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TOWN OF LAUDERDALE-BY-THE-SEA
SPECIAL TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Monday, October 4, 2021
6:30 PM

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:30 p.m. Also present were Vice Mayor Alfred "Buz" Oldaker, Commissioner Edmund Malkoon, Commissioner Elliot Sokolow, Commissioner Randy Strauss, Interim Town Manager Linda Connors, Assistant to the Town Manager Neysa Herrera, Public Works Director Ken Rubach, Director of Finance and Budget Lucila Lang, Public Information Officer/IT Administrator Steve d'Oliveira, and Town Clerk Tedra Allen.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PUBLIC COMMENT

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that tonight's special meeting should have been held in a roundtable format to discuss the Downtown expansion alone. She felt that the "Parking Opportunities" item should have been discussed separately, and concluded that the Town does not have a parking problem.

Ann Marchetti, resident, agreed with Ms. Cole's statement that the meeting should focus on the expansion of outdoor dining at Downtown restaurants rather than commingled with parking concerns. She also recommended extending the October 2021 deadline by which the outdoor dining expansion is scheduled to end.

Todd Zimmer, business owner, emphasized that what has happened to the Town east of A1A should also be allowed to occur in the west. He also felt parking is a separate discussion from outside dining, and was in favor of commonality between outdoor barriers, tables, or other furniture to show contiguous use among businesses.

John Boutin, business owner, agreed that parking and outdoor dining are two separate issues. He felt the Downtown configuration changes should be made permanent. He was also in favor of both proposed Resolutions.

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Bill Ciani, resident, was not in favor of the proposed elimination of parking spaces, as this could harm his Downtown tenants' businesses. He suggested that sidewalks could be beautified and tables could be added to the outdoor dining area without taking away parking spaces.

Mark Pearson, resident, recalled that earlier during the COVID-19 pandemic, he had been a proponent of the Downtown changes to expand outdoor seating. At this time, however, he felt parking on Commercial Boulevard should be restored during the day.

Town Clerk Tedra Allen read the following written comments:

- Roseann Minnet, resident, was in favor of using the parking spaces east of A1A on Commercial Boulevard for sidewalk café expansion, and noted that many people use means of transportation that do not require parking; she was not in favor of allowing businesses to permanently use the Pavilion
- Diana Kugler, resident, was not in favor of giving any part of the Plaza to a restaurant indefinitely, and recommended reacquiring the parking in front of Downtown businesses rather than paying for additional parking
- Stuart Dodd, resident, recalled that in 2014 the Town invested in a parking study, which the current Commission has not discussed; he noted that ride sharing services have altered the way people travel
- Susie Wojtowicz, resident, expressed concern with the parking proposals on the agenda, including the purchase of lots, as the additional traffic would be a safety issue and negatively affect the Town's small-town atmosphere
- Denise Lambert, resident, was not in favor of purchasing lots for additional parking, as the Aruba lot is already used for this purpose and the Holiday Inn area would not benefit residents
- Denitsa Goff, business owner, felt reduced parking Downtown is harming existing businesses and the Town and businesses are losing money
- Peggy Mohler, resident, noted that the Aruba restaurant maintains and cleans the outdoor dining area in the Plaza; she supported the proposed extension of outdoor dining and felt the Town should seek more feedback on the expansion of parking
- Tracy Plunkett, resident, felt the Town has sufficient parking and did not need to encourage more traffic, and recommended taking back Downtown parking in front of businesses; she was not in favor of "growing" the Town
- John Graziano, resident, advised that whatever decision is made regarding the configuration of the commercial district would not dramatically affect the Town's overall parking or finances; however, it would affect traffic activity and pedestrian safety, including the A1A/Commercial Boulevard intersection

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- Wayne Dillistin, resident, stated that he opposed the purchase of any lots for additional parking, as well as the expansion of outdoor dining into former parking spaces, and recommended continued use of the Plaza by restaurants

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

4. PRESENTATION

a. Downtown Reconfiguration Discussion

Interim Town Manager Linda Connors explained that the provision of space for additional outdoor dining has benefited the Town's Downtown restaurants during the pandemic. At the end of June 2021, the Commission asked Staff to look into options for possible permanent expansion. She had reached out to consultant Steven Fett, who had designed the original reconfiguration of Downtown and Commercial Boulevard, to discuss how to make these changes permanent, including the continued use of parking spaces for outdoor dining.

Mr. Fett recalled that the Downtown reconfiguration occurred approximately 10 years ago. Today's discussion is focused on the block between A1A and El Mar Drive, and potential ways to allow more formal dining opportunities for these businesses. He noted that there are three proposed schemes for this area, which would have low, medium, or high impact either financially or through the level of permanence. He emphasized that the proposals are intended to facilitate discussion.

The low-impact proposal for reconfiguration includes areas Mr. Fett described as "parklets," which are quick, low-cost, and effective ways to create public space. These units can be built off-site and brought into Commercial Boulevard to provide seating. The intent is for businesses to work with the Town to place these areas in front of their locations, where they would be movable and could allow some parking to continue.

