



# AGENDA ITEM REQUEST FORM

Town Manager's Office

Bud Bentley & Connie Hoffmann  
Town Manager

## February 22, 2011 Commission Workshop

### SUBJECT TITLE: **Parking Exemption Program.**

**EXPLANATION:** At the January 25, 2011 meeting the Commission tabled consideration of the Parking Exemption Ordinance No. 2011-01 (**Exhibit 1**) until its February 22<sup>nd</sup> meeting. During the discussion on the Ordinance, the Commissioner asked staff to 1) assess the number of underutilized parking spaces; and, 2) evaluate establishing a cap on the number of parking spaces that can be exempted per restaurant, and 3) provide recommendations to the Commission.

### Utilization Analysis

To prepare the requested information, we first documented the number of public parking spaces, the detail of which is shown the attached Parking Inventory Report (**Exhibit 2**), which is summarized in **Table 1**. For the purpose of this discussion, we refer to the *Waterfront Center*, which is the term used in the 2004 Master Plan to generally describe the commercial center on Commercial Boulevard east of Ocean Drive and the parking area from El Prado on the north to Datura on the south. The *Commercial Boulevard Business District* is generally defined as from the Intracoastal Bridge east to Seagrape Drive.

We believe the businesses, their parking needs and the parking utilization of public parking spaces are different between the Waterfront Center and the Commercial Business District and they should be evaluated separately. For example, parking spaces on Commercial west of Seagrape are not generally suitable for including in calculating the number of underutilization of parking spaces for the Waterfront Center because of the walking distance. Other times, such as for special events, it is appropriate to count those spaces as people will walk farther for a special event than they will to go to a specific retail store or restaurant.

**Table 1 – Town Public Parking Spaces**

Meters	Disabled Permits	Employee Permits	Non-metered	Motorcycles	Resident Permits	Total
532	30	51	49	4	29	695

We have counted the utilization of public parking spaces in the Waterfront Center and the Commercial Business District during two hour blocks during the peak days of Friday (2/11), Saturday (2/12) and Sunday (2/13). The data for this one weekend is summarized in Tables 2 and 3 and more detailed utilization data is attached in **Exhibit 3**. On Monday, February 22<sup>nd</sup>, we will chart the survey data from the February 18, 19 & 20<sup>th</sup> weekend and provide the updated information to the Commission at Tuesday's meeting.



**Table 2 – Waterfront Center**

Location	Total Spaces	Utilization		Underutilization	
		Spaces	%	Spaces	%
A1A Lot	75	15	20%	60	80%
El Mar Lot	24	21	88%	3	12%
El Prado Lot	84	29	34%	55	66%
Employee Lots	51	19	36%	33	64%
<b>Total</b>	<b>210</b>	<b>84</b>	<b>40%</b>	<b>150</b>	<b>72%</b>

**Table 3 – Commercial Business District**

Location	Total Spaces	Utilization		Underutilization	
		Spaces	%	Spaces	%
Commercial (W of Seagrape) Includes W Tradewinds, E Tradewinds & Seagrape (S of Comm)	143	38	27%	<b>105</b>	<b>73%</b>

Last weekend’s utilization data revealed that the Town had 150 underutilized parking spaces in the Waterfront Center and 105 underutilized spaces in the Commercial Business District.

**Restaurant Parking Exemption Program**

If the Town is to structure the restaurant parking exemption program based upon the number of underutilized parking spaces, we believe the following are the most pertinent decision points.

1. What is the distance that people will reasonably walk and, given that data, should the Town be divided into two "parking districts" for the purposes of the exemption program?
2. How many required parking spaces will be exempted during the life of the program?
3. Will there be a maximum number of spaces exempted for any one property (a cap) so that more properties have the opportunity to benefit from the exemption?
4. Will parking be exempted on a first come, first served basis?
5. If there is a cap, should the Town offer additional ways for businesses to meet their entire parking requirements?

Our recommendations are as follows:

1. *What is the distance that people will reasonably walk and, given that data, should the Town be divided into two "parking districts" for the purposes of the exemption program?*

Our research found a study of the distance people will walk to a restaurant in comfortable climate and walking conditions is less than 1200 feet. We already know that people will park in the El Prado lot and walk the 800 feet to Pelican Square. It is approximately 800 feet to the Bank United property just west of Seagrape Drive. Given that, and the fact that the Commission has expressed a desire to stimulate



restaurant development on the western portion of Commercial Boulevard, staff recommends that we set up the exemption program for two districts, with Seagrape Drive being the divider between the two districts.

