



**Application to the Liberty
Township Board of Trustees**
for the establishment of a Designated Outdoor
Refreshment Area at Liberty Center

OVERVIEW

The Management Office of Liberty Center respectfully submits the following application to the Fiscal Officer and the Board of Trustees of Liberty Township, Butler County, Ohio to approve and enact a Designated Outdoor Refreshment Area in Liberty Center in accordance with Ohio Revised Code §4301.82.

TAYLOR HUNKER

Event Manager

SARAH NEWSAD

Marketing Manager

Application to the Board of Trustees of Liberty Township, Ohio for the establishment of a Designated Outdoor Refreshment Area, with specific boundaries, within Liberty Center.

Submitted February 1, 2019

I. Introduction

The Management Office of Liberty Center, LLC, in collaboration with The Office of Economic Development of Liberty Township, Ohio respectfully submit the following application to the Fiscal Officer and the Board of Trustees of Liberty Township, Ohio to approve and establish a Designated Outdoor Refreshment Area (hereinafter “DORA”), pursuant to Ohio Revised Code (“ORC”) § 4301.82. The proposed application meets all State of Ohio requirements.

A DORA is an area where the open carry restrictions do not apply to particular hours, and adults are permitted to possess and consume alcohol in public, with certain restrictions. A DORA established within Liberty Center would be the first and only DORA in Liberty Township, Butler County, Ohio given the community’s current population of approximately 40,000. A DORA has already been established in a few nearby communities: City of Hamilton, City of Middletown, and City of Mason. The purpose of the DORA would be for economic betterment of businesses, residents, and property owners within the DORA, as well as Liberty Township as a whole.

II. Boundaries

In accordance with the ORC § 4301.82(B)(1)(a) and F(1)(a), the boundaries of the DORA are shown below. A map and street addresses of the proposed DORA area are further depicted in **Exhibit A** and **Exhibit B** attached hereto and incorporated herein. The DORA is approximately 69 acres.



Section 1 – Map of Proposed DORA, no exceeding 150 contiguous acres

Please refer to **Exhibit A** which showcases an aerial map of the proposed DORA, which is located within private property known in the community as Liberty Center. The proposed DORA is approximately 69 acres in size which is below the requirements of the area being 150 acres or less.

Also included in this application is the list of establishments that have the necessary D liquor permits within the area. Fourteen (14) establishments have been identified that qualify to be included in the DORA. See Section 3.

Section 2 – Nature and Types of Establishments located within the DORA

In accordance with ORC § 4301.82 (B)(2), the nature and types of establishments located within the DORA are as follows:

The DORA encompasses the mixed-use development of Liberty Center, containing a variety of retailers, restaurants, hotels, offices and entertainment venues located within the proposed DORA.

Examples of the retail, dining, and accommodations located in the DORA:

Establishment	Address	Establishment	Address
<i>Retail</i>		<i>Entertainment</i>	
Dillard’s	7660 Blake Street	AC Hotel by Marriott	7505 Gibson Street
Dick’s Sporting Goods	7675 Warehouse Row	Cobb/CinéBistro	7514 Bales Street
Victoria’s Secret	7576 Bales Street	Funny Bone	7518 Bales Street
Kendra Scott	7560 Gibson Street	iFLY*	7689 Warehouse Row
LensCrafters	7630 Blake Street	MidPointe Library	7100 Foundry Row, S234
<i>Dining</i>		<i>Business Offices</i>	
Cooper’s Hawk	7490 Bales Street	Amstan Logistics	7570 Bales Street, S310
Kona Grill	7524 Gibson Street	ThrivePointe	7570 Bales Street, S380
Northstar Café	7610 Sloan Way	RE/MAX	7570 Bales Street, S350
The Rusty Bucket	7524 Bales Street	Northwestern Mutual	7570 Bales Street, S200
BRIO Tuscan Grille	7600 Gibson Street	Weprin Realty	7570 Bales Street. S320
The Cheesecake Factory	7612 Blake Street	TiER1 Performance Solutions	7570 Bales Street, S210

**Indicates coming soon*

Residential housing within the DORA is limited to two buildings, The Grant and The Fillmore, totaling 238 units, operating under Towne Properties and Steiner & Associates. Residential Offices are located at 7560 Blake Street.

