

EMERGENCY

City of Cincinnati

TJL *AWB*

An Ordinance No. _____ - 2021

REPEALING AND REPLACING Ordinance No. 23-2021, passed by Cincinnati City Council on January 21, 2021, in order to APPROVE an application for the creation of a designated outdoor refreshment area to be known as the “DORA at The Banks,” pursuant to Chapter 838 of the Cincinnati Municipal Code, “Outdoor Refreshment Areas,” and to AUTHORIZE the City Manager to take all necessary and proper actions to provide for the operation and maintenance of the designated outdoor refreshment area.

WHEREAS, the City Council enacted Ordinance No. 23-2021 on January 21, 2021, prior to the conclusion of the 30-day public notice period mandated by Ohio Revised Code (“R.C.”) Section 4301.82; and

WHEREAS, the Council has determined that it is appropriate to repeal the entirety of Ordinance No. 23-2021 and to enact this ordinance in replacement thereof, such public notice period having concluded; and

WHEREAS, pursuant to R.C. Section 4301.82, municipal corporations are authorized, upon application by their executive officers, to designate certain areas within their borders as designated outdoor refreshment areas (“DORAs”); and

WHEREAS, in furtherance of this state authorization, the Council enacted Chapter 838 of the Cincinnati Municipal Code (“CMC”), “Outdoor Refreshment Areas,” to provide for the creation of DORAs within the City; and

WHEREAS, the City Manager has submitted a proper application pursuant to R.C. Section 4301.82 and CMC Chapter 838 requesting the creation of a DORA within the area commonly known as The Banks (the “Application”) to be known as the “DORA at The Banks,” and Council has received the Application; and

WHEREAS, notice of the Application was published once in a newspaper of general circulation within the City, which notice indicated that the Application is on file with the Clerk of Council and is available for inspection; and

WHEREAS, the Application demonstrates that the creation of the proposed DORA will strengthen the Central Business District and encourage further economic growth at The Banks; and

WHEREAS, Council deems it necessary and advisable to create the DORA at The Banks to aid in the attraction and retention of new patrons and visitors to the establishments at The Banks and to encourage economic growth within the district; and

WHEREAS, the Mayor and Council have reviewed the Application and determined that the creation and designation of the DORA at The Banks conforms to the applicable requirements of R.C. Section 4301.82 and CMC Chapter 838; and

WHEREAS, it is in the public interest of the City to approve the Application and create the DORA at The Banks; and

WHEREAS, the proper operation and management of the DORA at The Banks is also in the interests of the City and the health, safety, and public welfare of its residents and is in accordance with the provisions of applicable federal, state, and local laws and requirements; and

WHEREAS, accordingly, the City desires to enter into one or more agreements necessary to provide for and obtain operational and management services for the DORA at The Banks, subject to any and all terms and conditions that the City Manager or his or her designee finds appropriate; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati:

Section 1. That Ordinance No. 23-2021, passed by Council on January 21, 2021, is hereby repealed.

Section 2. That Council hereby approves the City Manager's application for the creation of a designated outdoor refreshment area ("DORA"), attached hereto as Attachment A and incorporated herein by reference ("Application"), upon finding that the Application contains all information required by Ohio Revised Code ("R.C.") Section 4301.82 and Cincinnati Municipal Code ("CMC") Section 838.03, and upon further finding that the Application meets the requirements of those sections in all respects, including the requirement that the proposed DORA contain no fewer than four qualified permit holders and the requirement that the Application provide evidence that the uses of land within the proposed DORA are in accordance with the City's master zoning plan.

Section 3. That, accordingly, Council designates the area depicted on page 1 of the Application and incorporated herein by reference as a DORA for the purposes of R.C. Sections 4301.62 and 4301.82, and CMC Chapter 838, which DORA shall be known as the "DORA at The

Banks,” and which DORA shall contain all of the street addresses and parcels listed on Exhibit A of the Application, incorporated herein by reference.

Section 4. That the DORA shall be identified by signage sufficient to define its boundaries and to put the public on notice of the special laws, rules, and regulations governing it, which signage shall be comprised of no less than 30 signs placed strategically, spaced no more than 1,000 feet apart along the DORA’s border, and made conspicuous to drivers and pedestrians.

Section 5. That the DORA’s hours of operation shall be fixed at 11:00AM to 1:00AM the following day, Monday through Sunday; provided that the City Manager, or his or her designee, may, upon due and proper notice to permit holders within the district, temporarily suspend the DORA’s operations as necessary to provide for the public health, safety, or welfare.

Section 6. That Council finds the initial estimated number of personnel needed to ensure public safety within the DORA is forty patrol officers and supervisors, which personnel consists of existing patrols that service the area and which personnel is estimated to include at least one patrol officer dedicated to patrolling the DORA during its hours of operation; provided, however, that this estimate shall not in any way limit the City Manager’s authority to authorize personnel levels that deviate from this estimate as necessary to meet actual operational and public safety needs.

