

**Application to the Hudson City Council**

**For the establishment of  
DOWNTOWN HUDSON  
DESIGNATED OUTDOOR REFRESHMENT AREA**



*ORC 4301.82*

**The Office of the City Manager of Hudson Ohio respectfully submits the following application to the Hudson City Council to approve and enact the Downtown Hudson Designated Outdoor Refreshment Area, in accordance with ORC 4301.82**

**Submitted May 28, 2020**

**Updated June 18, 2020**

**BY:** *Jane Howington*

**Jane Howington, City Manager**

## **Introduction**

Section 4301.82 of the Ohio Revised Code authorizes municipalities to create a Designated Outdoor Refreshment Area (DORA). Upon creation, an outdoor refreshment area allows restaurant patrons to legally walk around a designated outdoor area with an alcoholic beverage that has been served by a liquor-permit-holding establishment. Patrons would be required to stay within a predetermined boundary, and only during locally established days/times/events.

In order to consider creation of a DORA the City Manager must file an application with the Hudson City Council which meets certain state requirements. The application filed must be advertised for two consecutive weeks in a newspaper of general circulation. Not earlier than 30 days, but no later than 60 days, after the initial publication of the notice, the City Council may approve or disapprove of the application.

On May 22, 2020, A joint letter was submitted by The Hudson Area Chamber of Commerce, the Merchants of Hudson, and Destination Hudson requesting a DORA being established in the community and proposed a framework for consideration.

City Council discussed the proposal at a workshop session of May 26, 2020. The City Council provided input and expressed a general desire for this application to be prepared as the next step in considering enactment of a DORA.

The creation of the DORA is intended to serve as an economic tool to attract patrons to downtown Hudson 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 Hudson.

**DORA Application Review Timeline** per ORC 4301.82 requirements

|                              |   |
|------------------------------|---|
| May 22, 2020                 | Joint letter of interest received from Destination Hudson, The Hudson Area Chamber of Commerce, and the Merchants of Hudson   |
| May 26, 2020                 | City Council Workshop Discussion regarding the letter of interest   |
| June 2, 2020                 | City Council First Reading  |
| June 3, 2016 & June 10, 2016 | In accordance with applicable requirements, Public notice of the application and hearing was advertised on two consecutive weeks in the Hudson Hub Times (see attachment) |
| June 16, 2020                | City Council Second Reading and Public Hearing  |
| June 23, 2020                | City Council Workshop Session to further review the application and testimony received at public hearing  |
| July 7, 2020                 | City Council Third reading and possible action<br>(action must occur between 30-60 days from the June 3 <sup>rd</sup> initial publication of notice)                      |

**Section 1: Boundaries of the Proposed Outdoor Refreshment Area**

According to ORC 4301.82 (B)(1)(b) the maximum area shall be one hundred fifty contiguous acres if the municipal corporation or township has a population of thirty-five thousand or less

City of Hudson population 2010 decennial census: 22,262

Proposed DORA boundary: 32.5 acres

In accordance with ORC 4301.82(F)(1)(a), the boundaries of the DORA are depicted below.



DORA Boundary in Blue.

**Street Boundaries for the DORA are as follows:**

**Summit County**

**City of Hudson**

**Hudson Designated Outdoor Refreshment Area**

**May 28, 2020**

| <b>Street Name</b>   | <b>Range</b> | <b>Even/Odd</b> |
|----------------------|--------------|-----------------|
| North Main Street    | 36 -238      | Even            |
| First Street         | 48-111       | Even and Odd    |
| Library Street       | 56-96        | Even and Odd    |
| Village Way          | 35-107       | Even and Odd    |
| Clinton Street       | 7-48         | Even and Odd    |
| Park Lane            | 34-48        | Even and Odd    |
| W Streetsboro Street | 17-69        | Odd             |
| Owen Brown Street    | 80-86        | Even            |