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:

Permit Holder (DBA)	Address	Classes	Permit Number
AC Hotel by Marriott	7505 Gibson Street	D5A, D6	5184857
BRIO / Bar Del Mar	7600 Gibson Street	D5I, D6	09272000095
The Rusty Bucket	7524 Bales Street	D1, D2, D3, D6	11924580080
Cantina Laredo	7125 Fountain View Dr.	D5J, D6	1229921
Cobb/CinéBistro	7514 Bales Street	D1, D2, D3, D3A, D6	1347855
Celebrate Local	7127 Foundry Row	C1, C2, D8	13482500005
Cooper’s Hawk	7490 Bales Street	D5J, D6	1729631
FlipSide	7622 Blake Street	D5, D6	2783925
Funny Bone	7518 Bales Street	D5J, D6	4590392
Kona Grill	7524 Gibson Street	D5J, D6	47795400005
Northstar Café	7610 Sloan Way	D1, D2, D3, D6	6446720
Rodizio Grill	7630 Gibson Street	D5J, D6	7146935
The Cheesecake Factory	7612 Blake Street	D1, D2, D3, D6	141416000045
The Roosevelt Room	7500 Bales Street	D5, D6	2847742
Pies & Pints	7621 Gibson Street	D5J, D6	6919340

SOURCE: Ohio Department of Commerce, Division of Liquor Control

Section 4 – Area Impact

In accordance with ORC § 4301.82 (B)(4), evidence that the uses of land within the proposed DORA are in accord with the current Land Use Map of Liberty Township, are as follows:

The uses of land within the proposed DORA are in accord with Liberty Township’s current Zoning Map as well as in line with the Township’s Land Use Map as shown in **Exhibit C**. Liberty Center is a \$350 million, mixed-use development that opened in October 2015. It was long envisioned by the Township, that the 100 acres along Liberty Way between Cincinnati Dayton Road and I-75 would develop as a mixed-use, urban environment with a mix of office, retail, entertainment, residential and dining uses. Liberty Center is privately-owned by Apollo Group with Jones Lang LaSalle overseeing operations and leasing. The Liberty Center team will continue to seek new leasing opportunities throughout the DORA to further enhance the economic growth of both Liberty Center and Liberty Township, while also increasing participation of new qualified permit holders.

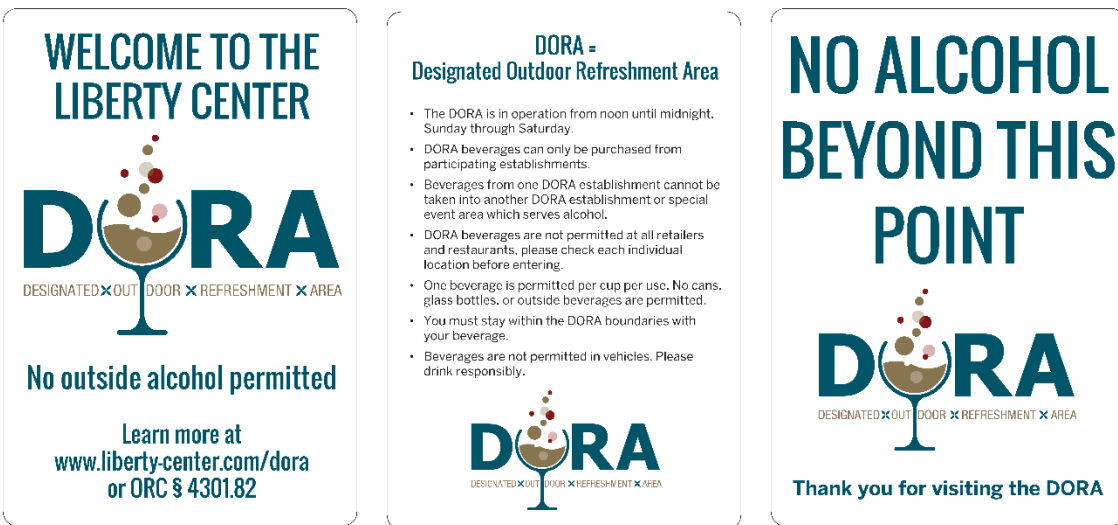
Liberty Township will begin the process to update its Comprehensive Plan (2020 anticipated adoption), including an update to the community’s Land Use Plan. With the three-year success of Liberty Center, it will remain the mixed-use center of the community. The DORA designation complements this vision and will enhance the growth and development of the area. It’s anticipated the DORA will foster continued interest and investment in Liberty Center.