Section 7. That Council adopts the sanitation plan set forth on page 2 of the Application and incorporated herein by reference to maintain the appearance and public health of the area, and Council finds that the initial estimated number of personnel need to implement the sanitation plan is one staff member per truck per day with one to two truck runs required per day; provided, however, that the City Manager may adjust the sanitation plan and authorize personnel levels that

deviate from the staffing estimate to meet actual operational needs and to provide for the public health, safety, and welfare.

Section 8. That all beer and intoxicating liquor served within the DORA for off-premises consumption within the DORA may only be served in official plastic bottles or other plastic containers approved by the City Manager or his or her designee and provided by qualified permit holders. No other container may be used to serve beer or intoxicating liquor for off-premises consumption within the DORA, unless previously approved in writing by the City Manager or his or her designee.

Section 9. That the City Manager or his or her designee is authorized to take all necessary and proper actions to ensure the DORA is operated and maintained in a clean and safe manner and with regard for the health, safety, and welfare of businesses, residents, visitors, and other persons who are impacted by the operation and maintenance of the DORA, which authorization specifically includes but is not limited to:

- a. taking all necessary and proper actions to install the signage authorized by Section 4 of this Ordinance; and
- b. taking all necessary and proper actions to enforce the hours of operation established by Section 5 of this Ordinance; and
- c. taking all necessary and proper actions to provide for public safety within the DORA as provided in Section 6 of this Ordinance; and
- d. taking all necessary and proper actions to implement the sanitation plan established by Section 7 of this Ordinance; and
- e. establishing additional rules and regulations for the operation of the DORA as deemed necessary for public health, safety, or operational purposes; and
- f. subject to any and all terms and conditions that the City Manager or his or her designee finds appropriate, executing any and all agreements or documentation as are necessary to provide for and obtain operational and management services for the DORA at The Banks and to accept donations of monies, goods, or in-kind services used to provide such services, which agreements may include, but are not limited to, one or more

agreements with the Banks Community Authority for the provision of operational or management services within the area.

Section 10. That, pursuant to CMC Section 838.05(A) and R.C. Section 4301.82(I)(1), within five years following the effective date of this Ordinance, Council shall review the operations of the DORA to determine whether to permit its ongoing operation, under either the same or modified requirements, or whether to dissolve it in accordance with CMC Section 838.05(A) and R.C. Section 4301.82(I)(1).

Section 11. That the Clerk of Council is hereby instructed forthwith to provide notice of the creation of the DORA at The Banks, as required by R.C. Section 4301.82(C), to the Ohio Division of Liquor Control and the Investigative Unit of the Department of Public Safety.

Section 12. That Council authorizes the proper City officials to take all necessary and proper actions to fulfill the terms of this ordinance.

Section 13. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to create the “DORA at The Banks” in order for qualified license holders and businesses to prepare for the operational and maintenance needs of the new designated outdoor refreshment area.

Passed: _____, 2021

Mayor

Attest: _____
Clerk

ATTACHMENT A

APPLICATION FOR ESTABLISHMENT OF A DESIGNATED OUTDOOR REFRESHMENT AREA

Pursuant to Section 4301.82 of the Ohio Revised Code (“ORC”), Paula Boggs Muething, the City Manager and chief executive officer of the City of Cincinnati, respectfully submits this application to City Council for designation and approval of the area depicted and described below as an outdoor refreshment area (referred to herein as the “DORA”), with such area generally encompassing the neighborhood known as The Banks and also including Great American Ball Park, Paul Brown Stadium, National Underground Railroad Freedom Center, the Heritage Bank Center, and the soon to be completed Andrew J. Brady Icon Music Center.

Boundaries of the DORA:



The DORA will cover the above-depicted approximately 85 acre area, described more particularly as follows: Beginning in the southeast corner of the intersection of Central Avenue and West Second Street, then proceeding east along the southern edge of Second Street to the intersection of Second Street and Joe Nuxhall Way; then proceeding east along Johnny Bench Way to the intersection with East Pete Rose Way; then proceeding further east along the southern edge of East Pete Rose Way and adjacent to the Heritage Bank Center to the intersection with Route 27; then proceeding south to the intersection with Route 52 (also known as Mehring Way); then proceeding west along Route 52 to the intersection of Central Avenue; then north to the intersection of West Second Street and Central Avenue, the place of beginning. Notwithstanding the forgoing, the exact operational boundaries of the DORA may be adjusted or more specifically delineated in the City Manager’s discretion in order to accommodate existing improvements or for health, safety, or other reasonable operational purposes.

A list of all parcels and street addresses included in the DORA are listed below in Exhibit A.