We have included two aerial maps showing distances between parking lots/street meters severing the Waterfront Center (**Exhibit 4**) and the Commercial Business District (**Exhibit 5**)

2. *What is the number of parking spaces that will be exempted during the life of the program?*

The weather this weekend is expected to be beautiful, so we can expect utilization to be higher than the data we collected last weekend. However, we do not need to set our parking policies on the basis of peak utilization so we have based our recommendations on the data collected last weekend.

We recommend that the Commission place a cap on the number of spaces that will be exempted for restaurant development or expansion in the Waterfront area at 120 spaces and in the Commercial Business District at 100 spaces. We recommended exempting fewer spaces than are available in the Waterfront area in recognition of the following factors:

- As the Town becomes more and more attractive and starts marketing itself more effectively, there will be more visitors coming to enjoy our attractions (the beach, the reefs, events, the social scene).
- We already exempt sidewalk service areas from our parking requirements and we anticipate there will be more sidewalk service as a result of new restaurant development and if the Town widens the sidewalks along Commercial Boulevard, so we need to reserve some capacity for that growth.

The commitment of spaces we are recommending for the restaurant exemption program is very significant - almost one third of all the public parking that exists in Town. At a conservative cost estimate of \$10,000 per space (given land costs and the lack of property available), it would cost the restaurateurs over \$2 million to provide that amount of parking. This is a very substantial incentive the Town would be providing.

3. *Will there be a maximum number of spaces exempted for any one property or restaurant (a cap) so that more restaurants have the opportunity to benefit from the exemption?*

This an interesting policy issue because it seems most democratic to cap the number of spaces allowed any single restaurant so that more properties share in the benefit, but we also anticipate that a restaurateur with a proven track record for excellence in food quality and service may want to come to Town with a large restaurant and we will want to do what we can to get that restaurant to locate here. But after considering this issue, we concluded that a highly successful restaurateur is likely to be well-capitalized and not as much in need of the incentive as smaller operations.

Our recommendation is that a single restaurant be limited to a maximum exemption of 30 spaces. That is sufficient space for a restaurant that has up to 1500 square feet of customer service area (i.e. The Village Grille, Athena, BurgerFi, the Pier's restaurant). And we should not lose sight of the fact that the Town does not require parking for sidewalk service areas so the total service area could actually be larger.



We do need to consider in drafting the language how we would handle multiple restaurants on a single property that might share kitchen facilities. For example, Pa Degennaro's has two different restaurants. Would each of them have received up to a 30 parking space exemption or would it have been restricted to one 30 space exemption?

We prepared the attached Examples of Required Parking (**Exhibit 6**) to document the floor area, customer service area and parking data for several Waterfront Center restaurants plus examples of potential restaurant spaces to provide a reference for this discussion.

4. *Will parking be exempted on a first come, first served basis?*

As we proposed before, we envision the program working best if parking exemptions are allocated according to the date their completed Restaurant Parking Exempt Application and all supporting documents are filed with the Town. A project may lose their parking exemption allocation if the project fails to meet the Code required deadline such as receiving their building permits or a certification of occupancy (CO). Once the Commission-approved total number of spaces have been allocated, the exemption program would sunset unless the Town has developed additional parking spaces and the Commission decides to modify the number of spaces to be allocated under the program by ordinance.

5. *If there is a cap or a maximum number of total spaces exempted, should the Town offer additional ways for businesses to meet their entire parking requirements?*

Yes. Restaurants that require more than 30 spaces may make a payment-in-lieu to the Town as an alternative of providing their own required parking. The payment-in-lieu may be a one-time payment or made be monthly or annually for a specified period of time. All payments should be placed in a restricted reserve account and only used to create additional parking spaces. The issue of how much the payment should be is something we would like to research and bring back to the Commission as a separate matter to discuss. Setting up such a system should not relate only to restaurants, but to other uses as well.

