



# AGENDA ITEM MEMORADUM

**Development Services**

**Bud Bentley**

Department

Assistant Town Manager/Dev Services Director

<b>COMMISSION MEETING DATE (*) - 7:00 PM</b>	<b>Deadline to Town Clerk</b>
<input checked="" type="checkbox"/> February 28, 2012	February 17, 2012

\*Subject to Change

- Presentation     Reports     Consent     Ordinance  
 Resolution     Quasi-Judicial     Old Business     New Business

FY2012 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

**SUBJECT TITLE: Parking Exemption Program Bi-annual Report**

**BACKGROUND:** The Commission passed a code amendment in 2011 to provide more flexibility and options for restaurants in the Town to meet their required parking requirements. The amendment included two specific programs - parking exemption (Section 30-318) and parking reduction (Section 30-321). This is the required bi-annual report that describes the utilization, effectiveness and impacts of the exemption program.

**Utilization of the Parking Exemption Program – Section 30-318**

The Town’s parking code requires restaurants to have one (1) parking space for each fifty (50) square feet of customer service area. The Parking Exemption Program allows business owners to apply for an exemption to the parking requirements for new restaurants and the expansion of existing restaurants until March 7, 2015, subject to some limits. For the purposes of this program, the Town is divided into two districts - Ocean Front Center and Commercial Business District. Information on each district is listed below.

**District 1 – Ocean Front Center**

The Ocean Front Center district includes all B-1 and B-1-A zoned land adjacent to North Ocean Drive and Commercial Boulevard, east of Seagrape Drive. For the purposes of determining underutilized spaces, it includes the El Prado and A1A parking lots. The Commission set 120 as the maximum number of exempted spaces available in this district and set the maximum allocation available per restaurant at thirty (30) spaces.

This has been an active exemption district with over 30% of the available parking spaces reserved to date. We have had three (3) applications processed to expand existing restaurants, and one (1) application processed for a new restaurant.

In addition to the applications that have been processed, we have had discussions with representatives of two (2) proposed new restaurants, one (1) expansion of an existing restaurant, and one (1) outside dining expansion of an existing restaurant, all of which are interested in using the parking exemption program.

The table on the following page shows the restaurants that have taken advantage of the exemption program to date. These applications were only recently processed. (You cannot get an exemption under the ordinance until building permits are submitted.)



**District 1: Oceanfront Center**

Business	Address	Request		Date of Application	Approval		% of Total
		Use	Spaces		Date	Spaces	
Anglin Beach Café*	2 Commercial Blvd	Expansion	5	6-28-11	*	5*	4%
Delacaseas	4404 Bougainvilla Dr.	Expansion	10	8-11-11	2/15/12	10	8%
Pa De Gennaro's	4326 Bougainvilla Dr.	Expansion	17	10-12-11	2/15/12	17	14%
Daisy Coffee House	107 Commercial Blvd.	New	8	10-26-11	2/15/12	8	7%
<b>Total</b>			<b>40</b>			<b>40</b>	<b>33%</b>
<b>Total Allocation</b>						<b>120</b>	

\*Reserved, if after completing pier parking research, we determine additional parking spaces are necessary.

**District 2 – Commercial Business District**

The “Commercial Business District” district includes all B-1 zoned land adjacent to Commercial Boulevard and west of Seagrape Drive. One hundred-five (105) parking spaces are available in this district and 50 spaces are the maximum allocation of spaces per eligible restaurant. While we have had several inquiries from people interested in establishing restaurants in three (3) existing vacant storefronts in this district, none are at the stage to proceed with an application.

(We also spoke with several business owners in this area about the various incentives available for restaurants including the parking exemption, sidewalk café permits, and recent changes in the code to allow outdoor dining. One restaurant in this district – Sea –has signed a sidewalk café permit for 6 seats. Others have indicated that while they appreciated the Town establishing these possibilities, they were currently not able to take advantage of the exemption program due to the economic outlook.)

**Effectiveness and Impacts**

The Parking Exemption program in the Ocean Front Center enabled three (3) existing restaurants to expand and one new restaurant to locate into the Town. The program helped two vacant storefronts be converted to restaurant use. In addition to providing more dining options in Town, jobs have been created for the additional restaurant employees and construction workers were employed during the build-out of the spaces.

The program allowed three (3) restaurants to cure expansions they had done of existing customer service areas without meeting the required parking. Another impact of the exemption program was the need for parking spaces for employees of the new or expanded restaurants. So far, the Town has sold eight (8) new employee parking permits to employees of these restaurants. In the future, we need do a study of the utilization of the spaces we have set aside for employee parking so we don't over sell employee parking permits.

Reviewed by Town Attorney  
 Yes  No

Town Manager Initials CA