SOURCE: Bryan Behrmann, Director of Planning & Zoning, Liberty Township

Section 5 – Signage

In accordance with the ORC § 4301.82 F(1)(b), Liberty Center will provide approximately 22 signs designating the boundaries of the DORA. The location and spacing of the signs are shown on attached **Exhibit D**. The signs will be mounted and located at street intersections, parking lot and garage entrances and exits in close proximity to qualified permit holders, and exit points of the enclosed Foundry Building along the boundary of the DORA. Liberty Center will provide additional signage within the DORA boundaries as shown on **Exhibit E**. These signs will include further explanation of DORA rules including but not limited to; DORA hours of operation, acceptable DORA containers for consumption, no outside beverage consumption, etc.

The content and style of this artwork shall, in sum or substance, consist of the following:



Section 6 – Hours of Operation

The hours of operation for the DORA will be: daily, Sunday through Saturday, 12:00 p.m. (Noon) to 12:00 a.m. (Midnight). Extended times for special events may be established by Liberty Center with advance notification provided to the Board of Trustees of Liberty Township.

Section 7 – Safety Plan

A Safety Plan will help maintain public safety within the DORA at Liberty Center. Working alongside Allied Universal and Butler County Sheriff's Office ("BCSO"), Liberty Center has a history of positive safety protocols and strong relationships with local law enforcement that will guarantee a high level of safety at all times. Since the proposed DORA at Liberty Center is private property, Allied Universal provides on-site security services. They are supported by the BCSO through a contract that Liberty Township holds with the Sheriff's Office for community-wide police protection. The Liberty Township Substation of the BCSO is commanded by Lieutenant Morgan Dallman. Lt. Dallman oversees a team consisting of one Corporal, four Sergeants, three Detectives and 18 deputies. Liberty Center is staffed with Public Safety Officers around the clock for immediate attention to the safety of our guests, residents, tenants, and employees.

Liberty Center Public Safety Officers will ensure that appropriate attention is provided to the DORA during its hours of operation. In the event a larger than normal number of people are in the DORA, the on-duty supervisor may assign additional officers and/or assign an officer to specifically patrol the DORA. The use of foot patrol, bicycle patrol, and vehicle patrol will be the most common methods of patrolling used in the DORA.

Beginning with the commencement of the DORA, continuing for a period of six (6) consecutive months, the Director of Public Safety will meet monthly with a representative from BCSO to continue determining whether updates, modifications, or supplementation may be advisable or required in an effort to continue perfecting the safety practices within the DORA.

For planned events in the DORA that may draw larger than normal attendance, BCSO may have additional officers and/or other agency personnel assigned specifically to the DORA.

*SOURCE: Daniel Romine, Assistant Manager, Allied Universal
Lieutenant Morgan Dallman, Butler County Sheriff's Office*

Section 8 – Sanitation Plan

Liberty Center will utilize existing staff and policies to help maintain the appearance and public health of the area within the DORA. Working in agreement with Xencom Facility Management, all trash removal and general upkeep of the property within the DORA will be handled inhouse to ensure appropriate attention is provided to the DORA during its hours of operation. In the event a larger than normal number of people are in the DORA, the on-duty supervisor may assign additional staff to specifically monitor the DORA for cleanliness.