**EXHIBITS:**

1. Draft Ordinance 2011-11, Parking Exemption Program
2. Parking Inventory Report
3. Survey of Town Parking Spaces
4. Aerial map – Waterfront Center
5. Aerial map – Commercial Business District
6. Examples of Required Parking

Reviewed by Town Attorney

Yes  No

Town Manager Initials CH

1           **AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-**  
2           **THE-SEA, FLORIDA, AMENDING SECTION 30-272**  
3           **“SETBACKS,” IN THE B-1 DISTRICT, OF THE CODE OF**  
4           **ORDINANCES TO AMEND PARKING REQUIREMENTS;**  
5           **AMENDING SECTION 30-318 “MINIMUM PARKING**  
6           **REQUIREMENTS,” TO REVISE PARKING**  
7           **REQUIREMENTS FOR PLACES OF PUBLIC ASSEMBLY,**  
8           **RESTAURANTS AND THEATRES; AMENDING SECTION**  
9           **30-321 “MODIFICATION OF PARKING**  
10           **REQUIREMENTS,” TO PROVIDE PROCEDURES FOR**  
11           **MODIFICATION OF MINIMUM PARKING**  
12           **REQUIREMENTS; PROVIDING FOR SEVERABILITY,**  
13           **CONFLICTS, CODIFICATION, AND AN EFFECTIVE**  
14           **DATE**

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16           **WHEREAS,** the Town Commission recognizes that changes to the adopted Code of  
17 Ordinances are periodically necessary in order to ensure that the Town’s land development  
18 regulations are current and consistent with the Town’s planning and regulatory needs; and

19           **WHEREAS,** the Town Commission desires to revise the regulations applicable to  
20 parking for restaurants and restaurant-type uses to spur economic development and  
21 redevelopment in the Town’s business districts; and

22           **WHEREAS,** the Town Commission desires to revise the regulations applicable to  
23 parking for places of public assembly and theatres, to provide consistency and legal defensibility;  
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25           **WHEREAS,** the Town Commission desires to provide new procedures to allow  
26 applicants to seek modifications to the minimum parking requirements; and

27           **WHEREAS,** Section 30-531 of the Code requires issuance of a Notice of Intent prior to  
28 the processing of any amendment to the land development regulations in Chapter 30 of the Code,  
29 and such notice was given of this amendment on November 9, 2010; and





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(2) No building or any part thereof shall be erected on any lot closer than 30 feet from the rear lot line in the following designated areas:

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- f. *Off-street parking requirements.* Off-street parking exists in Block B, Silver Shores Unit A, Plat Book 28, page 39, Broward County Public Records; Block E, Silver Shores Unit A, as the same appears on the Official Town Map prepared by Dolph Map Co., Inc.; and Blocks J and K, Silver Shores Unit B, Plat Book 31, page 3, Broward County Public Records, are as follows:
  - 1. *Business and professional offices.* All business and professional offices shall have one parking space for each 300 square feet of floor area of the building.
  - ~~2. *Restaurants and bars in any B-1 location.* All restaurants and bars, including businesses serving food for consumption on premises or to take out, shall have one parking space for each 50 square feet of floor area utilized for customer service.~~
  - ~~3. *Retail stores.* One parking space for each 200 square feet of floor area of the store.~~
  - 4. *Unplatted lots.* If off-street parking is not platted for a specific lot, then one parking space shall be required for each 700 square feet of floor area. Setback requirement areas may be utilized to comply with the parking requirements.

81 **SECTION 3. Amendment.** Section 30-318 of the Code of Ordinances is hereby amended

82 as follows:

83 **Subdivision L – Supplemental Regulations**

\* \* \* \* \*

84 **Sec. 30-318. - Minimum parking requirements.**

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- (a) *Dwellings, single-family, two-family and condominiums:* two parking spaces for each dwelling.
- (b) *Dwellings, multiple-family:* 1½ parking spaces for each dwelling unit plus one guest space for every five units. If, in addition to dwelling units, there are other uses operated in conjunction with and/or as a part of the multiple dwelling, additional off-street parking spaces shall be provided for such other uses as would be required by this section, if such uses were separate from the multiple dwelling.
- (c) *Hotels and motels, including clubs:* One parking space for each rentable unit. A rentable unit is defined as a unit with an outside entry door and bathroom which can be rented individually. The unit may or may not have kitchen facilities. For example, a two-bedroom unit that can be converted to two separate units, each with outside door and bathroom, is counted as two rentable units. A two-

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bedroom, one-bath unit with only one outside door is counted as one rentable unit. If, in addition to rentable units there are other uses operated in conjunction with and/or as part of the hotel/motel, additional off-street parking spaces shall be provided for such other uses as would be required by this section if such uses were separate from the hotel/motel.

