

APPLICATION TO THE CITY OF CUYAHOGA FALLS CITY COUNCIL

- for the establishment of a -

DOWNTOWN CUYAHOGA FALLS DESIGNATED OUTDOOR REFRESHMENT AREA (DORA)



Table of Contents

| | |
|--|---|
| I. INTRODUCTION AND SUBMITTAL OF APPLICATION | 1 |
| II. BOUNDARIES | 1 |
| III. HOURS OF OPERATION | 3 |
| IV. NATURE OF ESTABLISHMENTS..... | 3 |
| V. QUALIFYING PERMIT HOLDERS..... | 3 |
| VI. LAND USE AND ZONING | 5 |
| VII. PUBLIC HEALTH AND SAFETY | 6 |

I. INTRODUCTION AND SUBMITTAL OF APPLICATION

Section 4301.82 of the Ohio Revised Code (ORC) authorizes municipalities over 50,000 in population to create a Designated Outdoor Refreshment Area or “DORA” up to 640 acres. In order to consider the creation of a DORA, the Executive Officer of the City of Cuyahoga Falls must file an application with the Cuyahoga Falls 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 creation of the DORA is intended to serve as an economic tool to attract patrons to downtown Cuyahoga Falls and highlight the area as a destination for dining and entertainment. The purpose of this application is to request City Council approve a DORA in Cuyahoga Falls.

The Downtown Cuyahoga Falls Partnership initiated the request for a DORA after it received multiple requests for it from its partner and volunteer base. All participating liquor permit establishments will be required to execute an agreement with the Partnership stating that the establishment will purchase 16-ounce clear recyclable cups for and the identifying stickers for DORA cups from the Partnership. The Partnership will also be purchasing door decals for all establishments within the proposed DORA boundary. The door decals will allow patrons to recognize which establishments are selling DORA drinks and whether retail establishments will allow DORA cups on their premises.

The Downtown Cuyahoga Falls Partnership will be responsible for administering any DORA related materials, including DORA cups and DORA stickers. Any participating business with a liquor permit will be required to enter into an agreement with the Downtown Cuyahoga Falls Partnership for the provision of these supplies.

II. BOUNDARIES

In accordance with O.R.C. 4301.82(B)(1)(a), the boundaries of the DORA are depicted on the following map and described as follows. A list of the street addresses within the DORA is also attached as Exhibit 1. The City of Cuyahoga Falls is a chartered municipal corporation with a population of 51,114 (2020 Census Data).



Signage Defining Boundaries of DORA

The City will supply Entrance/Exit signs to the DORA at the major access points on Front Street, Second Street, Portage Trail, and Broad Boulevard.

III. HOURS OF OPERATION

The DORA be operable Sunday through Saturday from 10 am until 10 pm.

IV. NATURE OF ESTABLISHMENTS

In accordance with O.R.C. 4301.82(B)(2), the nature and type of establishments that will be located within the DORA are listed below.

The types of establishments located within the DORA are primarily in dining, retail, services or office sectors. Examples include:

| Type of Establishment | Number of Establishments |
|-----------------------|--------------------------|
| Food/Drink | 24 |
| Retail | 22 |
| Art/Music | 10 |
| Banking | 4 |
| Beauty and Wellness | 7 |
| Business Services | 13 |
| Realtors | 3 |
| Social Club | 2 |
| Hotel | 1 |
| Churches | 2 |
| Funeral Home | 1 |