Overview of DORA and Operations

The goal of the DORA is to further enhance the City's riverfront area as a destination for urban living, tourism, work, and entertainment. By building off the synergy created by a thriving urban neighborhood adjacent to Paul Brown Stadium, Great American Ballpark, the Heritage Center, the National Underground Railroad Freedom Center, the brand new Andrew J. Brady Icon Music Center, and a world-class City Park, the DORA is intended to not only support existing businesses in the DORA but to attract additional business and investment to the area.

Approval of the DORA will allow participating bars, restaurants, and other vendors to sell alcoholic beverages in designated plastic cups, plastic bottles, or other plastic containers to patrons. Patrons will then be legally allowed to depart the establishment or site where the beverage was purchased and move freely around outside within the DORA area and with that beverage. The designated plastic cups (or other plastic containers) will be sold by brick and mortar establishments and may also be sold by other approved outdoor vendors, such as for special events. All vendors must still maintain required liquor permits to sell alcohol in accordance with state law. All property owners and establishments have the option of opting-out of participating in the DORA. In accordance with state law, patrons may only leave establishments with alcoholic beverages in the designated plastic cups, plastic bottles, or other approved plastic container. Further, no outside alcoholic drinks are permitted—meaning only alcoholic drinks that are purchased in the designated plastic cup, plastic bottle, or other plastic containers and from a properly permitted vendor in the DORA may be enjoyed outside. Signage, as further described below, will inform patrons of the rules and boundaries of the DORA.

The DORA is being launched in partnership with the Banks Community Authority, a new community authority created by City Council under Resolution 49-2018, passed September 6, 2018 pursuant to ORC Chapter 349 (the "BCA"). The BCA, which was created to drive increased patronage and investment at the Banks, will contract with the City to provide operational and management services for the DORA. This will entail overseeing the production; distribution; and sale of designated plastic cups, plastic bottles, or other approved plastic containers and also include provision of security and sanitation services to ensure a safe and clean public space.

The BCA is governed by a board of trustees comprised of private and public stakeholders and was designed as a financially self-sustaining organization to fund marketing efforts and placemaking initiatives that both drive traffic to the Banks and enhance the vibrancy of the area. Currently, the BCA is primarily funded by a small surcharge on food and beverage purchases made at the Banks. The BCA's DORA operations will be in-part financed through these existing resources and from revenue collected through the sale of the designated plastic containers. At this time, the BCA already provides a host of services and amenities to enhance the area; therefore, by contracting with the BCA for operational and management services of the DORA, the City will be able to operate the DORA safely, efficiently, and without any ongoing increased financial commitment by the City.

Public Health and Safety

The City of Cincinnati and the BCA are committed to ensuring the health and safety of patrons of the DORA and cleanliness of the area; therefore, in the contract between the City and the BCA for operation of the DORA, the BCA will agree to provide any additional security or sanitary services needed in excess of the current city-provided police and sanitation services.

The City currently has forty patrol officers on staff in the Central Business District, and on any given shift, there are 2 sergeants and 6-9 police officers on duty. Additionally, there are up to four daily additional officers patrolling the Central Business District, including the Banks, by bike. Finally, there is a Cincinnati Police Department substation located on E. Freedom Way within the DORA. This level of staffing is believed to be adequate to ensure public safety in the DORA; however, during the opening months of the DORA in the spring and summer of 2021 the BCA will be providing increased police visibility during peak operating evening hours. These services will be provided by the BCA through the hiring of off-duty Cincinnati police officers, similar to a special event detail. Further, the City and BCA will continually assess the public safety needs on an ongoing basis, and the BCA will agree to provide additional security detail as deemed necessary in the City's reasonable discretion.

The City's Department of Public Services ("DPS") empties the public trash receptacles in the DORA daily and adds a secondary run during large events, such as game days. Each run requires one staff member per truck. There are multiple trash receptacles located on corners in the highest trafficked intersections/areas of the Banks. Additionally, the City currently provides daily street sweeping in the DORA. In addition to the City's sanitation services, through a shared services agreement, the BCA and the tenants at the Bank's provide supplementary cleaning services and have a single staff person on-site daily providing these services. Similar to the security needs, the City and BCA will continue with the current level of services, and the City believes the current DPS staffing levels and services in conjunction with the supplementary cleaning services are sufficient to adequately maintain the appearance and public health in the DORA. However, the City and BCA will continually assess the service levels and staffing needs and the BCA will provide any supplementary cleaning and sanitation services needed to keep the DORA area in a clean, safe, and sanitary state. The BCA will agree to increase staffing as needed to meet this standard.