- (d) *Hospitals, sanitariums, asylums, orphanages, convalescent homes, homes for aged and infirm:* one parking space for each bed for patients plus one parking space for each two employees, including nurses, on the maximum shift.
- (e) *Places of public assembly, including assembly halls, private clubs, exhibition halls, convention halls, dance halls, skating rinks, sports areas, community centers, libraries and museums:* one parking space for each three fixed seats, plus one parking space for each 200 square feet of floor area in assembly rooms with movable seats or one parking space for each 200 50-square feet of net floor area utilized for seating—ercustomer service. In places of assembly in which occupants utilize benches, pews or other similar seating facilities, each 20 lineal inches of such seating facilities shall be counted as one seat for the purpose of computing off-street parking requirements.
- (f) *Churches:* one parking space for each three fixed seats, plus one parking space for each 200 square feet of floor area in assembly rooms with movable seats. In churches in which occupants utilize benches, pews or other similar seating facilities, each 20 lineal inches of such seating facilities shall be counted as one seat for the purpose of computing off-street parking requirements.
- (g) *Funeral homes:* one parking space for each four seats in public rooms.
- (h) *Medical, dental lab, chiropractic, health studio, etc., clinics:* one parking space for each 200 square feet of floor area.
- (i) *Business, professional and governmental offices:* Parking space requirements vary depending on the size in gross leasable area (GLA) according to the following table:

Office Size (GLA)	1 Space for Each (Square Feet)
Less than 5,000	250
5,000 to 20,000	300
20,000 to 50,000	325
More than 50,000	350

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- (j) *Restaurants, including customer service areas of outside cafes on private property, sandwich shops, coffee shops, and any establishment or portion of an establishment dedicated to preparing and serving food to the publicbars, beer gardens, night clubs:* one parking space for each 50 square feet of floor area in rooms for customer service, except that from February 1, 2011 until January 31, 2015, no parking spaces shall be required for new restaurants or the expansion area of existing restaurants. This suspension of the parking requirement shall be known as the "Parking Exemption Program."
  - (1) Application required. To qualify for the Parking Exemption Program, a Parking Exemption Application must be submitted, in a form to be approved by the Town, with supporting documentation.
  - (2) Eligibility for program. The application, and all supporting documents for the construction of a new restaurant or for a restaurant expansion, shall have

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been submitted and deemed to be complete by the Town prior to February 1, 2015, and all required permits received and the restaurant subsequently built within the time periods specified in the Town's Code.

- (3) Status following end of program. At the end of the Parking Exemption Program, all restaurants built under the Parking Exemption Program will become non-conforming uses, and shall be subject to the requirements of the non-conforming use provisions of the Town's Code of Ordinances. Notwithstanding the foregoing, restaurants or expansions of restaurants built under the Parking Exemption Program may be completely remodeled or rebuilt without providing parking, as originally permitted through the Parking Exemption Program, as long as the square footage of customer service area is not increased. Any increase in square footage after the program has ended must comply with the parking requirements in effect at the time of construction of increased square footage.
- (4) Annual report. The Town Manager shall provide an annual report to the Commission that describes the utilization, effectiveness and impacts of the Parking Exemption Program.
- (5) Notice and hearing prior to expiration of program. Following public notice, the Town Commission shall conduct a public hearing and evaluation of the program's impacts at least six months prior to its expiration on January 31, 2015.

- (k) *Retail stores:* one parking space for each 225 square feet of floor area.
- (l) Reserved.
- (m) *Furniture stores:* one parking space for each 500 square feet of floor area of the building.
- (n) *Charter, sightseeing or fishing boats:* one parking space for each two seats or fraction thereof; required spaces shall be adjacent to the docks regularly used by the boat or within 400 feet thereof.
- (o) *Uses not specifically mentioned:* The requirements of off-street parking for any uses not specifically mentioned in this section shall be one space for every 200 square feet of gross floor area.
- (p) *Marinas and yacht basins:* one parking space for each boat slip and one parking space for each employee.
- (q) *Banks and savings and loan associations:* one parking space for each 235 square feet of gross building floor area.
- (r) *Gasoline service stations:* A minimum of three spaces plus one additional parking space for each 200 square feet of building or service floor area in excess of the first 600 square feet.
- (s) *Leased and rental vehicles:* one space for each leased car maintained on premises plus one space for each employee.
- (t) *Shopping centers:* Parking space requirements vary depending on the size in gross leasable area (GLA) and composition of the center according to the following table:

Shopping Center Size in GLA	Base Rate (1 Space For Each) (Square Feet)	Special Uses Requiring Additional Spaces Above Base Rate
Less than 50,000	225	10 spaces for each 1,000 sf of food service

		3 spaces for each 100 cinema seats
		1 space for each 700 sf of office use >10% of GLA
50,000–100,000	250	10 spaces for each 1,000 sf of food service
		3 spaces for each 100 cinema seats
		1 space for each 700 sf of office use >10% of GLA
100,000–200,000	250	6 spaces for each 1,000 sf of food service
		3 spaces for each 100 cinema seats > 450 seats
		1 space for each 700 sf of office use > 10% of GLA
200,000–400,000	250	3 spaces for each 100 cinema seats > 750 seats
		1 space for each 700 sf of office use >10% of GLA
400,000–600,000	225	3 spaces for each 100 cinema seats > 750 seats
		1 space for each 700 sf of office use > 10% of GLA
600,000–1,200,000	200	3 spaces for each 100 cinema seats > 750 seats
		1 space for each 700 sf of office use >10% of GLA

- 186 (u) *Convenience stores, grocery stores:* one parking space for each 125 square feet  
187 of floor area.  
188 (v) *Personal service shops:* one parking space for each 200 square feet of service  
189 floor area including barber shops and beauty shops.  
190 (w) *Theaters, movies or otherwise:* one space for every three fixed seats, plus one  
191 parking space for each 200 square feet of floor area in assembly rooms with  
192 movable seats.

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194 **SECTION 4. Amendment.** Section 30-321 of the Code of Ordinances is hereby amended

195 as follows:

196 **Sec. 30-321. Modification of parking requirements.** ~~The Town Commission may~~  
197 ~~approve a reduction in the minimum parking requirements after review and consideration~~  
198 ~~of a recommendation from the Board of Adjustment when:~~

199 ~~(1) There is a public parking lot judged adequate to accommodate a portion of~~  
200 ~~the parking demand of said use located within 400 feet straight line distance from~~  
201 ~~the site; or~~

202 ~~(2) There is on street parking judged adequate to accommodate a portion of the~~  
203 ~~present and probable future parking demand of the general area; or~~

204 ~~(3) There are commercial or private lots located within 400 feet straight line~~  
205 ~~distance that are judged adequate to accommodate a portion of the present and~~  
206 ~~probable future parking demand of the general area.~~

207 ~~Provided, however, the Board of Adjustment shall find that such reduction in the parking~~  
208 ~~requirements will not create a parking problem due to customers or employees using on-~~  
209 ~~street parking in the general area, and that the traffic problems in the general area will~~  
210 ~~not be materially increased. A parking study prepared in a professional manner shall be~~

211 ~~submitted with requests to waive parking requirements, said study to address existing~~  
212 ~~and future parking demands, parking availability and traffic circulation.~~

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214 Requests for a reduction in the minimum parking requirements for a commercial use  
215 may be considered by the Town upon receipt of an application in a form approved by the  
216 Town, from the owner of the site seeking the reduction, as follows:

217 (a) Minor reductions. Requests for a reduction of (i) 1 to 3 required parking  
218 spaces or (ii) up to 10% of the number of required parking spaces may be  
219 approved by the Town Manager. If the request is denied by the Town  
220 Manager, that decision may be appealed to the Town Commission.

221 (b) Major reductions. The Town Commission shall hear requests for  
222 reductions in parking in excess of the Town Manager's authority under  
223 subsection (a). Such requests shall be accompanied by a parking report,  
224 prepared by the Town, analyzing existing and future parking demands,  
225 the availability of underutilized public parking spaces, and traffic  
226 circulation.

227 (c) Criteria for approval of major or minor reduction. Requests for reduction  
228 may be approved, in whole or in part, upon a finding that there is  
229 sufficient available parking that is open to the public and is judged  
230 adequate to accommodate the parking reduction request within a  
231 reasonable walking distance of the subject property along a practical and  
232 usable pedestrian route.

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234 **SECTION 5. Severability.** If any section, sentence, clause or phrase of this Ordinance is  
235 held to be invalid or unconditional by any court of competent jurisdiction, then said holding shall in  
236 no way affect the validity of the remaining portions of this Ordinance.