**Section 2: Nature and Types of Establishments**

In accordance with ORC 4301.82(B)(2) the following are the lists of names and types of establishments within the DORA. The types of establishments within the DORA are primarily businesses in retail, dining and service industries.

| <b>Address</b>                            | <b>Business name</b>              | <b>Industry/type</b> |
|---|-----------------------------------|----------------------|
| 234 N. Main Street                        | Sal’s Barber Shop                 | Service              |
| 230 N. Main Street                        | Stemaco                           | Office               |
| 220 N. Main Street, Main Flr              | Ohio Organics & Nature            | Retail               |
| 220 N. Main Street, Upper                 | Golden Eagle Title                | Offices              |
| 220 N. Main Street, Lower                 | Western Reserve Printing          | Service              |
| 214 N. Main Street                        | Lucia’s Salon                     | Service              |
| 204 N. Main Street                        | Learned Owl Book Shop             | Retail               |
| 190 N. Main Street                        | Winds of Change                   | Retail               |
| 184 N. Main Street, Main Flr              | Dave’s Cosmic Subs                | Restaurant           |
| 178 N. Main Street, 2 <sup>nd</sup> Floor | Uncommon Art                      | Retail               |
| 178 N. Main Street, Main Flr              | Hudson Oriental Rugs              | Retail               |
| 164 N. Main Street                        | Open Door Coffee                  | Restaurant           |
| 160 N. Main Street                        | Hudson Fine Art & Framing         | Retail               |
| 150 N. Main Street                        | The Grey Colt                     | Retail               |
| 148 N. Main Street                        | Keller Williams Chervenec Realty  | Office               |
| 144 N. Main Street                        | Western Reserve Music             | Retail               |
| 140 N. Main Street                        | Western Reserve School of Cooking | Retail               |
| 140 N. Main Street                        | Downtown 140                      | Restaurant           |
| 140 N. Main Street                        | Vignettes                         | Retail               |
| 138 N. Main Street                        | Estrella Consulting               | Service              |
| 134 N. Main Street                        | Fair Trade on Main                | Retail               |
| 134 N. Main Street                        | County Blues                      | Retail               |
| 126 N. Main Street                        | U.S. Bank                         | Service              |
| 122 N. Main Street                        | Howard Hanna Hudson               | Office               |
| 116 N. Main Street                        | Jewelry Art                       | Retail               |
| 112 N. Main Street                        | Vertical Runner                   | Retail               |
| 100 N. Main Street                        | Riley’s Cleaners                  | Retail               |
| 98 N. Main Street                         | The Farmers Rail                  | Retail               |
| 88 N. Main Street                         | Kepner’s Restaurant               | Restaurant           |
| 80 N. Main Street                         | Hudsons Restaurant                | Restaurant           |
| 72 N. Main Street                         | Sister Nails                      | Service              |
| 72 N. Main Street                         | Prescott Brothers Hair Cutting    | Service              |
| 72 N. Main Street                         | Russell Real Estate Services      | Office               |
| 72 N. Main Street                         | Amaize Gourmet Popcorn Shoppe     | Retail               |
| 36 N. Main Street                         | Baldwin-Buss-Merino House         | Historic Property    |
| 34 Park Lane                              | Restore Cold Pressed              | Restaurant           |
| 36 Park Lane                              | Comida                            | Restaurant           |
| 44 Park Lane                              | Aladdin’s Eatery                  | Restaurant           |

