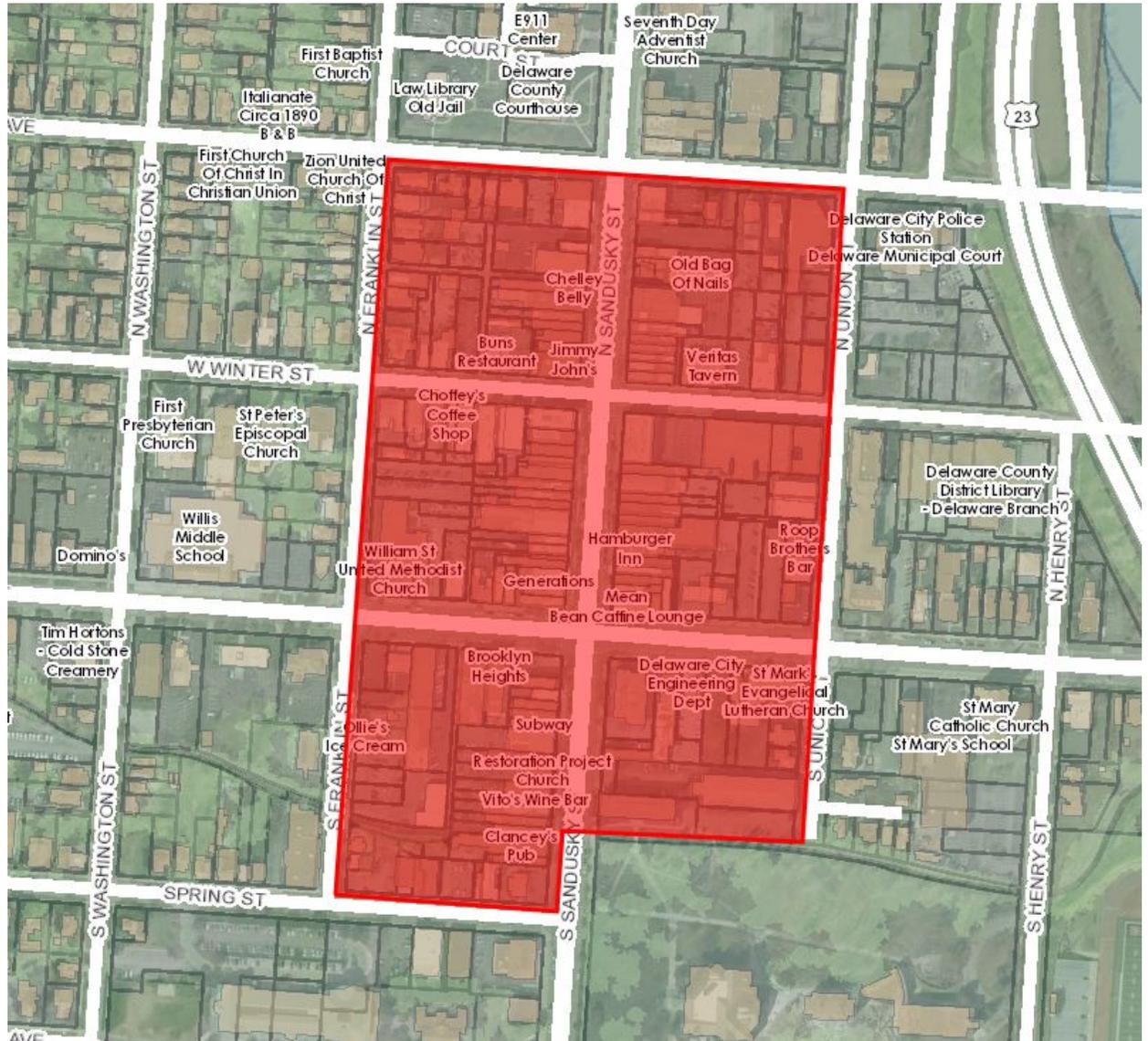
Therefore, the following application is being respectfully submitted to City Council for their consideration. The application is for special events only. Host entities of the various Special Events in the downtown will have to apply for a permit to hold an event downtown and then their plan for the DORA, Health and Safety will be reviewed and approved by staff.