237 **SECTION 6. Conflicts.** All ordinances or parts of Ordinances and all Resolutions or  
238 parts of Resolutions in conflict with the provisions of this Ordinance are hereby repealed.

239 **SECTION 7. Codification.** This Ordinance shall be codified.

240 **SECTION 8. Effective Date.** This Ordinance shall become effective immediately upon  
241 adoption on second reading.

242 **SECTION 9. Adoption.** Passed on the first reading, this \_\_\_ day of \_\_\_\_\_, 2011.

243 Passed and adopted on the second reading, this \_\_\_ day of \_\_\_\_\_, 2011.

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Mayor Roseann Minnet

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Mayor Minnet  
Vice-Mayor Dodd  
Commissioner Clotney  
Commissioner Sasser  
Commissioner Vincent

First Reading

Second Reading

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Attest:

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Town Clerk, June White. CMC

(CORPORATE SEAL)

Approved as to form:

\_\_\_\_\_  
Susan L. Trevarthen, Town Attorney

# Parking Inventory

# Exhibit 2

Location	Parking Spaces						
	Meters	HC Spaces	Employee	Non-metered	Motorcycles	Resident	Total
<b>Waterfront Area</b>							
A1A - east side of A1A, N of Comm	6	1					7
A1A - east side of A1A, S of Comm	7	1					8
Commercial Boulevard							
Pavilion to El Mar	10	2					12
100 block - north side	13						13
100 block - south side	11						11
El Mar Drive							
North of Square	20						20
South of Square	24						24
<b>Parking Lots</b>							
A1A Parking Lot	75	4			4		83
El Mar Parking Lot	24	1					25
El Prado Lot	86	4				6	96
Town Hall	22	2		3			27
Municipal Park		2		6		23	31
Washingtonia Portal	5	1					6
Washingtonia 100 block	10						10
Hibiscus Portal	7						7
Hibiscus 100 block	6						6
Bougainvilla Drive 4100 block	9						9
Bougainvilla Drive 4300 block (S of Comm)	4						4
Bougainvilla & Poinciana Drive 4400 block (N of Comm)	32	1					33
Datura Portal	9	1					10
Datura 100 block	10						10
Datura 200 block (W of Comm)	6						6
<b>Commercial Boulevard Business District (Bridge to Seagrape)</b>							
W Tradewinds (E of Blue Moon)	12						12
W Tradewinds to E Tradewinds - North	23	3		9			35
E Tradewinds to Seagrape - North	29	3		9			41
W Tradewinds to E Tradewinds - South	12	2		12			26
E Tradewinds to Seagrape - South	19	2		10			31
E Tradewinds 4300 block (S of Comm)	29						29
Seagrape 4300 block (S of Comm)	12						12
<b>Employee Lots</b>							
Harbor Drive (E of Seagrape)			12				12
Seagrape (N of Comm)			18				18
E Tradewinds (N of Comm)			21				21
<b>Total Parking Spaces</b>	<b>532</b>	<b>30</b>	<b>51</b>	<b>49</b>	<b>4</b>	<b>29</b>	<b>695</b>
	562						
	77%	4%	7%	7%	0.6%	4.2%	100%

## Summary of Utilization Survey

Location	Total	Utilization	Underutilization		
	Spaces	Spaces	%	Spaces	%
A1A Lot	75	15	20%	60	80%
El Mar Lot	24	21	88%	3	12%
El Prado Lot	84	29	34%	55	66%
Employee Lots	51	19	36%	33	64%
<b>Total</b>	<b>210</b>	<b>84</b>	<b>40%</b>	<b>150</b>	<b>72%</b>

Parking Utilization Survey - February 2011

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	<b>Location: A1A Parking Lot</b>										<b>75</b>		<b>Parking Spaces</b>	
2	E = Empty / P = Parked		E	P	E	P	E	P	E	P	E	P	E	P
3	<b>Date / Time:</b>		11:00 AM		1:00 PM		3:00 PM		5:00 PM		7:00 PM		9:00 PM	
4	2/11/2011	Friday (cloudy, showers)	59	16	55	20	60	15	55	20	51	24	52	23
5	2/12/2011	Saturday (rainy, cold)	58	17	61	14	70	5	61	14	66	9	70	5
6	2/13/2011	Sunday	74	1	60	15	35	40	59	16	62	13	66	9
7	2/18/2011	Friday												
8	2/19/2011	Saturday												
9	2/20/2011	Sunday												
10	<b>Average No. Spaces</b>		64	11	59	16	55	20	58	17	60	15	63	12
12	<b>Utilization Rate</b>		15%		22%		27%		22%		20%		16%	
13	<b>Average</b>													
14	<b>Utilitized Spaces</b>		Spaces:	<b>15</b>					<b>Rate:</b>	<b>20%</b>				
15	<b>Underutilitized</b>		Spaces:	<b>60</b>					<b>Rate:</b>	<b>80%</b>				
16														
17	<b>Underutilitized Peak Hours 5 pm - 9 pm</b>						Spaces:		60					
18							Rate		80%					