| Address               | Business name                      | Industry/type |
|-----------------------|------------------------------------|---------------|
| 46 Park Lane          | The Rusty Stone                    | Retail        |
| 48 Park Lane          | Cold Stone Creamery                | Restaurant    |
| 89 First Street #205  | Fairway Independent Mortgage Corp  | Office        |
| 81 First Street       | LOFT                               | Retail        |
| 82 First Street       | Talbots                            | Retail        |
| 87 First Street       | JoS. A Bank Clothiers              | Retail        |
| 92 First Street       | Chico's                            | Retail        |
| 89 First Street #201  | Fitness Together                   | Service       |
| 89 First Street #203  | Snip-Its                           | Service       |
| 89 First Street #204  | First Federal of Lakewood          | Office        |
| 89 First Street #205  | Fairway Independent Mortgage Corp. | Office        |
| 89 First Street #207  | Yoga Lounge                        | Service       |
| 89 First Street #209  | Smiles by White                    | Service       |
| 89 First Street #212  | CAVU Financial, LLC                | Office        |
| 92 First Street       | Chico's                            | Retail        |
| 102 First Street #204 | Robert J Rischitelli Ltd           | Office        |
| 102 First Street #201 | ON Search Partners                 | Office        |
| 102 First Street #206 | Western Reserve Capital Management | Office        |
| 102 First Street #211 | Henning Software                   | Office        |
| 103 First Street      | Violet Row                         | Retail        |
| 106 First Street      | D'Agnese's Tomato Grill            | Restaurant    |
| 111 First Street      | Salon One Eleven                   | Service       |
| 111 First Street #201 | NEOSkin Center Medical Spa         | Service       |
| 112 First Street      | J Jill                             | Retail        |
| 7 Clinton Street      | Off Mainstreet Salon               | Service       |
| 12 Clinton Street     | The Greenhouse Florist             | Retail        |
| 19 Clinton Street     | Heinen's                           | Retail        |
| 44 Clinton Street     | Carriage Insurance                 | Office        |
| 44 Clinton Street     | Laura Yeager Smith Home Design     | Office        |
| 44 Clinton Street     | J. Kapela Designs                  | Office        |
| 41 Village Way        | Gracylane                          | Retail        |
| 43 Village Way #201   | UBS Financial Services             | Office        |
| 43 Village Way #209   | Magnum Steel & Trading, Inc.       | Office        |
| 43 Village Way #210   | Kurtz Graphics                     | Office        |
| 45 Village Way        | White House Black Market           | Retail        |
| 49 Village Way        | FlipSide- One Red Door             | Restaurant    |
| 60 Village Way        | 3 Palms                            | Restaurant    |
| 72 Village Way #1C    | Classic Additions                  | Retail        |
| 72 Village Way        | The Brain Rehabilitation Center    | Office        |
| 72 Village Way        | Retail Business Solutions          | Office        |
| 72 Village Way        | Kink Tax Service                   | Office        |
| 84 Village Way        | Cutler Real Estate                 | Office        |
| 84 Village Way        | Bird Mobility                      | Service       |
| 84 Village Way        | Edward Jones Investments           | Office        |

| <b>Address</b>             | <b>Business name</b>         | <b>Industry/type</b> |
|----------------------------|------------------------------|----------------------|
| 84 Village Way             | Maistros Legal Services      | Office               |
| 84 Village Way             | Pasco, Inc.                  | Office               |
| 86 Owen Brown Street       | Farinacci's Pizza            | Restaurant           |
| 86 Owen Brown Street       | Young Actor's Studio         | Theater              |
| 86 Owen Brown Street       | Buck Financial               | Office               |
| 86 Owen Brown Street       | Hudson School of Music       | Service              |
| 17 West Streetsboro Street | Salon Elevate                | Service              |
| 45 West Streetsboro Street | Shell/True North Gas Station | Service              |
| 69 West Streetsboro Street | DO Summers Cleaners          | Service              |
| 56 Library Street #103     | Salon Hudson & Spa           | Service              |
| 56 Library Street #102     | Comfort Spa Hudson           | Service              |



**Section 3: List of qualified permit holders**

In accordance with ORC 4301.82 (B)(3) the DORA will encompass no fewer than four qualified permit holders. Hudson has identified eleven qualified permit holders within the DORA:

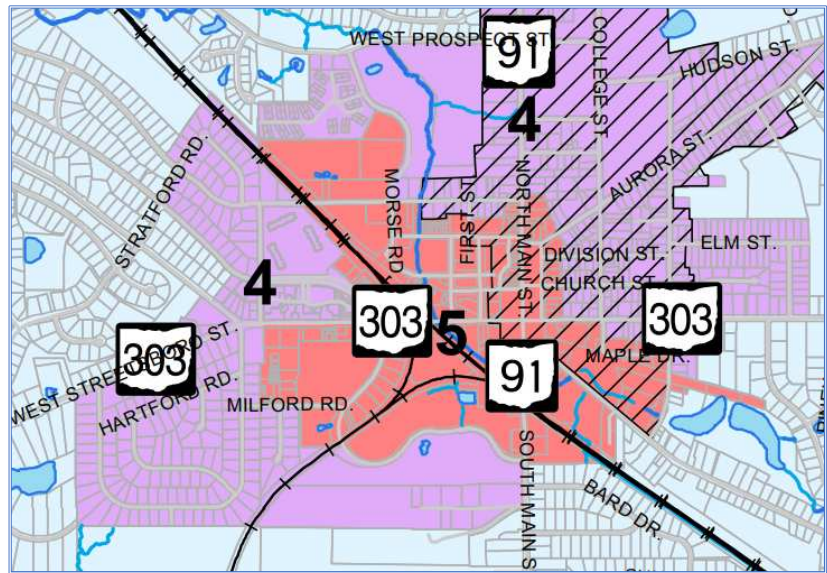
| <b>Business Name</b>      | <b>DBA</b>                            | <b>Business Address</b> | <b>Permit Type(s)</b> | <b>Permit #</b> |
|---------------------------|---------------------------------------|-------------------------|-----------------------|-----------------|
| 3 Foodies LLC             | Hudsons Restaurant                    | 80 N. Main Street       | D5/D6                 | 8916901         |
| 49 Village Way LLC        | One Red Door/FlipSide                 | 49 Village Way West     | D51/D6                | 2831292         |
| Aladdins Eatery of Hudson | Aladdins Eatery                       | 44 Park Lane            | D1/D2/D6              | 0092758         |
| Bosans Restaurant Inc     | D’Agnese Tomato Grill                 | 106 First Street        | D1/D2/D3/D6           | 08486830020     |
| Chester Malone LLC        | Downtown 140                          | 140 North Main Street   | D1/D2/D3/D6           | 1421158         |
| Farinacci Pizza LLC       | Farinacci Pizza                       | 86 Owen Brown Street    | D5/D6                 | 2639529         |
| Sixty Village Way LLC     | Three Palms                           | 60 Village Way          | D5/D6                 | 8199979         |
| Keps Tavern LLC           | Kepners Restaurant                    | 88 North Main Street    | D2/D3/D3A/D6          | 4610547         |
| LG Square Inc*            | Revival Social Club                   | 200 North Main Street   | D51/D6                | 5190811         |
| Cactus Co.                | Luchitias Mexican Restaurant (Comida) | 36 Park Lane            | D1/D2/D3/D3A/D6       | 11770470005     |
| Heinen’s Inc.             | Heinen’s of Hudson                    | 19 Clinton St           | D1/D2/D6              | 37269590140     |