The application includes the following:

- Section II.** A creation of a DORA on Sandusky Street from Spring Street to Central Avenue and on William and Winter Streets from Franklin Street to Union Street.
- Section III.** A comprehensive list of all first floor businesses located in the proposed DORA district and a general description of their business
- Section IV.** A list of all liquor permit holders in the proposed DORA district. The ORC requires a minimum of four. Staff has identified 21 in the proposed DORA district.
- Section V.** A land use and zoning map of the proposed DORA district.
- Section VI.** The Public Health and Safety Plan that will be implemented in the DORA district.
- Section VII.** A list of Special Events that have taken place in the proposed DORA district that are to be considered by City Council to determine if the DORA district will be permitted to be used by the host entities.
- Section VIII.** A preliminary design of the signs that will be placed at the DORA district boundaries during times the DORA is enacted.

II. BOUNDARIES

In accordance to O.R.C. 4301.82(B)(1)(b), the boundaries of the DORA are depicted below:



The proposed DORA district is north/ south Sandusky Street from Spring Street (the north side of Spring Street only) to Central Avenue and east/ west William and Winter Streets from Franklin Street to Union Street.

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 or adjacent to the DORA district are primarily businesses in the retail, dining, entertainment or services sectors.

Examples of businesses on the first floor include:

Establishment Name	Address
Retail	
Olivina Taproom	44 S. Sandusky St.
Real Big Puppy	28B S. Sandusky St.
Roys Toys	26 S. Sandusky St.
The Stash House	24 S. Sandusky St.
Breakaway Cycling	17 W. William St.
Sherwin Williams	27 W. William St.
DPS Antiques	17 N. Sandusky St.
Edwin Loy Home/Stone & Sparrow Apparel	27 N. Sandusky St.
The Beauty Lab	37 N. Sandusky St.
Pat's Endangered Species Records	11 W. Winter St.
Pure-n-Simple	23 W. Winter St.
Gibson the Florist	19 W. Winter St.
Fundamentals	25 W. Winter St.
Secret Identity Comics	34 N. Franklin St.
Neuhart Carts & Sports Collectibles	26 W. Winter St.
Coffeeology	43 N. Sandusky St.
Delaware Diamonds	49 N. Sandusky St.
Gameplay Unlimited & More	77 N. Sandusky St.
BP	17 E. William St.
Virgin/Boost Mobile	46 E. Winter St.
Woodland Cigar Company	46 N. Sandusky St.
Sandusky Street Antiques	30 N. Sandusky St.
Second Sole Athletic Shoes	28 N. Sandusky St.
Delaware Antique Mall	18 N. Sandusky St.
The Greater Gouda	12 N. Sandusky St.
The Bare Bowl	6 N. Sandusky St.
Toujours	8 N. Sandusky St.
Choffey's Coffee & Confections	17 W. Winter St.
Dining and Adult Beverages	
Vito's Wine Bar	30 S. Sandusky St.
Clancey's	40 S. Sandusky St.
Opa Pub & Grill	18 S. Sandusky St.
Flying Pig Alehouse	12 S. Sandusky St.