Parklets are designed with themed elements, such as umbrella awnings, railings, seating, and other aspects. They also provide an opportunity for advertisement, branding, signage, and limited lighting.

The medium-impact proposal would require a larger financial investment and a more semi-permanent addition. Elements such as beach chairs and a wooden deck could be included, as well as retractable awnings that would provide for the preparation of

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facilities for hurricanes or other storm events. Planters would serve as a buffer for traffic. The deck would be at grade with the sidewalk so individuals would not have to step down into parking spaces. The wood used would be of a sufficiently high grade to prevent decay. Curbs and gutters could be hosed beneath the deck. This space could also be lighted and/or branded.

The high-impact proposal would feature permanent building and rebuilding of the street and curb system, as well as a permanent canopy. Lightweight metals not designed for removal would be used, which means they must be able to resist storms. Structures would be built toward the street in order to return the sidewalk to pedestrian traffic. This proposal offers the highest seating capacity, essentially doubling what currently exists.

Other ideas that could be incorporated into this proposal include regrading or repaving the roadway, which could be brought up to the edge of the curb. Sidewalks would become more neutral so attention is drawn to storefronts and other visual elements. Planters that double as benches are another option.

Any of these themes can be expanded on the ends of A1A, although Mr. Fett recommended retaining at least one Americans with Disabilities Act (ADA) -compliant parking space per corner if other potential locations for these spaces cannot be identified. He recommended a “mix and match” approach to the proposals, as each includes aspects that can produce a new vision for the subject area. He emphasized the need for a universal theme for the proposed changes.

Mr. Fett concluded that tonight’s presentation is intended to facilitate discussion rather than to identify a favorite proposal at this time. There may be elements of all three options that could be included in the final product.

John Jonah, resident, felt the Town could be transformed by the introduction of the proposed features.

Barbara Cole, resident, spoke in favor of the medium-impact option. She felt the changes should be continued all the way to the west of A1A.

Bill Ciani, resident, felt the public would only see new construction in the street rather than the original restaurants.

Ann Marchetti, resident, stated that she would like to see design concepts proposed for the Pavilion, which remains very popular.

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Marc Falsetto, resident, pointed out that the COVID-19 pandemic is ongoing and consumers' habits have changed. He recommended taking steps to make the Town's tourists feel safe, including the extension of outdoor dining for another 12 months.

Ruth Stilwell business owner, and asked if the Town has considered a short-term transitional approach that would be more attractive than the current barriers. A long-term plan could be considered once these short-term changes are put into place.

Mark Pearson, resident, was supportive of changes to assist restaurants and other businesses, including those on the west side of A1A; however, he emphasized that residents should also participate in the decision-making process, and spoke in favor of returning the parking spaces on Commercial Boulevard.

Commissioner Malkoon asked if there has been consideration of traffic calming on Commercial Boulevard by reducing or closing the first block between A1A and El Mar Drive for special events. Mr. Fett replied that this was considered prior to the first Downtown reconfiguration; since that time, however, it has not been discussed further. He noted that this proposal has had mixed success in other municipalities. He recommended retaining a retail expert to perform a thorough analysis of the area if the Commission wished to move forward with this idea.

Commissioner Malkoon also recalled that the 2014 parking study had determined the Town had no parking issues, and suggested looking at this document once more. He concluded that his preference was for the medium-impact option, which seemed less intrusive to underlying infrastructure, although he recommended against any configuration that appeared to create a wall on the street. He suggested keeping one to two parking spots, including ADA-compliant spaces, on each side in order to prevent the wall effect. Mr. Fett proposed the creation of seating not tied to restaurants in order to expand public space.

Commissioner Sokolow asked if any traffic studies have been done Downtown since the water barriers were implemented during the earlier stages of the pandemic. Captain Tom Palmer of Broward Sheriff's Office (BSO) replied that there has been no such study; while the area has been busy, no differences have been brought to his attention.

Commissioner Sokolow recalled that while there is a desire by restaurants to adapt to changes and expand seating, there is a public desire to keep the Town as it is. He also pointed out that customers are likely to want to dine indoors during the warmer months.

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He stated that he was not in favor of removing the parking spaces without replacing them, and was not certain that this was the time for a conceptual change to the Downtown area.

Commissioner Sokolow continued that the materials used in both the low- and medium-impact options seemed unlikely to meet hurricane safety requirements. All the proposals appeared to require significant maintenance. He concluded that the proposals would not maintain the character of the Town as many residents had wished.

Commissioner Strauss observed that he had envisioned a very different conceptual presentation than what was brought forward at tonight's meeting. He had expected extended sidewalks, with restaurants to provide much of the "fill-in" for the area with some uniformity of materials. He felt the high-impact option was more likely to meet Code requirements, and was not certain where the materials for the low- and medium-impact options would be stored in the event of a hurricane.

Commissioner Strauss asked if a density study had been part of the discussion of improvements. He also emphasized the need to provide for businesses on the west side of the Town as well as the east, even if the parking situation on that side is very different, and was in favor of uniformity "from the Intracoastal to the beach."

With respect to ADA-compliant parking, Commissioner Strauss noted that this was not shown in the presentation. He also pointed out that the Town would need to make a decision about the backout parking on A1A, which he felt was dangerous, and that this area would not be the best option for ADA-compliant spaces.