\*Pending as on May 27, 2020

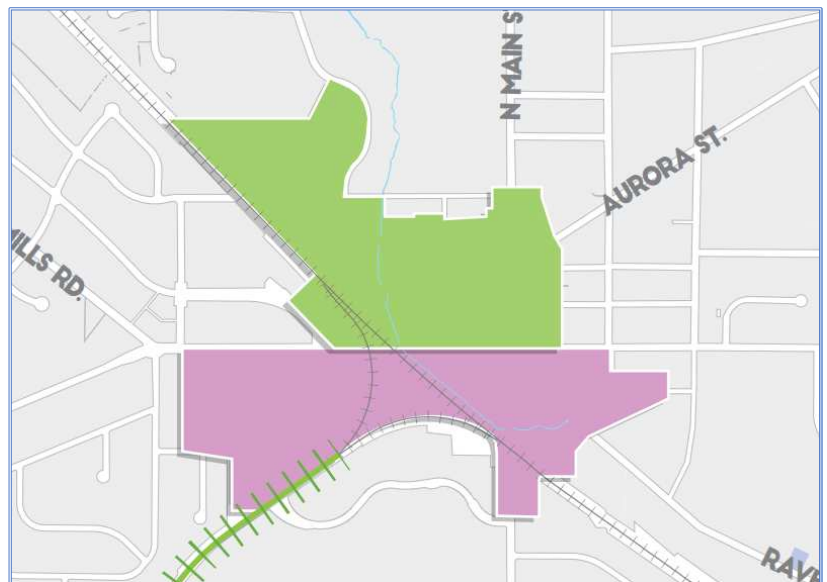
**Section 4: Evidence that the uses of land within the proposed outdoor refreshment area are in accord with the master zoning plan or map of the municipal corporation**

The uses of the land within the DORA are in accord with the City of Hudson Zoning Map and the 2015 Comprehensive Plan.

City of Hudson Zoning Map: The entire DORA Boundary is located within Zoning District 5: Village Core District. The district is intended to preserve and protect the Village Core, which is the historical and commercial center of the City of Hudson. Establishment of the DORA is consistent with and will not conflict with the current zoning.



2015 Comprehensive Plan:  
Future Land Use Map: The Comprehensive Plan notes the DORA area (green) as part of the *Downtown Character Area* which is described to offer a range of uses in a walkable, mixed use district. Establishment of the DORA is consistent with and will not conflict with the current Comprehensive Plan.



## **Section 5: Proposed requirements for the purpose of ensuring public health and safety within the proposed outdoor refreshment area**

In accordance with ORC 4301.82(B)(5), the requirements for ensuring public health and safety are as follows. These requirements have been prepared in cooperation with and distributed to our local public safety officials:

### Law Enforcement Duties:

The City of Hudson Police will be responsible for providing Law Enforcement services within the DORA. The main Police Station is located within ¼ mile of the district boundary. The on-duty supervisor shall ensure that appropriate attention is provided to the DORA during hours of operation. City of Hudson Police Department anticipates existing staffing will be adequate to meet the needs of the DORA District on a daily basis. In the event that 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, as well as special operations bureau will be considered as alternate methods of patrolling the DORA.

For special events in the DORA drawing large attendance, additional officers or other agency personnel and/or private security may be required as determined by the Chief of Police.

### Fire/EMS Responsibilities:

The City of Hudson will be responsible for providing Fire, Rescue, and EMS services within the DORA. The main Fire/EMS station is located 0.4 miles from the district boundary. City of Hudson Fire Department anticipates existing staffing will be adequate to meet the needs of the DORA District on a daily basis.

For special events in the DORA drawing large attendance, the Fire/EMS Chief may stage personnel and/or equipment in a location within or near the DORA to allow for an immediate response.

### Required Cups:

Liquor permit establishments within the DORA selling alcohol that can be carried outside its permit area must provide special designated cups identified with a Hudson DORA label. No other container shall be permitted. Cups shall be made of compostable or recycled plastic materials.

Special Events:

The City of Hudson requires that each special event receive a permit with review by applicable city departments. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers, if determined by the City of Hudson, to ensure adequate health and public safety requirements. The City of Hudson special event rules, procedures, and regulations remain in effect within the DORA District.

Outdoor dining and/or events on property within the DORA:

Permit holders that sell alcoholic beverages as part of an outdoor dining area in City of Hudson's Right of Way (adjacent to the establishment), must obtain a license agreement from the City of Hudson. The permit holder may not sell alcohol outside their permit area. These policies require the license holder to submit a physical layout of the tables, chairs, and other facilities. The license and permit review ensure their will be adequate pedestrian pathways and ingress/egress for emergency services. Failure to comply with the agreement can result in revocation.