Subway	16 S. Sandusky St.
The Backstretch	14 S. Sandusky St.
Amato's Woodfired Pizza	6 S. Sandusky St.
12 West	12 W. William St.
Barley Hopsters	1 N. Sandusky St.
J. Gumbo's	9 N. Sandusky St.
Mohio Pizza	23 N. Sandusky St.
Whit's Frozen Custard	31 N. Sandusky St.
Staas Brewing Company	31 W. Winter St.
Son of Thurman	5 N. Sandusky St.
Restoration Brew Worx	25 N. Sandusky St.
Bun's	14 W. Winter St.
Jimmy John's	47 N. Sandusky St.
Chelley Belly	59 N. Sandusky St.
Roops Brothers Bar	17 N. Union St.
1808 American Bistro	29 E. Winter St.
Mi Cerrito	19 E. Winter St.
Veritas	15 E. Winter St.
Old Bag of Nails	66 N. Sandusky St.
Fresh Start Café & Bakery	24 N. Sandusky St.
Hamburger Inn	16 N. Sandusky St.
Typhoon Asian Fusion Bistro	10 N. Sandusky St.
Solar Saloon*	2 N. Sandusky St.
Home Slice's Bakery & Café	2 N. Sandusky St.
Services	
Ace Cash Express	19 S. Sandusky St.
Sandusky Street Barber	28 S. Sandusky St. #A
The Upper Cut Barber Shop	9 E. William St.
Woody's Head Shed	10 S. Sandusky St.
1820 Collective	18 W. William St.
Lawrence Law Office	24 W. William St.
St. Mark's Lutheran Church	28 E. William St.
RE/MAX Allegiance	11 N. Sandusky St.
Workman Law Firm	35 N. Sandusky St.
Delaware General Health District	3 W. Winter St.
Periwinkle Photography	15 ½ W. Winter St.
Firestone Brehm Hanson Wolf Real Estate Attorneys	15 W. Winter St.
Edward Jones Investments	15 N. Sandusky St.
Title First Agency	13 N. Sandusky St.
Delaware County Board of Realtors	21 N. Sandusky St.
The Hair Studio	33 N. Sandusky St.
The Law Office of Brian Jones	35 N. Sandusky St.
Workman Law Firm	35 N. Sandusky St.

First Commonwealth Bank	41 N. Sandusky St.
Cross Strings	11 ½ W. Winter St.
Back Door Hair Designs	11 W. Winter St.
Robinson Funeral Home	32 W. Winter St.
Martin Shoe Repair	28 W. Winter St.
Allstate Insurance	51 N. Sandusky St.
Chase Bank	61 N. Sandusky St.
iforce Staffing	67 N. Sandusky St.
Emergency Bail Bonds	73 N. Sandusky St.
Kendrick Law Office	79 N. Sandusky St.
Fifth Third Securities	15 W. Central Ave. #105
Vatsures & Vatsures Attorneys at Law	15 W. Central Ave. #205
McCoy Law	25 W. Central Ave.
Gordon Law Office	82 N. Franklin St.
Northpoint Financial	4 W. Winter St.
Evolve Bank & Trust	51 N. Sandusky St.
Smudz Insurance Group	55 N. Sandusky St.
Razor's Edge Barber Shop	71 N. Sandusky St.
Jontaar Creative Studios LLC	81 N. Sandusky St.
Equity Resources	15 W. Central Ave. #101
PVS Corporation	15 W. Central Ave. #203
Delaware Counseling Services	21 W. Central Ave.
Barnes & Co. Certified Public Accountants	15 W. Central Ave. #201
Massage Therapy Innovation, LLC	58 N. Franklin St.
Spa retreat	56 N. Franklin St.
Law Office of Douglas W. Warnock Co.	20 E. Central Ave.
Law office of Agee, Clymer, Mitchell & Laret	20 E. Central Ave.
Leroy's Service Center	40 E. Central Ave.
Tiger Lee's Martial Arts Studio	53 N. Union St.
Amanda Plumbing Sewer & Drain	39 E. William St.
Adecco Staffing	45 E. Winter St.
American Family Insurance	44 E. Winter St.
Dumbaugh Insurance	13 E. Winter St.
State Farm Insurance	7 E. Winter St.
PNC Bank	40 N. Sandusky St.
Pyramid Health Services	9 E. Winter St.
Hilborn Insurance	42 N. Sandusky St.
OneMain Financial	44 N. Sandusky St.
Owens Law Office	46 N. Sandusky St.
Manos, Martin & Pergram Co., LPA	50 N. Sandusky St.
Howard Hanna	52 N Sandusky St.
Fidelity Federal Savings & Loan	60 N. Sandusky St.