Hours of Operation

The DORA will operate from 11:00 AM- 1:00 AM Monday through Sunday. Notwithstanding anything herein to the contrary, the City Manager will retain the discretion to temporarily suspend the operations of the DORA or alter operational parameters at his or her sole discretion if determined necessary for public health, safety, or welfare.

Signage

In accordance with ORC 4301.82(F), clearly marked signs will delineate all boundaries of the DORA. Additionally, signage will be placed within the DORA to notify patrons of the rules of operation. This signage will be a mix of “sidewalk tattoos,” which will be printed on the sidewalk and traditional signage. The sidewalk tattoos are semi-permanent adhesives that are placed on the sidewalk. Examples of existing sidewalk tattoos as well as proposed DORA sidewalk tattoo and signage designs are depicted in Exhibit B. The signage will be paid for and maintained by the BCA throughout the life of the DORA.

The proposed plan for signage is to include street signage and tattoos along the boundaries of the DORA, with traditional signage located at intersections and street tattoos in between intersections, with an estimated fifty signs needed to clearly demarcate the boundary for an average of one sign every 200 feet along the boundary. Additional signs will be added in the interior to demarcate operational boundaries, as determined necessary by the City Manager. Approximately twenty or more interior traditional signs notifying patrons of the DORA rules will be posted, generally with one sign on each block. The numbers of signs and spacing may be increased or decreased in the City Manager’s discretion, and the City and BCA will assess the need for changes to signage on an ongoing basis.

Additional Rules and Requirements

The City Manager may establish additional rules and regulations for operation of the DORA and will update such rules and regulations from time to time as deemed necessary for public health, safety, or operational purposes; provided however, such rules will always require that all alcoholic drinks served to be consumed outside of establishments within the DORA shall be served in a designated plastic cup, plastic bottle, or other plastic container.

Special Events

The DORA will provide additional flexibility for events at the Banks. The City Manager will work with the BCA to develop operational parameters for hosting special events within the DORA that balance interests of all stakeholders.

Nature of Establishments

In accordance with ORC 4301.82(B)(2), the nature and types of establishments that will be located within the DORA are a broad array of institutions, businesses, and uses—including two professional sports stadiums, a museum, an indoor arena, portions of Smale Riverfront Park, offices, retail, hotel, residences, and numerous drinking and dining establishments. There is no intention of changing the nature and types of establishments in the area. Instead, once operational, the DORA will support this existing eclectic mix of establishments by attracting additional customers, residents, and workers. A current list of existing establishments is below:

Name	Address	Street	Zip	Category	Qualified Permit Holder?
Great American Ball Park	100	Joe Nuxhall Way	45202	Entertainment & Sports Stadium	Yes
Galla Park	175	Joe Nuxhall Way	45202	Dining/Bars	Yes
The Holy Grail Tavern and Grille	161	Joe Nuxhall Way	45202	Dining/Bars	Yes
Joella's Hot Chicken	180	E Freedom Way	45202	Dining/Bars	Yes
Tin Roof	160	E Freedom Way	45202	Dining/Bars	Yes
Ruth's Chris Steak House	100	E Freedom Way	45202	Dining/Bars	Yes
Street Corner Market at the Banks	160	Marian Spencer Way	45202	Convenience Store	No
Planet Fitness	145	2nd Street	45202	Gym	No
Smothie King	155	2nd Street	45202	Dining/Bars	No
Condado Tacos	195	E Freedom Way	45202	Dining/Bars	Yes
The Stretch	191	E Freedom Way	45202	Dining/Bars	Yes
Jimmy John's	171	E Freedom Way	45202	Dining/Bars	No
BurgerFi	161	E Freedom Way	45202	Dining/Bars	Yes
Fishbowl at The Banks	141	E Freedom Way	45202	Dining/Bars	Yes
Jefferson Social	101	E Freedom Way	45202	Dining/Bars	Yes
AC Hotel	135	Joe Nuxhall Way	45202	Hotel	Yes
Moerlein Lagar House	115	Joe Nuxhall Way	45202	Dining/Bars	Yes
National Underground Railroad Freedom Cen	50	E Freedom Way	45202	Museum	Yes
Yard House	95	E Freedom Way	45202	Dining/Bars	Yes
Skystar Wheel	55	E Freedom Way	45202	Entertainment & Sports Stadium	No
Taste of Belgium - The Banks	16	W Freedom Way	45202	Dining/Bars	Yes
The Escape Game Cincinnati	28	W Freedom Way	45202	Entertainment & Sports Stadium	No
Pies & Pints - Cincinnati, OH (The Banks)	56	W Freedom Way	45202	Dining/Bars	Yes
GE Global Operations Center	191	Rosa Parks Street	45202	Business Office	No
Cincinnati Police Department - CBD	150	E Freedom Way	45202	Municipal Office	No
Radius at the Banks	44	W Freedom Way	45202	Residential	No
Current at the Banks	121	E Freedom Way	45202	Residential	No
Paul Brown Stadium	1	Paul Brown Stadium	45202	Entertainment & Sports Stadium	Yes
Heritage Bank Arena	100	Broadway Street	45202	Entertainment & Sports Stadium	Yes
The Andrew J Brady ICON Music Center	25	Race Street	45202	Entertainment & Sports Stadium	No

Qualified Permit Holders

As required by ORC 4301.82(B)(3), the DORA will encompass not fewer than four qualified permit holders of A-1, A-1-A, A-1c, A-2, A-2f, or D class liquor permits (excluding D-6 and D-8 class liquor permits) issued under ORC Chapter 4303.