Restaurants without a liquor permit and any other establishment within the DORA may allow patrons with DORA cups to enter their establishment if permitted by the owner.



Signage:

In accordance with ORC 4301.82 (F)(1)(b) The number, spacing, and type of signage designating the area will be as follows:

City of Hudson Public Works Department will install 16 boundary signs at the spacing and location depicted below. City of Hudson anticipates the proposed signage locations will be adequate. Patron use will be monitored on an ongoing basis with additional signage installed where needed. Portable signage may be used as needed for special events.



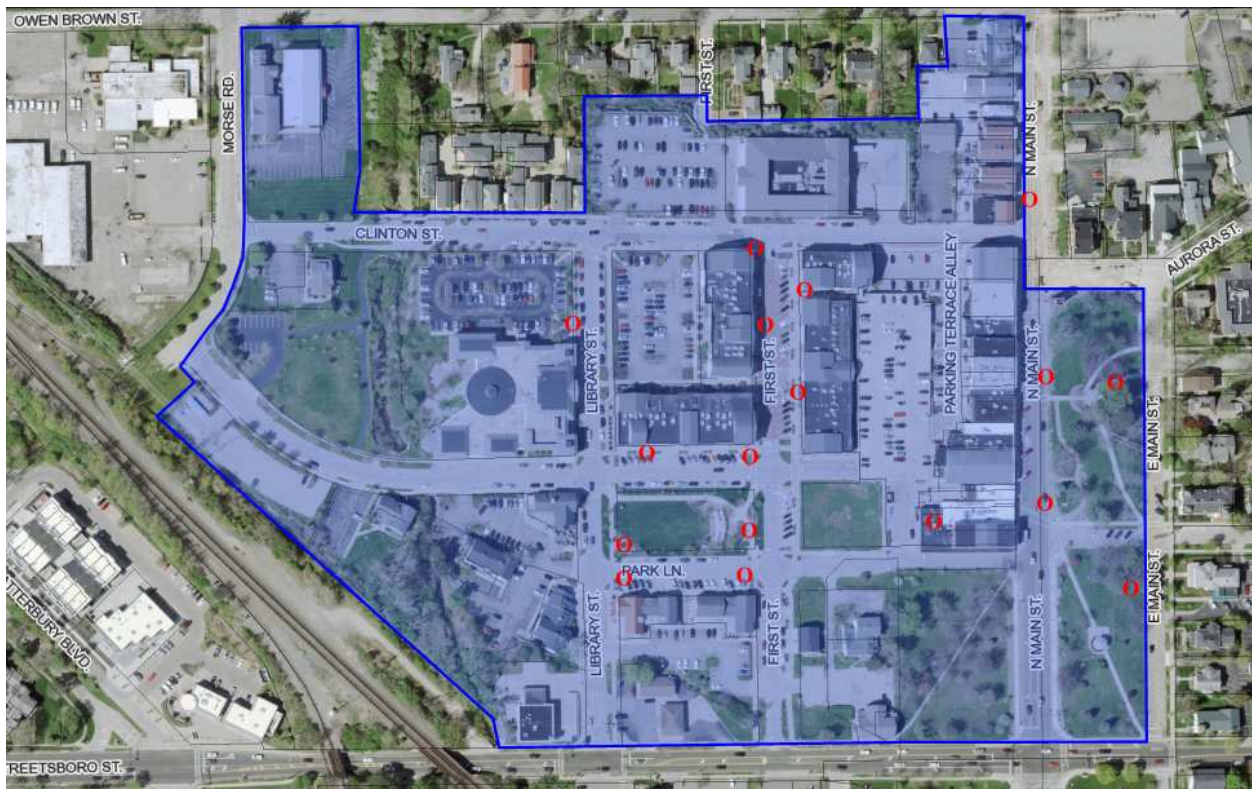
Signage to be utilized along with posting of DORA Hours



Sign Locations noted in Red

Sanitation Plan:

The City of Hudson has staff specifically allocated to the downtown district and already provides sanitation and general maintenance duties throughout the district. City of Hudson staff will continue to provide waste removal at 17 waste and recycling containers in the district. City of Hudson anticipates the existing staffing and waste containers will be adequate to meet the needs of the DORA District. Patron use will be monitored on an ongoing basis with staffing and containers adjusted as needed.