Price Realty	68 N. Sandusky St.
Delaware Vision Care	34 N. Sandusky St.
Green Door Salon	4 N. Sandusky St.
Entertainment	
The Strand Theatre	28 E. Winter St.
Other	
Delaware City Hall	1 S. Sandusky St.
Colony House	21 S. Sandusky St.
Delaware County Convention & Visitors Bureau	34 S. Sandusky St.
Delaware Area Chamber of Commerce	32 S. Sandusky St.
William Street Methodist Church	28 W. William St.
Sunrise Dwellings II Inc.	30 N. Franklin St.
Knights of Pythias	9 W. Winter St.
Creative Foundations	57 N. Sandusky St.
Delaware Moose Lodge 1167	80 N. Sandusky St.
Central Ohio Symphony	24 E. Winter St.
Gallery 22	22 E. Winter St.
Main Street Delaware, Inc.	20 E. Winter St.
Delaware County Republican Headquarters	48 N. Sandusky St.
St. Mark's Evangelical Lutheran Church	28 E. William St.

*The Solar Saloon is the only second floor establishment listed because it has a liquor permit

IV. QUALIFYING PERMIT HOLDERS

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

Delaware has identified 21 qualified permit holders that will likely be included in the DORA:

Permit Number	Business Name	DBA	Class	Street Address
04510260001	BARLEY HOPSTERS LLC	Barley Hopsters & Patio	D5	1 N. Sandusky St.
9133496	TYPHOON ASIAN FUSION BISTRO INC	Typhoon Asian Bistro	D5, D6	10 N. Sandusky St. Unit 100 BSMT & Patio
2791900	FLYING PIG ALE HOUSE LLC	The Flying Pig Alehouse	D5	12 S. Sandusky St.
0264226	ARKASA INC	Bun's Restaurant & Bakery	D5, D6	12-14 W. Winter St. & Patio
6272704	MEYERS STRETCH INC	The Backstretch and Patio	D1, D2, D3, D3A	14 S. Sandusky St.
3746533	EVA LLC	Vina Veritas Tavern	D5, D6	15 E. Winter St.
5531553	MARIA FOOD SERVICE LLC	Opa Pub & Grill	D1, D2, D3	18 S. Sandusky St.
4949246	LA CABANA MEXICAN RESTAURANT LLC	Mi Cerrito Mexican Restaurant	D5, D6 (pending)	19 E. Winter St. 1st FLR ONLY
9115185	12 WEST LLC	12 West	D5, D6	12 W. William St.
8837576	DONALD C TEMPLE	Solar Saloon	D5, D6 (Pending)	2 1/2 N. Sandusky St.
6082470	MOHIO PIZZA CO LLC	Mohio Pizza	D5	23 N. Sandusky St.
2847816	FOUR FAT BS LLC	Restoration Brew Worx	A1A, A1C, D6	25 N. Sandusky St. & Patio
8633304	STRAND THEATRE & CULTURAL ARTS ASSN INC	Strand Theatre	D1, D3	26-28 E. Winter St.

1890265	DELSTEAK LLC	1808 American Bistro & Patio	D1, D2, D3, D3A, D6	29 E. Winter St. 1 st FL & BSMT
9289273	VITOS WINE BAR LLC	Vito's Wine Bar, LLC	D1, D2, D3	30 S. Sandusky St.
8371348	SOLZA INC	Clancy's Pub		40 S. Sandusky St.
6539109	OLIVINA TAPROOM LLC	Olivina Taproom	C2, D6 (pending)	44 S. Sandusky St.
2111192	DEVOL HOLDINGS LLC	Son of Thurman	D1, D2, D3, D6 (pending)	5 N. Sandusky St.
71155910020	MICHAEL R PURDUM	Old Bag of Nails	D5, D6	66 N. Sandusky St. & Patio
8003650	740 GROUP LLC	Amato's Woodfired Pizza	D1, D2, D3, D6 (pending)	6-8 S. Sandusky St. 1 st FL & Patio ONLY
52849751167	LOOM LODGE1167 DELAWARE	Moose Lodge	D4, D6	80 N. Sandusky St.