Liberty Center currently offers 46 outdoor trash cans and 14 indoor trash cans throughout the DORA and surrounding areas, shown on attached **Exhibit F**. Additional trash cans and sanitation stations are provided in the event a larger than normal number of people are anticipated due to events occurring within the DORA.

Public restrooms, family restrooms, changing areas and water fountains are available to the public during Center hours throughout the DORA, as shown on **Exhibit F**. Restrooms facilities needed outside of Center hours within DORA hours of operation will be the responsibility of the qualified permit holders. Additional restrooms may be outsourced during events with a larger than normal number of people within the DORA.

Section 9 – Plastic Bottles, Containers, and an Official DORA Cup

Beer, wine, and intoxicating liquor will only be consumed within the DORA as follows:

Beer, wine, and intoxicating liquor shall only be served and consumed within the DORA in the specifically designated plastic bottles or other plastic containers produced and provided by qualified permit holders. Qualified permit holders will be required to provide plastic bottles or containers containing the official Liberty Center DORA logo and rules. This will help to distinctly mark permissible containers. No unmarked containers will be permitted. Used cups must be disposed of before entering any establishment of a qualified permit holder. Permit holders will be required to source and provide their own cups. Failure to provide cups or inventory issues will result in postponing participation in DORA service.

Non-permit holders will determine if they will allow DORA beverages within their space. These retailers will be labeled with a decal containing the official Liberty Center DORA logo marking whether DORA beverages are permitted inside.

The content and style of this logo shall, in sum or substance, consist of the following:



Section 10 – Additional Rules and Requirements

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 or beer, wine, or intoxicating liquor was purchased from a qualified permit holder to which both of the following apply:
 - a. The permit holder's premises are located within the DORA; and
 - b. The permit held by the permit holder has an outdoor refreshment area designation.
- B. No person shall do any of the following:
 - a. 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
 - b. Possess an open container of beer, wine, or intoxicating liquor while being in or on a motor vehicle within the DORA, unless the possession otherwise is authorized under division (D) or (E) of ORC § 4301.62.

Section 11 – Notification and Collaboration

Modifications to the Safety and Sanitation plans that evolve with the growth of Liberty Center and the DORA area, will be addressed by the Liberty Center team with input and collaboration from Liberty Township and BCSO as deemed necessary. Liberty Center will be responsible for providing updates to the Liberty Township Board of Trustees on the following:

- significant changes to the Safety and Sanitation plans
- new, qualified permit holders in the DORA
- additional signage needs due to new construction on the property

All parties will work together to ensure public health and safety is the top priority. The Liberty Center team will continue to work proactively alongside local law enforcement to create a safe, welcoming environment for visitors, residents, guests and workers spending time in the Liberty Center DORA.

Exhibit A



Exhibit B

List of all addresses within DORA boundaries listed here

Street Name	Range	Even/Odd	Zip Code
Liberty Way	7480 - 7700	Even Only	45069
Taylor Street	7050 - 7200	All Addresses	45069
Gibson Street	7485 - 7640	All Addresses	45069
Bales Street	7490 - 7600	All Addresses	45069
Warehouse Row	7000 - 8000	All Addresses	45069
Niederman Way	7300 - 7500	All Addresses	45069
Wyle Street	7500 - 7700	All Addresses	45069
Blake Street	7560 - 7660	All Addresses	45069
Maus Lane	7100 - 7200	All Addresses	45069
Foundry Row	7000 - 7200	All Addresses	45069
Sloan Way	7550 - 7700	All Addresses	45069
Haskell Street	7100 - 7600	All Addresses	45069
Wissman Court	7100 - 7300	All Addresses	45069
Fountain View Drive	7100 - 7200	All Addresses	45069

