Date: March 24, 2020
To: City Council
From: Ellen Hardgrove, City Planning Consultant
XC: Sandy Riffle, Deputy City Clerk
Bea Meeks, City Clerk
Drew Smith, City Attorney
Allen Lane, CPH Engineering, City Engineering Consultant
Re: Parking Regulation Change Ordinance No. 2020-XXXX

In my absence, I am submitting my comments on the proposed changes to the City's parking regulations to be considered by the Planning and Zoning Board on March 9, 2020, specifically as it relates to the revision of the parking formula calculation for *Restaurants, grills, bars, lounges, similar dining and/or drinking establishments.* The proposed ordinance change is as follows: (in strike through and underline form).

> *One space for each four fixed seats provided for patron use, plus one space for each ~~75~~ 100 square feet of air conditioned floor area provided for patron use which does not contain fixed seats. In lieu of the above, required parking for open air dining, as defined herein, shall be provided at the ratio of one space for each 200 square feet of open air dining area. ~~provided that~~ ~~n~~No use covered by this sub-paragraph shall have less than four spaces.*

There is some merit in changing the City's parking formula for restaurants. However, it is important to understand the implications of what is being proposed. The proposed change deals with two different issues: 1) the basis for the parking formula (square footage vs. seats) and 2) a differentiation between indoor and outdoor seating.

Basis for Parking Formula

During research for my comments, I have found many jurisdictions are changing their parking regulations for restaurants, with many of the changes using square footage of the building as the basis for the calculation versus seats. Using square footage is viewed as easily identified and permanent as opposed to seats, which can be added after the site plan approval; furniture layouts are easily manipulated. Similarly, using employees in the calculation is difficult to verify.

A comparison of Orange County jurisdictions is in the table below.

Jurisdiction	Eating and Drinking Parking Requirement	
Apopka	Restaurant	1/4 seats
	Brewpub	1/100 seating area
	Bar	0.8/100 seating area
Belle Isle	Same as Edgewood	
Lake Buena Vista	1/5 seats + 1 per 35 sq. ft. with no fixed seats + 1 per employee; minimum 10 spaces total	
Maitland	1/3 seats, plus 1 per 2 employees	
Ocoee	Same as Edgewood	
Orange County	Same as Edgewood	
Orlando	Min: 1/200 sf gross building area Max: 1/50 sf gross floor area	
Windermere	Same as Edgewood	
Winter Garden	1/4 seats+1/3 employees	
Winter Park	1:50 sf patron use area or 1/3 seats whichever is greater except in CBD where it is 1/4 seats	

The question with using gross square feet becomes "what is the appropriate ratio?".

As seen, in the table below, the existing parking spaces/gross square feet of restaurants within and near Edgewood varies from 1/59 to 1/320, with the median very close to the accepted industry standard (ULI and ITE) of 1/100, which is based on gross building area; non-patron use areas, e.g., kitchens, are not excluded.

Parking as Physically Provided at Nearby Restaurants			
Restaurant	Existing Square footage including outdoor area	Number of Spaces on site	Spaces/gross square feet
Dixie Belle's with adjacent lot	2940	50	1/59
Vanbarry's	5566	83	1/67
Freddy's	3744	40	1/94
Le Coq Au Vin	3230	34	1/95
McGinnty's	3888	36	1/108
Panera	6063	52	1/117
Dixie Belle's	2940	25	1/118
Hungry Pants	4005	24	1/167
Proposed Dog Bar if only the building area was counted	2240	13	1/172
Beth's Burger Bar	1350	6	1/225
Stone Fire Pizza	2728	11	1/248
Proposed Dog Bar if the 2 decks (960 sqft each) are added to the building square footage	4160	13	1/320

The table below can give an understanding of the required parking if the 1/100 formula were applied to restaurants in and near Edgewood, compared to the existing spaces onsite.

Restaurant	Existing Square footage including outdoor area	Existing Number of Spaces	Number of spaces if required @1/100
Beth's Burger Bar	1350	6	14
Dixie Belle's	2940	25	29
Dixie Belle's with adjacent lot	2940	50	29
Dog Bar (proposed)	4160	13	42
Freddy's	3744	40	37
Hungry Pants	4005	24	40
Le Coq Au Vin	3230	34	32
McGinnty's	3888	36	39
Panera	6063	52	61
Stone Fire Pizza (does not include patio area since hasn't been permitted)	2728	11	27
Vanbarry's (includes patio area)	5566	83	56

As seen, Vanbarry's, where every parking space is typically occupied at peak periods, would not have sufficient parking if the parking was calculated at 1 space/100 square feet. The popularity of a restaurant directly affects the parking demand; however, does the jurisdiction's parking formula need to account for popularity, or would the market/business plan account for the anticipated need and provide more than the minimum required?

