

**Application to Germantown City Council
for the Establishment of a
Designated Outdoor Refreshment Area**



**Submitted: February 6, 2023
Judith A. Gilleland, City Manager**

Introduction

The purpose of this application is to request that the Germantown City Council create and approve a Designated Outdoor Refreshment Area (DORA) in the City of Germantown. The application includes the following sections:

- A map of the proposed DORA (150 acres or less)
- A statement of the nature and type of establishments in the proposed area
- A statement verifying that not less than 2 liquor permit holders are included in the area
- Evidence that the proposed DORA is in accord with the Master Zoning Plan of Germantown
- Proposed requirements that ensure the public health and safety in the DORA
- Hours of Operation

Map of Proposed DORA, Not Exceeding 150 Contiguous Acres

Please refer to Exhibit A attached. Exhibit A includes a map of the proposed DORA. Three (3) establishments have been identified that qualify as D License holders to be included in the DORA. In accordance with ORC 4301.82(D)(2) the DORA will encompass not fewer than two (2) qualified permit holders. These include:

- The Florentine Restaurant (A1A, A1C, D6) Permit # 2788109-0005
- Laff's (D5, D6) Permit # 4220428
- Don's Pizza (D1) Permit # 2259473

The proposed Designated Outdoor Refreshment Area is approximately 29 acres in size, which is well under the maximum allowed of 150 acres. Please see attached Exhibit B, which is a boundary description of the DORA, certified by Chip Wirrig, Public Service Operations Manager.

Nature and Types of Establishments Located within the DORA

The proposed DORA encompasses a majority of the Downtown Germantown Historic Business District. This area houses restaurants, retail establishments, professional services, offices, salons, as well as single and multi-family residences. The actual area the DORA shall encompass was designed so as to include commercial areas while avoiding concentrated areas of residence when possible.

Evidence that the Proposed DORA is in accord with the City of Germantown Master Zoning Plan/Map

The proposed DORA is situated within the Historic Downtown Business District and is classified as C-2 according to the Germantown Codified Ordinances section 1127.90 and the City Zoning Map. Attached is Exhibit C, which is the current zoning map for the City of Germantown

Proposed Requirements for Ensuring Public Health and Safety within the DORA

There are several trash receptacles spaced at even intervals throughout the Historic Downtown area which are serviced by Rumpke Waste and Recycling. The Service Department has made preparations to monitor the situation in the proposed DORA in regard to waste generated. If there is a continued trend of excess waste, the department is prepared to purchase more receptacles to address the issue. There are periodically events in Downtown Germantown which moving forward would also be in the proposed DORA. There are regularly added temporary waste receptacles and portable toilets for these events.

There is also a portable toilet and bathrooms located at Veterans Memorial Park, which is included in the DORA.

The City of Germantown Police Department is situated within Downtown Germantown, giving the department quick access to the proposed DORA. Routine patrols of the area will be conducted, and GPD has confirmed that it is ready and prepared for the inclusion of maintaining the safety of the DORA to the workload. Further, the boundaries of the DORA will be clearly marked around its perimeter with signage, and these boundaries will be strictly enforced. For planned events that have the capacity to draw large crowds, the Chief of Police as well as the Head of the Service Department may assign additional staff members as required to properly maintain the health and safety of the area.

Designated Hours of Operation

The DORA will be in operation Thursday through Sunday, 4:00 p.m. to 10:00 p.m. Special hours of DORA operation will be allowed as designated in advance by the City Manager for the occasion of holidays or special events, with the consent of City Council.

Germantown, OH DORA Boundary Map
Containing Approximately 29 Acres



Exhibit B

Germantown, OH DORA Boundary Description

Situated in the City of Germantown, Montgomery County, Ohio.

Beginning at the intersection of the north right-of-way line of East Center Street with the east right-of-way line of North Cherry Street.

Thence with the north right-of-way line of East Center Street, east to the east right-of-way line of North Mulberry Street;

Thence with the east right-of-way line of North and South Mulberry Street, south to the south right-of-way line of a 16.5' wide alley which runs east and west, the alley is located south of Market Street and north of Gunckel Street;

Thence with the south right-of-way line of said alley, west to the west right-of-way line of South Plum Street;

Thence with the west right-of-way of South Plum Street to the north right-of-way line of West Market Street;

Thence with the north line of West Market Street, west to the west right-of-way line of a 10.5' alley on City Lot No. 21 as recorded Plat Book 1, Page 20, said 10.5' alley was dedicated by City Ordinance 1106 on February 7, 1972;

Thence with the west right-of-way line of said 10.5' alley, north to the southerly right-of-way line of the alley system as recorded in Plat Book 1, Page 20;

Thence in a northwesterly direction, with the northeasterly line of said City Lot No. 21, to an angle point in the north line of said City Lot No. 21;

Thence west, with the north lines of City Lot No.s 21 and 22, to an angle point in the north line of City Lot No. 22;

Thence in a northwesterly direction, across a 16.5' alley, to an angle point in the easterly line of City Lot No. 26;

Thence north, with the east line of City Lot No. 26 and across a 16.5' alley and becoming the east line of City Lot No. 56, to an angle point in the easterly line of said City Lot No. 56;

Thence in a northwesterly direction, with the easterly lines of City Lot No. 56 and 55, to the southeast corner of City Lot No. 57;

Thence north, with the east line of said City Lot No. 57, to the south right-of-way line of West Center Street;

Thence with the south right-of-way line of West Center Street, west to the west right-of-way line of North Walnut Street;

Thence with the west right-of-way line of North Walnut Street, north to a south line of City Lot No. 2216 as recorded in Plat Book 220, Page 20;

Thence with a south line of City Lot No. 2216 and its westward extension, west for approximately 205' to the base of a retaining wall;

Thence with the base of the retaining wall, south to the south line of City Lot No. 2216;

Thence with the south line of City Lot No. 2216 and its westward extension, west to the west line of a 20' alley;

Thence with the west line of the 20' alley, north to the north right-of-way line of West Warren Street;

Thence with the north right-of-way line of West Warren Street, east to the east right-of-way line of North Walnut Street;

Thence with the east right-of-way line of North Walnut Street, south to the north right-of-way line of a 16.5' alley which runs east and west, the alley is located south of Warren Street and north of Center Street;

Thence with the north right-of-way line of said alley, east to the east right-of-way line of North Cherry Street;

Thence with the east right-of-way line of North Cherry Street, south to the point of beginning. Containing approximately 29 acres.

This description is for reference only and is not based on a field survey.

Ch R Wirrig 12/27/2022

Charles R. Wirrig, PS
Ohio License No. 7532