Exhibit C

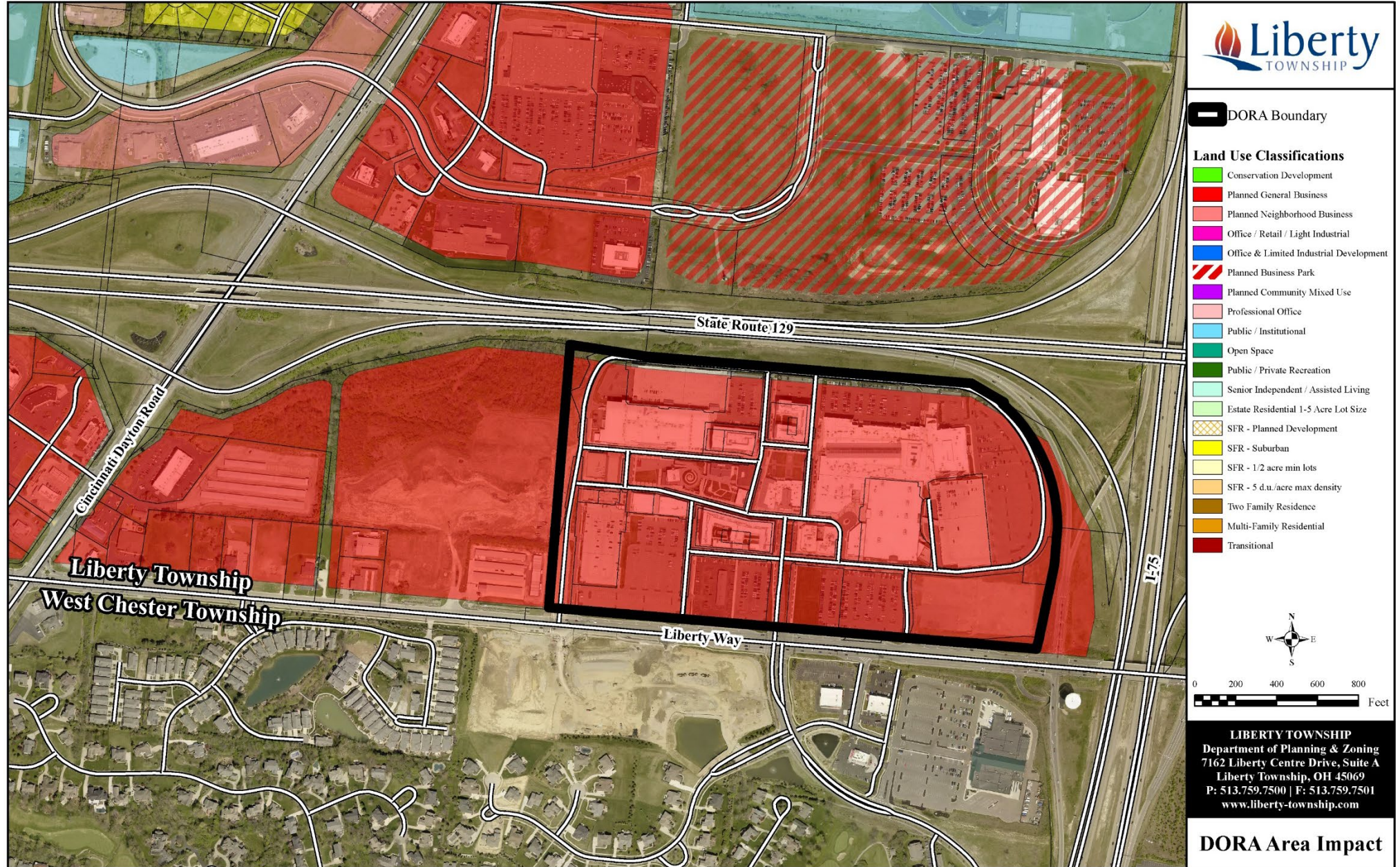