The table below shows three other parking/square foot formulas used by local governments (1/75, 1/150 and 1/200) and the resulting parking that would be required on the sample restaurants used above for each ratio.

Restaurant	Existing Square footage including outdoor area	Existing Number of Spaces	Number of spaces if required @1/75	Number of spaces if required @1/150	Number of spaces if required @1/200
Beth's Burger Bar	1350	6	18	9	7
Dixie Belle's	2940	25	39	20	15
Dixie Belle's w/adjacent lot	2940	50	39	20	15
Freddy's	3744	40	50	25	19
Hungry Pants	4005	24	53	27	20

Le Coq Au Vin	3230	34	43	22	16
McGinnty's	3888	36	52	26	19
Panera	6063	52	81	40	30
Stone Fire Pizza	2728	11	36	18	14
Vanbarry's	5566	83	74	37	28

Some jurisdictions using the building square footage as the base for the parking formula do exclude non-patron use areas, e.g., the kitchen and storage areas. The consequences of this method in Edgewood would take additional research; the square footage of such areas is not readily available to provide the same analysis presented above. Such a formula would complicate the calculation. Using gross square footage is straightforward, as well as easy to interpret and enforce.

An option could be to use the existing code and build in flexibility to allow an applicant to submit a parking demand study by a traffic engineer if the calculated parking required is thought to be higher than the business model. It should be emphasized, however, that a parking code that allows less parking than the industry standard is more appropriate in areas with an effective transit system or dense urban environment such as downtown Orlando.

Whereas the ECD is attempting to create a more walkable community, the intensity of downtown Orlando, or even downtown Winter Park, is likely never to occur in Edgewood. The intensity standards allowed in the ECD are balanced with the available transportation network, specifically one major road and no grid system; the resulting future land use pattern will most likely be at suburban intensities, with more intensity in large mixed use redevelopment proposals or around a future commuter rail station.

It should be noted that the ECD already allows a reduction in parking for mixed use development proposals and when a business is in proximity to a transit: The minimum number of parking spaces may be reduced by up to 5% for within a 1/4 of a mile from a bus stop, and a 20% reduction when within 1/4 of a mile of a commuter rail or bus transfer station.

<u>Differentiation Between Indoor And Outdoor Seating</u>

Related to the second part of the proposed change, there are pros and cons to this differentiation.

Con: The demand for parking does not change whether or not a seat is inside an air conditioned area. Technology has provided innovations to make outdoor seating comfortable year round, e.g. with misting machines or heaters. A reduced calculation for outdoor dining/seating, would not adequately account for all areas that may generate activity within a restaurant.

As included in the proposed ordinance, the outside seating area would be calculated on ½ the required industry standard (1/100). Current restaurants in the city that would qualify include Stone Fire Pizza, Waterfront and Vanbarry's. The proposed dog bar would also qualify for the indoor/outdoor calculation. The table below provides a comparison of existing parking onsite and the amount that would be required if the differentiation model was used, with the indoor area calculated based on 1 space per 100 gross square feet.

	Indoor A/C'd gross building square footage	Outdoor dining area square footage	Required with (1/100 inside &1/200 outside)	Calculated with 1/100 of total indoor and outdoor areas	Existing parking spaces onsite
Vanbarry's	4516	1050	50	56	83
Dog Bar*	2240	1920	32	42	13
Stone Fire Pizza with the patio	2728	1164	33	39	11
Waterfront*	1421	1120	20	26	10
*Does not include the lake front or dog park area					

Pro: The differentiation may create an incentive for outdoor dining in the City, which is promoted by the ECD. Stone Fire Pizza would be a good example. Using a 1/100 requirement for the entire building area, 27 parking spaces would be required. If the proposed patio seating was permitted, which would nearly increase the seating capacity 75%, only 6 additional spaces would be needed.

Recommendation

One space for each 100 square feet of gross building area plus one space for each 200 square feet of open air dining area, provided that no use covered by this sub-paragraph shall have less than four spaces.

One space ~~for each four fixed seats provided for patron use, plus one space for each 75~~ per 100 square feet of gross floor area ~~provided for patron use which does not contain fixed seats~~ and of one space for each 200 gross square feet of open air dining area. ~~provided that n~~No use covered by this sub-paragraph shall have less than four spaces.

ESH