To date at least 19 current qualified permit holders, as that term is defined in ORC 4301(A)(1), have been identified in the DORA, as follows:

#	Permit Holder	Doing Business As (DBA)	Permit Number	Permit Class(es)	Address
1	CINCINNATI SPORTSERVICE INC.	GREAT AMERICAN BALLPARK BAR 1 RIVERFRONT CLUB BAR 2 MACHINE RM	14941130002 149411320016	D1, D2, D3, D3A	100 Joe Nuxhall Way (Main Street)
2	PMG CINCINNATI INC.		6659955	D5J	175 Joe Nuxhall Way, 1 st FL
3	HOLY GRAIL BANKS LLC	HOLY GRAIL TAVERN & GRILLE	3948610 39486100003	D5J	161 Joe Nuxhall Way & Patio
4	JOELLAS CINCINNATI BANKS OH LLC	JOELLAS HOT CHICKEN	42940990005	D5J	180 E. Freedom Way 1 st FLR & Patio
5	TIN ROOF ACQUISITION COMPANY	THE TIN ROOF	8942924	D5J	160 E. Freedom Way
6	RCSH OPERATIONS LLC	RUTHS CHRIS STEAKHOUSE	72293500010	D5J	100 E. Freedom Way
7	CONDATOS TACOS 8 LLC		1657339	D5J	195 E. Freedom Way
8	4EG BANKS LLC	THE STRETCH	2852942	D5J	191 Freedom Way, Suite 170
9	MVPZ AND ME CINCINNATI LLC	BURGERFI	6256775	D5J	161 E. Freedom Way
10	OPEN BOTTLE MANAGEMENT GROUP LLC	FISHBOWL	6564313	D5J	141 E. Freedom Way, 1 st FL
11	JEFFERSON SOCIAL LLC	JEFFERSON SOCIAL	4264900	D5J	180 E. Freedom Way, 1 st FL & Patio
12	WHI CINCINNATI BANKS MANAGEMENT LLC	AC HOTEL AT THE BANKS	9556176	D5A	135 Joe Nuxhall Way
13	MLH CINCINNATI USA LLC		6071220 607122000003	A-1-A, A-1c	115 Joe Nuxhall Way;

					115 Joe Nuxhall Way & Outside Event Area
14	NATIONAL UNDERGROUND RAILROAD FREEDOM CENTER		63155930005	D5H	50 E. Freedom Way
15	YARD HOUSE USA INC	YARD HOUSE 8344	9819569	D5J	95 E. Freedom Way
16	TASTE OF BELGIUM AT THE BANKS LLC	TASTE OF BELGIUM	8803125	D5J	16 W. Freedom Way
17	PIES & PINTS CINCINNATI LLC	PIES & PINTS	6919360	D5J	56 W. Freedom Way
18	ARAMARK AMERICAN FOOD SERVICES LLC	PAUL BROWN STADIUM LEVEL 600 W/S BAR 9	25262400009	D2, D3	200 W. Mehring Way & Patio
19	ARAMARK SPORTS AND ENTERTAINMENT SERVICES LLC		2526680035	D1, D2, D3	100 Broadway & Plaza

Land Use & Zoning

In accordance with ORC 4301.82(B)(4) and as depicted below, the uses of land within the DORA are zoned Downtown Development District (depicted in pink) and Planned Development District (depicted in green). The current mix of uses in the DORA, including restaurants, bars, museums, and entertainment and sports venues, are permitted uses in these zoning districts.

Attached as Exhibit C is a letter from Cincinnati's Department of City Planning confirming that the uses of land within the DORA are permitted and in accordance with Cincinnati's master zoning plan.



Community Support, Public Notice, and Legislative Approval Process

To date, there has been significant community support expressed for the DORA. Please see Exhibit D for submitted letters.

Following filing of this application with the Clerk of Council and in accordance with ORC 4301.82(C), the Clerk will publish public notice of this application in the Cincinnati Enquirer. The notice will indicate that the application is on file and available for inspection in the Clerk's Office. Additionally, the application will be available for review on Council Online. Further, the notice will indicate the date and time of the identified City Council committee hearing to which the authorizing legislation has been referred to provide for a public hearing on the proposal.