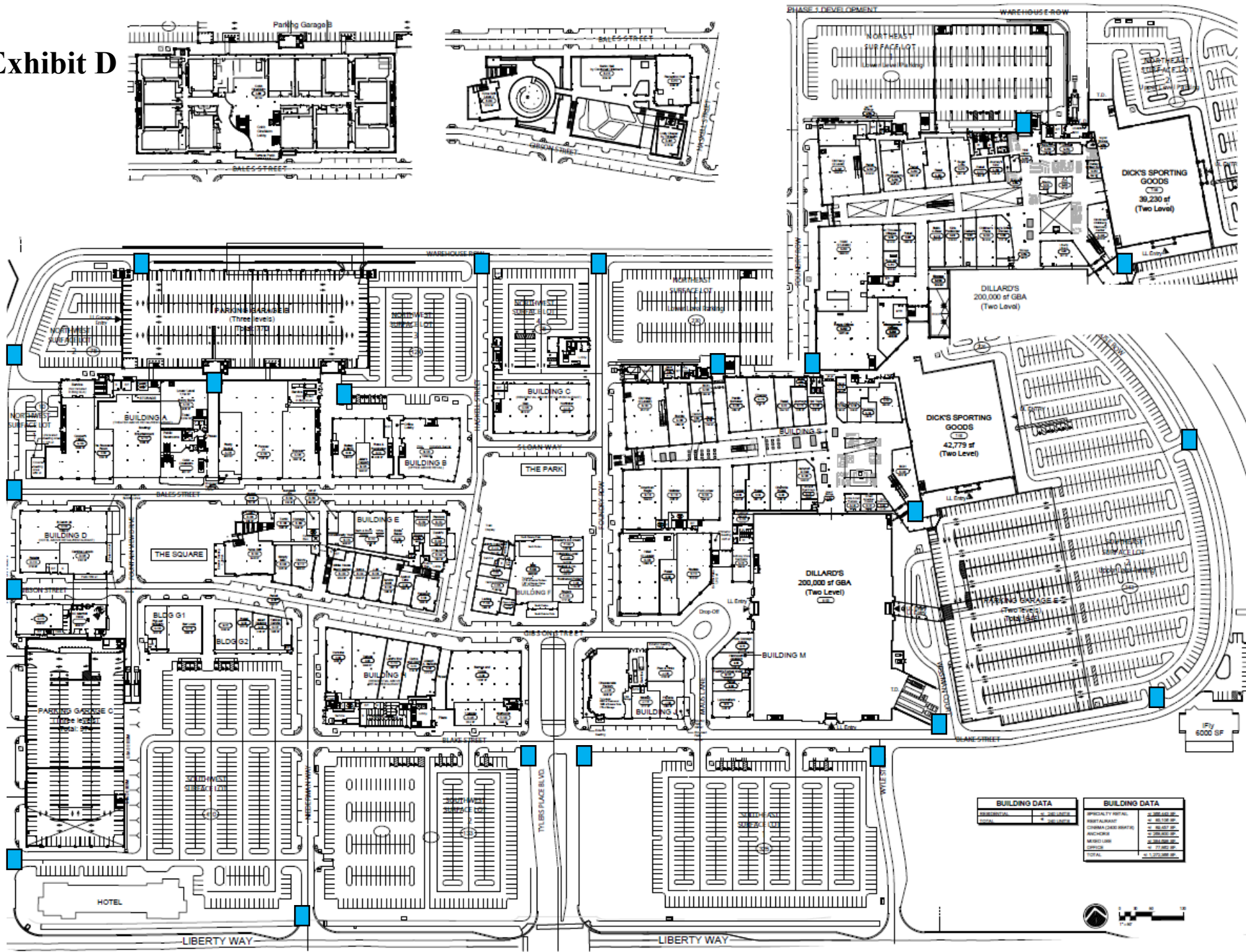