Parking Utilization Survey - February 2011

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	<b>Location:</b>	<b>El Mar Lot</b>								<b>24</b>	<b>Parking Spaces</b>			
2	E = Empty / P = Parked		E	P	E	P	E	P	E	P	E	P	E	P
3	<b>Date / Time:</b>		11:00 AM		1:00 PM		3:00 PM		5:00 PM		7:00 PM		9:00 PM	
4	2/11/2011	Friday (cloudy, showers)	15	9	0	24	3	21	0	24	0	24	0	24
5	2/12/2011	Saturday (rain, cold)	0	24	5	24	5	19	2	22	0	24	0	24
6	2/13/2011	Sunday	2	22	0	19	0	24	0	24	0	24	21	3
7	2/18/2011	Friday												
8	2/19/2011	Saturday												
9	2/20/2011	Sunday												
10	<b>Average</b>		6	18	2	22	3	21	1	23	0	24	7	17
12	<b>Utilization Rate</b>		76%		93%		89%		97%		100%		71%	
13	<b>Average</b>													
14	<b>Utilitized Spaces</b>		Spaces:	<b>21</b>			<b>Rate:</b>	<b>88%</b>						
15	<b>Underutilitized</b>		Spaces:	<b>3</b>			<b>Rate:</b>	<b>12%</b>						
16														
17	<b>Underutilitized Peak Hours 5 pm - 9 pm</b>						Spaces:	3						
18							Rate	11%						

Parking Utilization Survey - February 2011

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	<b>Location: El Prado</b>									<b>84</b>	<b>Parking Spaces</b>			
2	E = Empty / P = Parked		E	P	E	P	E	P	E	P	E	P	E	P
3	<b>Date / Time:</b>		11:00 AM		1:00 PM		3:00 PM		5:00 PM		7:00 PM		9:00 PM	
4	2/11/2011	Friday (cloudy, showers)	64	20	68	16	77	7	72	12	70	14	50	34
5	2/12/2011	Saturday (rain, cold)	69	15	71	13	71	13	72	12	57	27	55	29
6	2/13/2011	Sunday	75	9	2	82	0	84	0	84	47	37	72	12
7	2/18/2011	Friday												
8	2/19/2011	Saturday												
9	2/20/2011	Sunday												
10	<b>Average</b>		69	15	47	37	49	35	48	36	58	26	59	25
12	<b>Utilization Rate</b>		17%		44%		41%		43%		31%		30%	
13	<b>Average</b>													
14	Utilized Spaces		Spaces:	<b>29</b>					Rate:	<b>34%</b>				
15	Underutilized		Spaces:	<b>55</b>					Rate:	<b>66%</b>				
16														
17	<b>Underutilized Peak Hours 5 pm - 9 pm</b>						Spaces:	55						
18							Rate	65%						

## Parking Utilization Survey - February 2011

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	<b>Location: Employee Parking</b>				<b>51</b>						<b>Parking Spaces</b>			
2	E = Empty / P = Parked		E	P	E	P	E	P	E	P	E	P	E	P
3	<b>Date / Time:</b>		11:00 AM		1:00 PM		3:00 PM		5:00 PM		7:00 PM		9:00 PM	
4	2/11/2011	Friday (cloudy, showers)	21	30	21	30	22	29	36	15	30	21	21	30
5	2/12/2011	Saturday (rain, cold)	33	18	33	18	36	15	41	10	39	12	42	9
6	2/13/2011	Sunday	35	16	27	24	29	22	40	11	38	13	41	10
7	2/18/2011	Friday												
8	2/19/2011	Saturday												
9	2/20/2011	Sunday												
10	<b>Average</b>		30	21	27	24	29	22	39	12	36	15	35	16
12	<b>Utilization Rate</b>		42%		47%		43%		24%		30%		32%	
13	<b>Average</b>													
14	<b>Utilitized Spaces</b>		Spaces: <b>19</b>				Rate: <b>36%</b>							
15	<b>Underutilized</b>		Spaces: <b>33</b>				Rate: <b>64%</b>							
16														
17	<b>Underutilized Peak Hours 5 pm - 9 pm</b>						Spaces:		36					
18							Rate		71%					
19	Location	Spaces												
20	Seagrape	18												
21	Harbor Drive	12												
22	E. Tradeswinds	21												
23		51												