Exhibit A

Parcel IDs and Street Addresses:

PARCEL ID	ADDRESS
083 0007 0001	150 PETE ROSE WY
083 0007 0002	182 RACE ST
083 0007 0009	PETE ROSE WY
083 0007 0010	PETE ROSE WY
083 0007 0014	50 FREEDOM WY
083 0007 0015	VINE ST
083 0007 0016	VINE ST
083 0007 0027	173 MARIAN SPENCER WY
083 0007 0029	140 MARIAN SPENCER WY
083 0007 0030	193 FREEDOM WY
082 0A02 0005	PETE ROSE WY
083 0007 0031	95 FREEDOM WY
083 0007 0032	55 FREEDOM WY
083 0007 0033	25 FREEDOM WY
083 0007 0036	99 THEODORE M BERRY WY
083 0007 0037	199 SECOND ST
083 0007 0038	180 MARIAN SPENCER WY
083 0007 0039	124 MEHRING WY
083 0007 0040	MAIN ST
083 0007 0041	115 JOE NUXHALL WY
083 0007 0046	THEODORE M BERRY WY
083 0007 0047	WALNUT ST
083 0007 0048	ROSA PARKS ST
083 0007 0049	FREEDOM WY
083 0007 0050	182 RACE ST
083 0007 0051	FREEDOM WY
083 0007 0052	FREEDOM WY
083 0007 0053	MEHRING WY
083 0007 0054	THEODORE M BERRY WY
083 0007 0056	16 FREEDOM WY
083 0007 0058	121 FREEDOM WY
083 0007 0059	FREEDOM WY
083 0007 0060	120 FREEDOM WY
083 0007 0061	193 SECOND ST
083 0007 0062	160 MARIAN SPENCER WY
083 0007 0063	44 FREEDOM WY
083 0007 0064	175 ROSA PARKS ST
083 0007 0065	179 ROSA PARKS ST
083 0007 0066	191 ROSA PARKS ST
083 0007 0067	RACE ST
083 0007 0069	RACE ST

083	0007	0070		RACE	ST
083	0007	0071		RACE	ST
083	0007	0072			
083	0007	0073		FREEDOM	WY
083	0007	0076		RACE	ST
083	0007	0077		FREEDOM	WY
083	0007	0078		RACE	ST
083	0007	0080		RACE	ST
083	0007	0083	166	FREEDOM	WY
083	0007	0084			
084	0004	0019	404	FRONT	ST
083	0007	0085			
083	0007	0086			
083	0007	0087			
083	0007	0088			
083	0007	0089			
084	0004	0037	100	BROADWAY	
084	0004	0042		BROADWAY	
084	0004	0048		BROADWAY	
084	0004	0066	423	PETE ROSE	WY
083	0004	0135	149	BROADWAY	
083	0005	0001	202	MEHRING	WY
083	0005	0003		MEHRING	WY
082	0A02	0001	200	MEHRING	WY

Street Address Ranges:

Street Name	Range	Even/Odd
E. 2 nd Street	99-193	Odd
W. 2 nd Street	199	Odd
Elm Street	25	Odd
Joe Nuxhall Way (Main Street)	100-198	Even & Odd
E. Pete Rose Way	423	Odd
W. Pete Rose Way	102-151	Even & Odd
E. Mehring Way (Route 52)	8-398	Even
W. Mehring Way (Route 52)	12-202	Even
Central Avenue	2-198	Even
E. Freedom Way	25-195	Even & Odd
W. Freedom Way	3-102	Even & Odd
Broad Way	100-149	Even & Odd
Marion Spencer Way (Walnut Street)	140-180	Even
Race Street	24-182	Even & Odd
Rosa Parks Street (Vine Street)	175-191	Odd
Theodore M. Berry Way	99	Odd

Exhibit B

Example Signage



Sidewalk Tattoo Example

YOU ARE NOW IN THE



DESIGNATED | OUTDOOR | REFRESHMENT | AREA

**Welcome to The Banks
DORA GUIDELINES**

In effect Daily from 11a.m. - 1a.m.

DORA beverages may only be consumed in designated DORA cups.

Patrons must consume DORA beverages before entering another DORA establishment (empty DORA cups may enter.)

DORA beverages may only be consumed inside the DORA District. Please observe posted boundaries.

Patrons are subject to open container alcohol laws outside the DORA district.



THANK YOU FOR VISITING. PLEASE DRINK RESPONSIBLY.