V. QUALIFYING PERMIT HOLDERS

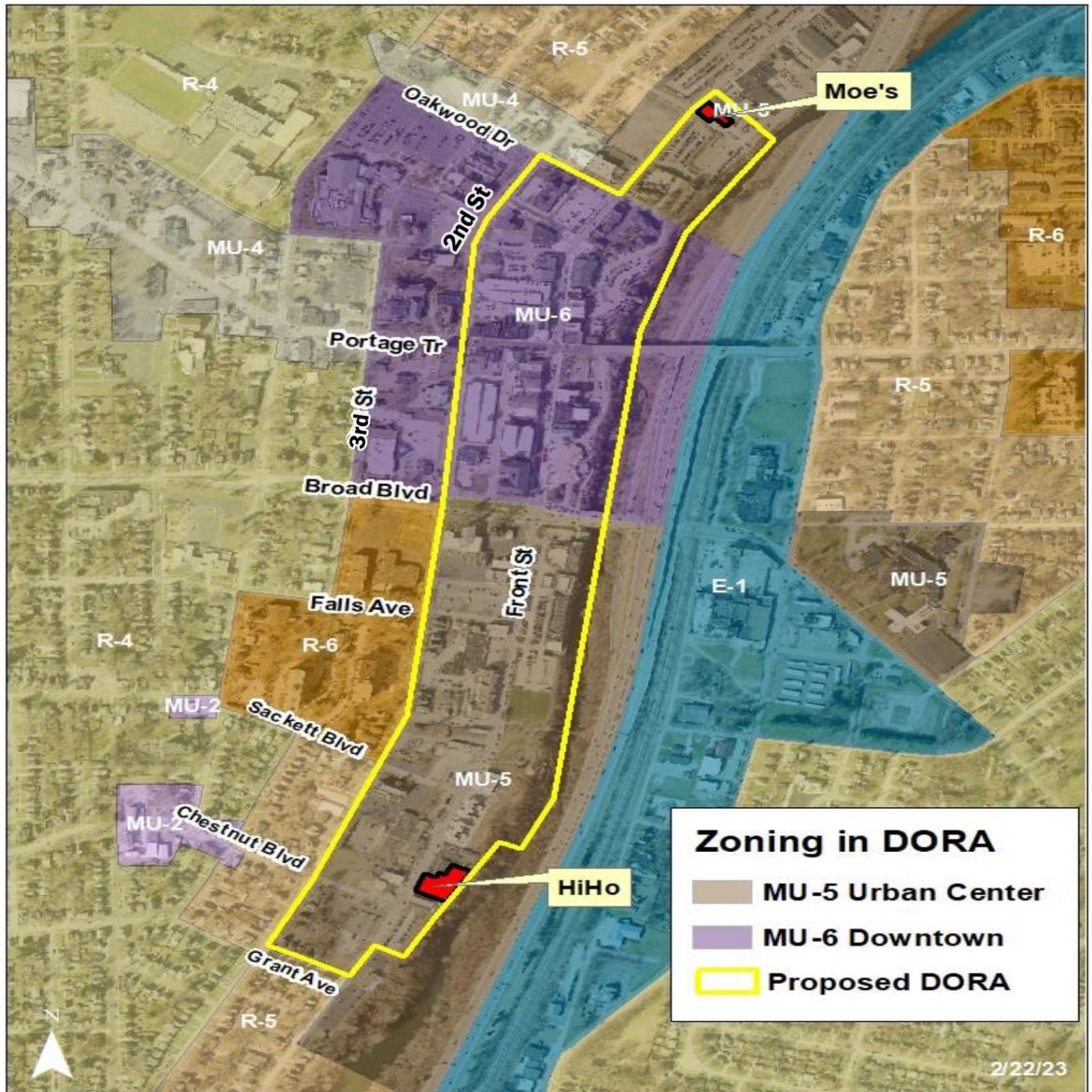
In accordance with O.R.C. 4301.82(B)(3), the DORA will encompass not fewer than four qualified permit holders.

Cuyahoga Falls has identified 19 qualified permit holders that will likely be included in the DORA:

| Business Name | DBA | Address | Permit Number | Permit Type |
|---|--------------------------------------|------------------------------|---------------|-----------------|
| Akron Coffee Roasters CF LLC | Asterisk Coffee Bar | 2101 Front Street, Suite 111 | 0003160 | D5J |
| Burntwood Tavern Cuyahoga Falls, LLC | Burntwood Tavern | 2291 Riverfront Parkway | 1125625 | D1 D2 D3 D3A D6 |
| Calabrian, Inc. | Club 2209 on the Riverfront | 2209 Front Street | 1186478 | D5 |
| Chris' Akron Brewing LLC | Ohio Brewing Company | 2250 Front Street | 15614070002 | A1A A1C D6 |
| Crave Cantina, LLC | Crave Cantina | 2097 Front Street | 1801475 | D1 D2 D3 D3A D6 |
| CSCF, LTD | Sense by the Falls | 1749 Front Street, Unit C | 1842140 | D3 |
| Cuyahoga Falls Creamery | Pav's Creamery | 2162 Front Street | 1869736 | D5J D6 |
| FOE AERIE 2207 Cuyahoga Falls | Fraternal Order of the Eagles | 2244 Front Street | 27940112207 | D6 |
| Hibachi Japan Ohio Inc. | Hibachi Japan | 1803 Front Street | 38204130006 | D6 |
| HiHo Brewing Company, LLC | HiHo Brewing Co. | 1707 Front Street | 3834140 | A1C A1A D6 |
| JAS Art, Inc. | Cashmere Cricket | 2235 Front Street | 42485260005 | D6 |
| Magna Wine Boutique Cuyahoga Falls, LLC | Magna Wine Boutique | 2115 Front Street | 5560855 | A2 C2 D8 |
| Riverside Community Urban Redevelopment Corp. | Sheraton Suites Akron Cuyahoga Falls | 1989 Front Street | 7408384 | D5A D6 |
| Rose Italian Kitchen | Leo's Italian Social | 2251 Front Street | 7519980 | D5I D6 |
| The Farmer's Rail Cuyahoga Falls, LLC | The Farmer's Rail | 2231 Front Street | 4548680 | D5J D6 |
| The Workz, LLC | The Workz | 2220 Front Street | 9770658 | D5 D6 |
| Tiki Underground LLC | Tiki Underground | 1832 Front Street | 8930846 | D5 |
| TS Dining Group, LLC | Butcher & Sprout | 1846 Front Street | 8774190 | D5 D6 |
| 2385 Front Street, Inc. | Moe's Restaurant | 2385 Front Street | 9116528 | D5 |

VI. LAND USE AND ZONING

In accordance with O.R.C. 4301.82(B)(4), the uses of land within area designated for the DORA is zoned MU-5- Urban Center and MU-6- Downtown and is in accordance with Cuyahoga Falls' master zoning plan:



VII. PUBLIC HEALTH AND SAFETY

Ensuring Compliance with Minor Liquor Laws:

It will be the responsibility of the qualified permit holder to enforce all applicable liquor laws, including minor liquor laws.

Outdoor Trash and Litter Control:

City of Cuyahoga Falls staff would be responsible for trash collection in the DORA. Recycle containers will be available to dispose of the recyclable DORA cups. Staffing levels, trash cans and recyclable bins would be monitored and adjusted as needed. Businesses in the DORA will be encouraged to provide their own recycle containers for DORA cups as well.

Special Events:

The City of Cuyahoga Falls 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 Cuyahoga Falls. 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 of 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. If the special event includes the sale of alcoholic beverages, the event organizers can request that the City suspend the DORA for the duration of the special event. Special events where the DORA will be suspended or modified include the Irish Festival, Festa Italiana, and Oktoberfest and any other city sponsored events as deemed necessary.

City of Cuyahoga Falls 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 Cuyahoga Falls Police Department (CFPD) currently has the ability and manpower which will enable it to maintain public safety within the DORA to include the Front Street business district. CFPD has flexibility when deploying resources and has years of experience dealing with all of the downtown events.

Staffing for DORA would consist of:

1. Utilizing the current scheduled shifts of Cuyahoga Falls Safety Forces giving them 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 CFPD will seek to have the organizations involved with the event help supplement the manning needed to effectively police the DORA area. CFPD will seek payment from such organizations for extra duty officer(s) as needed. The officer(s) primary responsibility would be the Front Street area where the DORA is located.
3. All Safety Forces supervisors or OIC's (Officer's in Charge) have the flexibility to call in additional staffing for emergency situations or if large crowds start to get out of control.

Amendments and Possible Revocation:

City staff, business leaders and elected officials would regularly meet to discuss the impacts of the DORA and recommend potential changes to Council including hours and days of operation up to and including the possible revocation of the DORA if its negatives are considered to outweigh its benefits or if it is no longer considered to be an economic benefit to the City. Council will have the final say in enacting any changes to the DORA.