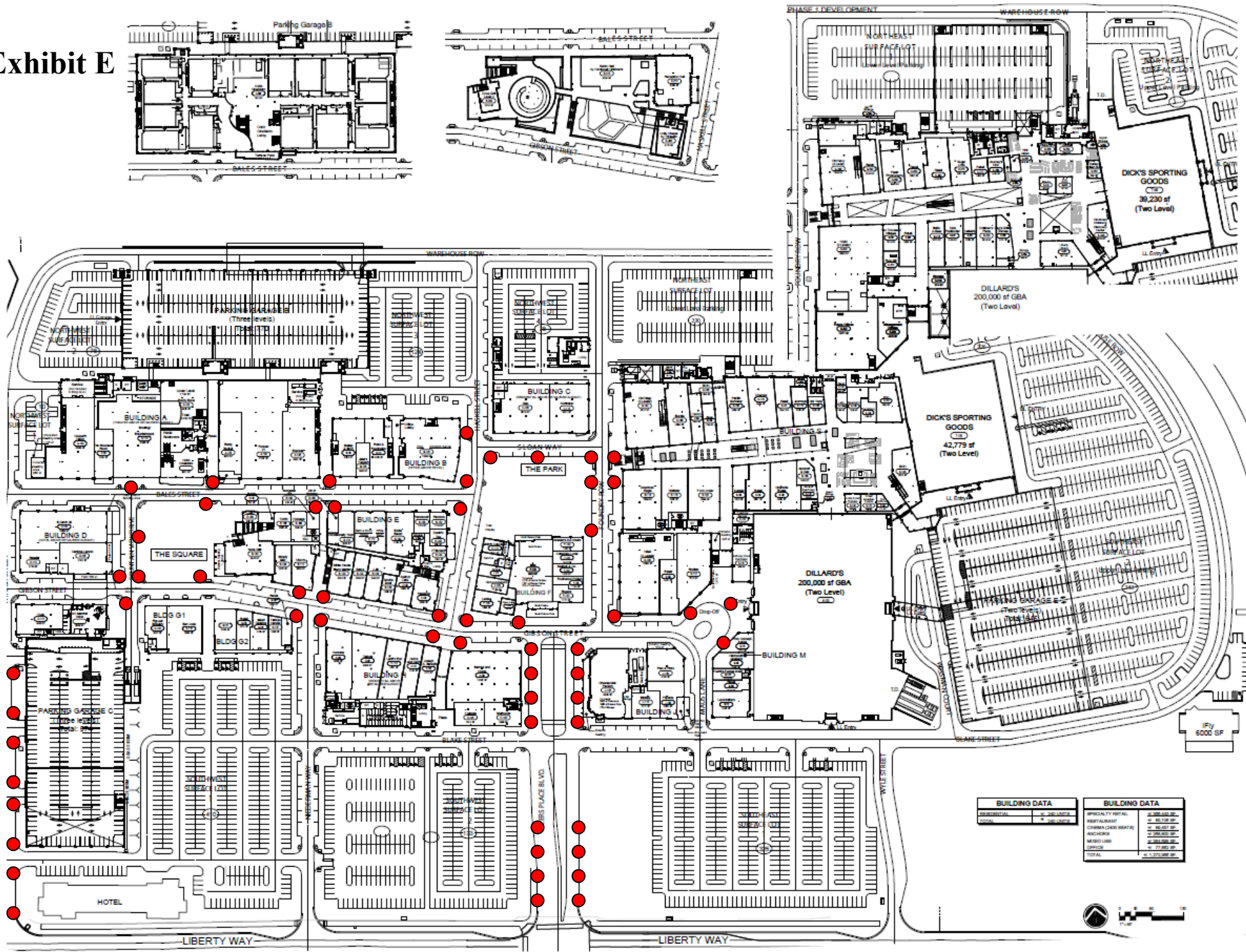