Traditional Signage Example



DESIGNATED | OUTDOOR | REFRESHMENT | AREA

WELCOME TO THE BANKS DORA GUIDELINES

- 1** *In effect Daily from 11a.m. - 1a.m.*
- 2** *DORA beverages may only be consumed in designated DORA cups.*
- 3** *Patrons must consume DORA beverages before entering another DORA establishment (empty DORA cups may enter).*
- 4** *DORA beverages may only be consumed inside the DORA District. Please observe posted boundaries.*
- 5** *Patrons are subject to open container alcohol laws outside the DORA district.*

PLEASE DRINK RESPONSIBLY.

THANK YOU FOR VISITING THE BANKS.

THEBANKSCINCY.COM



DESIGNATED | OUTDOOR | REFRESHMENT | AREA



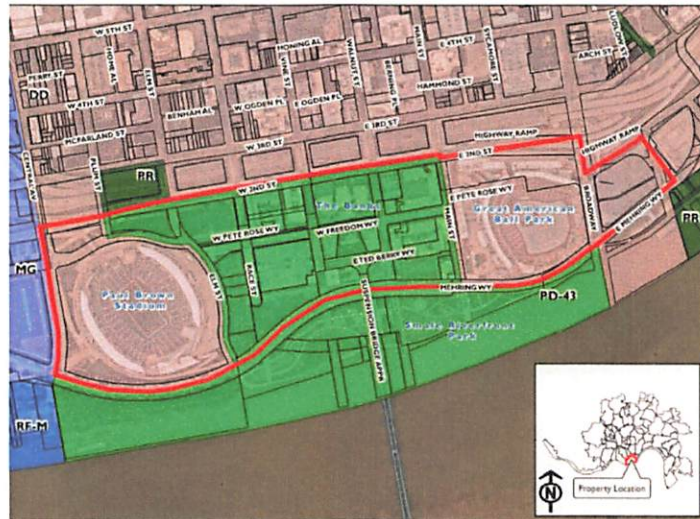
Exhibit C



Dear Ms. Boggs Muething,

This letter serves as a confirmation that the proposed Designated Outdoor Refreshment Area (DORA) as depicted below in the Central Business District is in accordance with the City's Comprehensive Plan, *Plan Cincinnati* (2012). Specifically, the DORA is in line with the Compete Initiative Area as it will cultivate our position as the most vibrant and economically healthiest part of our region. Additionally, the area that is within the DORA is zoned Downtown Development and Planned Development. Restaurants that serve alcohol, bars, and nightclubs (uses that would typically utilize a DORA license) are permitted uses in all of these zoning districts.

The Banks has always been envisioned to be a mixed-use entertainment center for Cincinnati. Instituting a DORA complements this vision and the work that has already been completed in the community. We anticipate that this DORA will foster continued investment in the area, and we look forward to helping see this project to its completion.



Sincerely,

Katherine Keough-Jurs, AICP
Director, Department of City Planning

Exhibit D

[Attached]



June 29, 2020

Mayor John Cranley
Cincinnati City Council Members
Cincinnati City Hall
811 Plum Street
Cincinnati, OH 45202

Dear Mayor Cranley and Cincinnati City Council,

We are writing in collective support of the proposed Designated Outdoor Refreshment Area (DORA) at The Banks and ask you to support it with your vote of Yes.

A DORA District at The Banks will continue to enhance the vision of The Banks as a top visitor destination while creating a positive new experience, all year long.

Over the last year, we have studied other Ohio cities and their implementation of their DORA Districts. The response in these other communities has been overwhelmingly positive from both a guest experience and a business owner perspective. We are prepared to properly introduce and manage the DORA District at The Banks.

As we continue to recover from COVID-19, it's now more important than ever for our bars and restaurants to create new revenue opportunities so we can stay in business. We believe a DORA District will increase new economic opportunity to The Banks to better support our businesses.

Thank you for your support of the proposed DORA District at The Banks.

Sincerely,
Ruth's Chris Steakhouse
Galla Park
Holy Grail
Tin Roof
Upper Deck at AC Hotel
Jefferson Social
The Stretch
Jimmy Johns
Burger Fi
Moerlein Lager House
Yard House
Taste of Belgium
Pies & Pints
Fish Bowl
Street Corner Market
Condado Tacos
Smoothie King



July 13, 2020

Mayor John Cranley
Cincinnati City Council Members
Cincinnati City Hall
811 Plum Street
Cincinnati, OH 45202

Dear Mayor Cranley and Members of Cincinnati City Council,

On behalf of the Cincinnati Bengals and Paul Brown Stadium, I am writing to voice our support of the proposed Designated Outdoor Refreshment Area (DORA) at The Banks.

It's an exciting time at The Banks. Our team is working toward a successful season with the beginning of the Joe Burrow Era to begin this fall, and the ICON Music Center is taking shape as our new neighbor. A DORA District will only add to the guest experience in a positive way.