In accordance with O.R.C. 4301.82(F)(1)©, the hours of operation for the DORA district are:

Day	Start Time	End Time
Monday	9:00 a.m.	10:00 p.m.
Tuesday	9:00 a.m.	10:00 p.m.
Wednesday	9:00 a.m.	10:00 p.m.
Thursday	9:00 a.m.	10:00 p.m.
Friday	9:00 a.m.	11:00 p.m.
Saturday	9:00 a.m.	11:00 p.m.
Sunday	Noon	10:00 p.m.

V. LAND USE & ZONING

In accordance to O.R.C. 4301.82(B)(4), the uses of land within DORA are zoned B-2 (Central Business District) or B-3 (Community Business District) and are in accord with the City of Delaware's master zoning plan:

Zoning Districts

	R-3 One-Family Residential District
	R-4 Medium Density Residential District
	R-5 Multi-Family Residential District
	R-6 Multi-Family Residential District
	R-7 Multi-Family Residential District
	R-8 Multi-Family Residential District
	PO/I Planned Office / Institutional District
	O Office District
	B-1 Neighborhood Business District
	B-2 Central Business District
	B-3 Community Business District
	B-4 General Business District
	B-5 Commercial Recreational District
	B-6 Motorists Service District



VI. PUBLIC HEALTH & SAFETY

The City of Delaware seeks to use a DORA district in its historic downtown for special events only. All host entities for special events are required to develop and submit for approval a public health and safety plan along with their special event application. The proposed plan is reviewed by City staff and others with interest along with the host entity. Only once the plan is agreed upon and all stipulations met, will a permit be issued.

City staff will ensure that adequate sanitation, signage and public safety requirements are met for each unique event. The necessity for portable bathrooms, handicap accessibility, pedestrian mobility, police fire and emergency ingress and egress, crowd control, DORA boundary management and sanitation management will be addressed. Event organizers will 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.

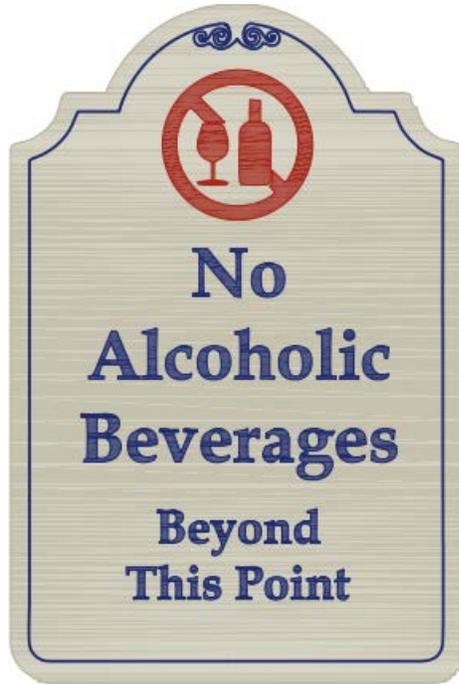
It is the City's intent that only wine and beer may be carried through a DORA quadrant.

The Chief of Police will dictate at DORA events the need for additional police officers, at the expense of the host entity and what containers and their markings will be for anyone serving during a DORA event.

VII. SIGNAGE

In order to clearly mark the boundaries of the DORA district, signs similar to the design below will be placed at the boundaries for the special event. The location and number of signs will be determined by the City Staff through the Special Events permitting process.

Signage Example:



VIII. QUALIFYING SPECIAL EVENTS

DORA district Special Events may include, but are not limited to the following:

Special Event	Date	Host	Host Response
New Moon Half Marathon	May	Greenswell	Yes
Classic Car Show	July	Performance Auto	Maybe in 2018

*Inclusion as an eligible DORA event does not necessitate participation. Each host organization will have the opportunity to decide if the event will participate in the DORA process. The decision of whether or not to participate will be made at the time of completing the Special Events Application.

The City of Delaware staff may consider approval of additional events on a continual basis. Additional events will be subject to local permitting processes and regulated by the approved boundaries and hours of operation established in this ordinance.