Waste container locations noted in red

### **Section 6: Hours of Operation**

In accordance with ORC 4301.82(f)(1)(c) the hours of operation will be as follows:

Seven days a week – 12 noon to 9:00 pm



CITY COUNCIL • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1795

May 28, 2020

## PUBLIC HEARING NOTICE

Pursuant to Section 4301.82 of the Ohio Revised Code, the Council of the City of Hudson will hold a public hearing at 7:30 p.m. on Tuesday, June 16, 2020, on an application for a Designated Outdoor Refreshment Area and on legislation entitled “A RESOLUTION APPROVING THE CREATION OF A DESIGNATED OUTDOOR REFRESHMENT AREA FOR THE CONSUMPTION OF ALCOHOL IN SPECIFIED PUBLIC AREAS OF DOWNTOWN HUDSON AND ENACTING REGULATIONS THEREFOR.”

In accordance with the recent amendments to Ohio Revised Code Section 121.22 in light of the COVID-19 declared emergency, this public hearing will be conducted remotely via video-conference and will be broadcast via public live-stream on Hudson Community Television and the [City's website](#), and an archived video will be made available for the record.

Anyone wishing to participate in the public hearing may do so as follows: 1.) email comments to [CouncilComments@hudson.oh.us](mailto:CouncilComments@hudson.oh.us) by 4:30 p.m. on the June 16, 2020, and comments will be read into the record; or 2.) request to speak live by contacting the Clerk of Council at same email address by 3:30 p.m. on June 16, 2020, and information will be provided for joining the virtual public hearing.

A copy of the application and Resolution is on file in the office of the Clerk of Council, 1140 Terex Road, Hudson, Ohio, and is available for public inspection during normal working hours.

By: Elizabeth Slagle  
Clerk of Council

Hudson Hub Times posting on 6-3 & 6-10-2020





CITY COUNCIL • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1795

June 26, 2020

## NOTICE

Pursuant to Section 4301.82 of the Ohio Revised Code, the Council of the City of Hudson will consider and will possibly take action on Tuesday, July 7, 2020, on [Resolution No. 20-69](#) entitled “A RESOLUTION APPROVING THE CREATION OF A DESIGNATED OUTDOOR REFRESHMENT AREA FOR THE CONSUMPTION OF ALCOHOL IN SPECIFIED PUBLIC AREAS OF DOWNTOWN HUDSON AND ENACTING REGULATIONS THEREFOR; AND DECLARING AN EMERGENCY.”

In accordance with the recent amendments to Ohio Revised Code Section 121.22 in light of the COVID-19 declared emergency, the Council meeting will be conducted remotely via video-conference and will be broadcast via public live-stream on Hudson Community Television and the [City’s website](#), and an archived video will be made available for the record.

Anyone wishing to provide public comments may do so as follows: 1.) email comments to [CouncilComments@hudson.oh.us](mailto:CouncilComments@hudson.oh.us) by 4:30 p.m. on July 7, 2020, and comments will be read into the record; or 2.) request to speak live by contacting the Clerk of Council at same email address by 3:30 p.m. on July 7, 2020, and information will be provided for joining the virtual public hearing.

A copy of [Resolution No. 20-69](#), including the application for a Designated Outdoor Refreshment Area (Exhibit A), is on file in the office of the Clerk of Council, 1140 Terex Road, Hudson, Ohio, and is available for public inspection online and during normal working hours.

By: Elizabeth Slagle  
Clerk of Council

Hudson Hub Times posting on 7-1 & 7-5-2020