Exhibit D



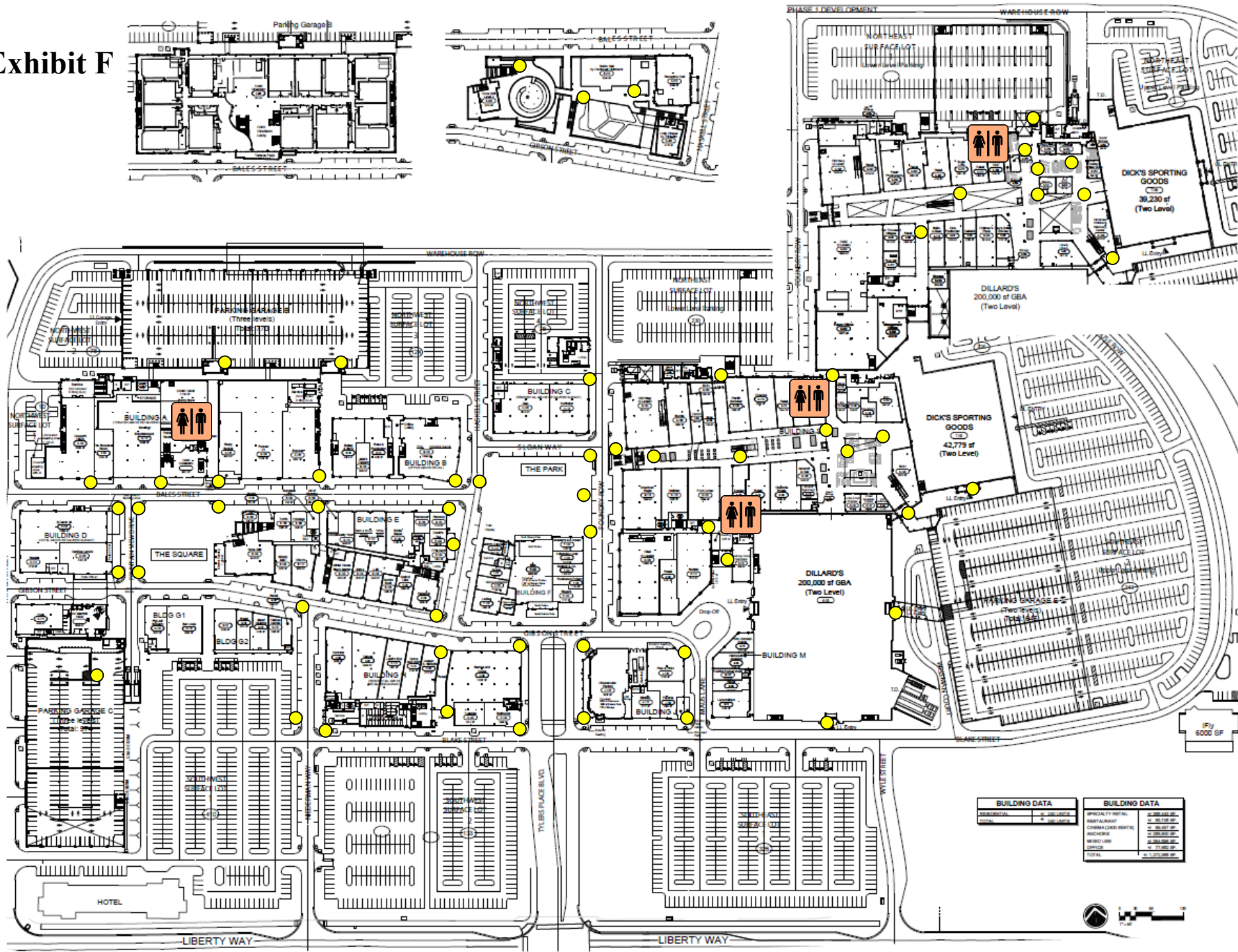
Signage Exhibit
 Planned DORA Boundary
 Signage – Entrances and Exits
 of Private Property

Exhibit E



Signage Exhibit
 Opportunities for DORA
 Rules & Hours of Operation

Exhibit F



Sanitation Plan Exhibit

Exterior Trash Cans: 46
 Interior Trash Cans: 14
 Public Restrooms: 4