Exhibit 1

DORA Address List

| PARCEL # | Address # | | STREET | UNIT |
|-----------------|------------------|-------|-----------------|-------------|
| 0212717 | 122 | | Broad Boulevard | |
| 0212295 | 130 | | Broad Boulevard | |
| 0217569 | 141 | | Broad Boulevard | |
| 0207233 | 118 | | Falls Avenue | |
| 0203081 | 1701 | | Front Street | |
| 0202551 | 1707 | | Front Street | |
| 0203611 | 1710 | | Front Street | |
| 0205018 | 1727 | | Front Street | |
| 0205664 | 1735 | | Front Street | |
| 0220649 | 1749 | -1811 | Front Street | |
| 0215076 | 1824 | | Front Street | |
| 0204985 | 1832 | | Front Street | |
| 0220556 | 1846 | | Front Street | 1 |
| 0220557 | 1846 | | Front Street | 2 |
| 0220558 | 1846 | | Front Street | 3 |
| 0220559 | 1846 | | Front Street | 4 |
| 0220610 | 1846 | | Front Street | 5 |
| 0220561 | 1846 | | Front Street | 6 |
| 0220612 | 1846 | | Front Street | 7 |
| 0220563 | 1846 | | Front Street | 8 |
| 0220564 | 1846 | | Front Street | 9 |
| 0220615 | 1846 | | Front Street | 10 |
| 0220566 | 1846 | | Front Street | 11 |
| 0220567 | 1846 | | Front Street | 12 |
| 0220568 | 1846 | | Front Street | 13 |
| 0220569 | 1846 | | Front Street | 14 |
| 0220562 | 1846 | | Front Street | 405 |
| 0219950 | 1872 | | Front Street | |
| 0207879 | 1884 | &1886 | Front Street | |
| 0202786 | 1924 | | Front Street | |
| 0203024 | 1930 | | Front Street | |
| 0214686 | 1950 | | Front Street | |
| 0218719 | 1989 | | Front Street | |
| 0202834 | 2020 | | Front Street | |
| 0220713 | 2032 | -2056 | Front Street | |
| 0211081 | 2091 | | Front Street | |
| 0208518 | 2097 | | Front Street | |
| 0213304 | 2100 | | Front Street | |
| 0217568 | 2101 | | Front Street | |
| 0218641 | 2104 | | Front Street | |
| 0218640 | 2114 | | Front Street | |
| 0217570 | 2115 | | Front Street | |
| 0213862 | 2121 | -2125 | Front Street | |

DORA Address List

| PARCEL # | Address # | | STREET | UNIT |
|-----------------|------------------|--------|----------------|-------------|
| 0216828 | 2128 | | Front Street | |
| 0206903 | 2131 | | Front Street | |
| 0208049 | 2140 | | Front Street | |
| 0214275 | 2146 | -2152 | Front Street | |
| 0208048 | 2156 | -2162 | Front Street | |
| 0213242 | 2164 | & 2168 | Front Street | |
| 0207228 | 2170 | | Front Street | |
| 0214274 | 2202 | & 2208 | Front Street | |
| 0214271 | 2205 | | Front Street | |
| 0202848 | 2210 | -2214 | Front Street | |
| 0200219 | 2215 | & 2219 | Front Street | |
| 0209477 | 2218 | | Front Street | |
| 0219577 | 2218 | & 2220 | Front Street | |
| 0218225 | 2223 | | Front Street | |
| 0201936 | 2225 | | Front Street | |
| 0213108 | 2231 | & 2235 | Front Street | |
| 0213107 | 2237 | & 2239 | Front Street | |
| 0203191 | 2241 | | Front Street | |
| 0212974 | 2250 | | Front Street | |
| 0220635 | 2251 | | Front Street | |
| 0218493 | 2309 | | Front Street | |
| 0218494 | 2311 | | Front Street | |
| 0218495 | 2313 | | Front Street | |
| 0218496 | 2315 | | Front Street | |
| 0218497 | 2317 | | Front Street | |
| 0218498 | 2319 | | Front Street | |
| 0218499 | 2321 | | Front Street | |
| 0218543 | 2323 | | Front Street | |
| 0218544 | 2325 | | Front Street | |
| 0218545 | 2327 | | Front Street | |
| 0218546 | 2329 | | Front Street | |
| 0218547 | 2331 | | Front Street | |
| 0214794 | 2385 | | Front Street | |
| 0211500 | 143 | | Grant Street | |
| 0201278 | 137 | | Grant Street | |
| 0203333 | 131 | | Grant Street | |
| 0206723 | 125 | | Grant Street | |
| 0213788 | 119 | | Grant Street | |
| 0202769 | 2035 | | Old Towne Loop | |
| 0207229 | 110 | | Portage Trail | |
| 0217574 | 111 | -117 | Portage Trail | |
| 0214211 | 116 | & 118 | Portage Trail | |
| 0217572 | 119 | | Portage Trail | |