## Parking Utilization Survey - February 2011

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1	<b>Location:</b>	<b>Commercial Business District</b> (W Tradewinds - Seagrape)						<b>143</b>		<b>Parking Spaces</b>					
2	E = Empty / P = Parked		E	P	E	P	E	P	E	P	E	P	E	P	
3	<b>Date / Time:</b>		11:00 AM		1:00 PM		3:00 PM		5:00 PM		7:00 PM		9:00 PM		
4	2/11/2011	Friday (cloudy, showers)	47	96	57	86	96	47	103	40	112	31	106	37	
5	2/12/2011	Saturday (rain, cold)	85	58	83	60	112	31	130	13	135	8	72	71	
6	2/13/2011	Sunday	136	7	112	31	122	21	130	13	133	10	119	24	
7	2/18/2011	Friday													
8	2/19/2011	Saturday													
9	2/20/2011	Sunday													
10	<b>Average</b>		89	54	84	59	110	33	121	22	127	16	99	44	
12	<b>Utilization Rate</b>		38%		41%		23%		15%		11%		31%		
13	<b>Average</b>														
14	Utilized Spaces		Spaces:	<b>38</b>			Rate:	<b>27%</b>							
15	Underutilized		Spaces:	<b>105</b>			Rate:	<b>73%</b>							
16															
17	<b>Underutilized Peak Hours 5 pm - 9 pm</b>						Spaces:	116							
18							Rate	81%							

# Exhibit 4

**El Prado**  
800 ft

**A1A Lot**  
290 ft

**BankUnited 800ft**

**Datura**  
738 ft



# Exhibit 5

550 ft

1,071 ft

870

## Commercial Business District



	A	B	C	D	E	F	G	H	I	J	
1	<b>Examples of Required Parking</b>										
2		Building Sq.	Customer Service Area (CSA)		Onsite	Other	Required	1995	Required		
3	<b>Business Name</b>	Ft.	Sq. Ft.	% of CSA	Parking	Parking	Parking	Parking	Less 1995		
							Spaces	Credits	Credit		
4	101 Ocean	4,225	1,768	42%		10 <sup>(1)</sup>	35				
5	Aruba	7,450	3,450	46%	20	80 <sup>(2)</sup>	69	49			
6	Athena	3,200	1,300	41%			20	20			
7	Benihana	7,358	2,887	39%	49		58	58			
8	Village Grille	1,826	966	53%			20	20			
9	Pa Degennaro's	8,630	2849	33%			57				
10	BurgerFi	2,693	1,260	47%	35		25	25			
11	average	5,055	2,069	41%							
12	<b>Examples if Converted to Restaurants</b>			<b>Estimate</b>							
13	Examples	2,000	1,000	50%			20	9	11		
14	Examples	2,000	1,200	60%			24	9	15		
15	Examples	2,500	1,500	60%			30	11	19		
16	Examples	3,000	1,800	60%			36	13	23		
17	116 Commercial	3,500	2,100	60%			42	16	26		
18	116 Commercial with new 2nd story	7,000	4,200	60%			84	16	68		
19	Example (existing space)	7,000	3,500	50%			70	31	39		
20	Wings (from submitted plans)										
21	Proposed Restaurant (2nd floor)	5,406	3,551	66%			71	9	62		
22	Proposed Restaurant (3rd floor)	2,304	1,740	76%			35	3	32		
23	Wings Total	7,710	5,291	69%			106	12	94		
24	Retail Parking = 1 parking space for each 225 of floor area						225				
25	Restaurant Parking = 1 parking space or each 50 sq. ft. of customer service area						50				
26	(1) 101 Ocean pays for 10 spaces at Town Hall										
27	(2) Aruba's contracts for valet parking spaces										

**Exhibit 6**