A DORA District at The Banks will provide a year-round opportunity for fans to enjoy the area, its restaurants and bars as well as other attractions. The Cincinnati Bengals are in full support of the economic benefits that a DORA District will bring to the businesses at The Banks all year long.

Thank you for your support of the proposed DORA District at The Banks.

Sincerely,

Katie Blackburn
Executive Vice President
Cincinnati Bengals



CINCINNATI REDS™

Great American Ball Park, 100 Joe Nuxhall Way, Cincinnati, OH 45202-4109, Phone: 513.765.7000, Fax: 513.765.7342, www.reds.com

June 29, 2020

Mayor John Cranley
Cincinnati City Council Members
Cincinnati City Hall
811 Plum Street
Cincinnati, OH 45202

Dear Mayor Cranley and Members of Cincinnati City Council,

On behalf of the Cincinnati Reds and Great American Ball Park, I am writing to share our support for the new Designated Outdoor Refreshment Area (DORA) at The Banks. The Cincinnati Reds were an early supporter of the initial legislation for the DORA District and we remain committed.

We believe the DORA District at The Banks will only enhance the guest experience while creating new revenue streams for the bar and restaurant establishments—year round.

We have carefully studied other DORA Districts in Ohio and have a collective understanding of how to properly manage and guide the District to provide a positive experience with economic benefits for the business owners at The Banks.

Thank you for your consideration and support of the proposed DORA District at The Banks.

Sincerely,



Phillip J. Castellini
President & Chief Operating Officer
Cincinnati Reds



June 30, 2020

Mayor John Cranley
Cincinnati City Council Members
Cincinnati City Hall
811 Plum Street
Cincinnati, OH 45202

Dear Mayor Cranley and Members of Cincinnati City Council,

On behalf of the Heritage Bank Center and the Cincinnati Cyclones, I am writing to share our support of the proposed Designated Outdoor Refreshment Area (DORA) at The Banks.

A DORA District at The Banks will provide a year-round opportunity for our guests to enjoy the area, its restaurants and bars as well as other attractions. We have been working closely with The Banks during the planning process and are committed to making the District a success with its introduction and implementation.

The Cincinnati Cyclones and our host of concerts and events are in full support of the economic benefits that a DORA District will bring to the businesses at The Banks all year long.

Thank you for your support of the proposed DORA District at The Banks.

Sincerely,

Kristin Ropp
Vice President & General Manager
Heritage Bank Center, Cincinnati Cyclones, Cincinnati Cyclones Foundation

MEMI

MUSIC & EVENT MANAGEMENT INC.

June 26, 2020

Mayor Cranley, Councilmembers
Cincinnati City Hall
801 Plum St
Cincinnati, OH 45202

Dear Mayor Cranley and Councilmembers,

Music & Event Management, Inc. is pleased to bring the Andrew J Brady ICON Music Center to the Banks Entertainment District and to join the other businesses and stakeholders in the community in providing quality experiences for the Greater Cincinnati area.

MEMI, in partnership with its concession vendor, EVT Management Services, fully supports the implementation of a DORA to put the finishing touches on the Banks vision. The addition of the DORA will create new opportunities for advancing the activity and energy of the Banks and will help grow the levels of participation from the surrounding region.

As we continue to explore options for overcoming the challenges presented in this time of COVID-19 and beyond, neighborhood features like a DORA will allow the people of Greater Cincinnati to begin to re-engage and enjoy all that our community has to offer.

Sincerely,

Mike Smith
President
Music & Event Management, Inc.

Jennifer Cauhorn
General Manager
EVT Management Services, LLC



June 30, 2020

Mayor Cranley
City Councilmembers
City of Cincinnati
801 Plum Street
Cincinnati, OH 45202

RE: DORA District @ The Banks

Mayor Cranley and City Councilmembers:

As the largest private property owner at The Banks, Nicol Investment Company is pleased to support the establishment of a Designated Outdoor Refreshment Area (DORA) at The Banks.

Nicol has been involved with The Banks since 2013 as the owner of *Current at The Banks* (multifamily), *Radius at The Banks* (multifamily) and the majority of The Banks retail/restaurant square footage.

The Banks was created as a Designated Entertainment District, and we have long supported various initiatives that help fulfill that vision. Importantly, we believe a DORA district will be an impactful economic development initiative for all Banks stakeholders.

A DORA district at The Banks will not only offer a cohesive program knitting together various attractions, retailers and park space throughout the entire Banks footprint, it will add a unique vibrancy for the enjoyment of residents, retailers, office workers, and visitors.

We are fully supportive of the City of Cincinnati establishing its first DORA District at The Banks and look forward to working with our neighbors to successfully operate the District. We appreciate the City's support of this important initiative.

Thank you for your consideration.

Best regards,

A handwritten signature in black ink, appearing to read "Mark E. Nicol".

Mark E. Nicol
Nicol Investment Company