DORA Address List

| PARCEL # | Address # | | STREET | UNIT |
|-----------------|------------------|-------|-----------------|-------------|
| 0214591 | 120 | | Portage Trail | |
| 0217573 | 123 | & 125 | Portage Trail | |
| 0217571 | 127 | | Portage Trail | |
| 0217576 | 129 | & 131 | Portage Trail | |
| 0217577 | 133 | | Portage Trail | |
| 0200912 | 139 | | Portage Trail | |
| 0220643 | 140 | | Portage Trail | |
| 0213925 | 143 | & 145 | Portage Trail | |
| 0217575 | 149 | | Portage Trail | |
| 0218227 | 2050 | | Riverfront Pkwy | |
| 0203608 | 2244 | | Riverfront Pkwy | |
| 0202861 | 2290 | | Riverfront Pkwy | |
| 0219097 | 2291 | | Riverfront Pkwy | |
| 0218620 | 2302 | | Riverfront Pkwy | |
| 0218621 | 2304 | | Riverfront Pkwy | |
| 0218622 | 2306 | | Riverfront Pkwy | |
| 0218623 | 2308 | | Riverfront Pkwy | |
| 0218624 | 2310 | | Riverfront Pkwy | |
| 0218625 | 2312 | | Riverfront Pkwy | |
| 0218626 | 2314 | | Riverfront Pkwy | |
| 0218627 | 2316 | | Riverfront Pkwy | |
| 0218523 | 2317 | | Riverfront Pkwy | |
| 0218628 | 2318 | | Riverfront Pkwy | |
| 0218524 | 2319 | | Riverfront Pkwy | |
| 0218629 | 2320 | | Riverfront Pkwy | |
| 0218525 | 2321 | | Riverfront Pkwy | |
| 0218630 | 2322 | | Riverfront Pkwy | |
| 0218526 | 2323 | | Riverfront Pkwy | |
| 0218548 | 2324 | | Riverfront Pkwy | |
| 0218527 | 2325 | | Riverfront Pkwy | |
| 0218549 | 2326 | | Riverfront Pkwy | |
| 0218528 | 2327 | | Riverfront Pkwy | |
| 0218550 | 2328 | | Riverfront Pkwy | |
| 0218532 | 2329 | | Riverfront Pkwy | |
| 0218551 | 2330 | | Riverfront Pkwy | |
| 0218533 | 2331 | | Riverfront Pkwy | |
| 0218552 | 2332 | | Riverfront Pkwy | |
| 0218534 | 2333 | | Riverfront Pkwy | |
| 0218553 | 2334 | | Riverfront Pkwy | |
| 0218535 | 2335 | | Riverfront Pkwy | |
| 0218554 | 2336 | | Riverfront Pkwy | |
| 0218555 | 2338 | | Riverfront Pkwy | |
| 0218536 | 2339 | | Riverfront Pkwy | |

DORA Address List

| PARCEL # | Address # | | STREET | UNIT |
|-----------------|------------------|--------|-----------------|-------------|
| 0218537 | 2341 | | Riverfront Pkwy | |
| 0218538 | 2343 | | Riverfront Pkwy | |
| 0218539 | 2345 | | Riverfront Pkwy | |
| 0218540 | 2347 | | Riverfront Pkwy | |
| 0218541 | 2349 | | Riverfront Pkwy | |
| 0218542 | 2351 | | Riverfront Pkwy | |
| 0218561 | 2353 | | Riverfront Pkwy | |
| 0202741 | 1629 | | Second Street | |
| 0203513 | 1635 | & 1637 | Second Street | |
| 0220456 | 1647 | | Second Street | |
| 0214871 | 1661 | & 1663 | Second Street | |
| 0201290 | 1761 | | Second Street | |
| 0213472 | 1811 | | Second Street | |
| 0208718 | 1821 | | Second Street | |
| 0205208 | 1833 | | Second Street | |
| 0215096 | 1837 | | Second Street | |
| 0211717 | 1841 | | Second Street | |
| 0211667 | 1857 | | Second Street | |
| 0215221 | 1883 | | Second Street | |
| 0214518 | 1887 | | Second Street | |
| 0202847 | 2221 | | Second Street | |
| 0205055 | 2305 | | Second Street | |
| 0215542 | 2321 | & 2335 | Second Street | |
| 0202854 | 111 | | Stow Avenue | |
| 0210939 | 138 | | Stow Avenue | |