Commissioner Strauss also asked if a distance study has been done to determine how far people are willing to walk to the Downtown area, noting that it is approximately 0.25 mile from the Intracoastal Waterway to Downtown. He felt many people would be willing to walk this distance if parking is created elsewhere. He concluded that there have been changes since the 2014 parking study, with the Downtown area significantly busier than it was at that time and ride-sharing services in greater use.

Mr. Fett advised that the high-impact option rebuilds the sidewalk all the way to the curb, and emphasized that many aspects of each option shown during the presentation can be eliminated. With respect to distance, he stated that pedestrians are typically willing to walk one quarter-mile, although this might be shortened depending upon the season and weather.

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With regard to seating options, Mr. Fett pointed out that the high-impact proposal would provide 375 seats, which is a significant increase from the current total of roughly 160 seats. He felt if parking is returned to the Downtown, there would be a way to implement more efficient seating, such as moving seats away from storefronts and closer to the street. The “parklet” options would be possible for businesses that are willing to support this configuration, with parking on either side of the structure. The second option, which is more permanent, would not have to be moved in the event of a storm. Awnings, however, would need to be designed to be retractable, and poles may need to be anchored into the concrete.

Commissioner Strauss asked if pricing has been estimated for the different scenarios. Mr. Fett advised that this depends upon the specific options selected in addition to major elements. Parklets could be as low as $5000 or as high as $50,000, depending upon what is chosen by the Town and businesses. The second option could cost between $20 and $30 per square foot. The Town has 4000 sq. ft. of parking space along Commercial Boulevard alone. The third option would require additional study of the existing drainage system to determine how much street grading would be necessary.

Vice Mayor Oldaker commented that he had hoped to hear more public input, particularly from Downtown businesses, at tonight’s meeting. He was in favor of the “softer” design appearances, which could be removed in the event of a storm. He also observed that any parking study to accompany current changes should to be done under current conditions rather than in 2014, as there have been significant changes to the Town and the County since the previous study was done.

Vice Mayor Oldaker continued that the Town plans to remain a small town. While he was in favor of supporting Downtown businesses and restaurants, and acknowledged that the Town may need to extend its outdoor seating agreement, he pointed out that it would be difficult to implement any of the proposed changes within the budget assigned to these changes. He concluded that while he was not ready to commit to the purchase of any proposed design, he was willing to investigate them further.

Mayor Vincent recalled that one key reason for the previous Downtown reconfiguration was beautification. While there had been some resistance to change at that time, the result was significant success. He agreed that after the pandemic, habits have changed again and are unlikely to return to their previous state. This includes an ongoing preference for outdoor dining options.

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Mayor Vincent continued that the Town is now faced with how to sustain success without changing its nature. He stated that his own vision was to expand the outdoor space that already exists, noting that not all businesses may wish to participate in this expansion. The Town may wish to establish its own seating and décor in the areas where businesses have chosen not to participate in the expansion. If businesses wish to use expanded space, they will be charged for it.

While some parking revenue would be lost by the proposed changes, the lack of revenue over the past year has not greatly affected the Parking Fund. Visitors to the Town are still finding parking spaces despite the loss of these 25 to 30 spaces. Mayor Vincent noted that if Downtown businesses are not flourishing, this can negatively affect the Town's real estate values. He also pointed out that the Town has lost roughly 300 to 400 hotel beds over the past several years, which have not yet come back.

Mayor Vincent suggested that a workshop be held with additional interaction between the Commissioners and the public for more feedback on the various proposals. He emphasized that the scopes and themes brought forward in the successful 2013 Downtown reconfiguration should continue, and rebranding is not necessary.

Interim Town Manager Connors requested consensus on the direction in which the Commission would like Staff to move forward. She proposed that the Town reach out to the consultant responsible for the 2014 Parking Strategic Plan to determine if he could update the previous document. Mayor Vincent advised, however, that parking was not the issue, and he did not want removal of the parking spaces to be a major aspect of forthcoming changes. Interim Town Manager Connors asked for direction on what the Commission would like to see at their next meeting.

Peggy Mohler, resident & business owner, recommended that a roundtable meeting with Downtown businesses be scheduled prior to any decision on how to proceed.

Karina Shefler, representing the El Mar Hotel, also felt a roundtable format would be more conducive to discussion of possible changes. She added that residents are interested in the Town's outdoor space when deciding to visit, and it is unlikely that the hospitality industry would return to pre-pandemic operations.

Barbara Cole, resident, also recommended a roundtable meeting.

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Ann Marchetti, resident, noted that there is a curfew in effect for outdoor dining at Downtown restaurants, and requested that the Commission consider this at tonight's meeting.

Commissioner Malkoon advised reviewing current data before making any concrete plans, even if a complete study is not done. He was also in favor of extending outdoor dining for another six months, which is on tonight's Agenda.

It was determined that the Town would hold a roundtable meeting, with input from Mr. Fett, Commissioners, businesses, and the public. Interim Town Manager Connors also asked if the Commission wished to continue with updates of today's presentation or if they would prefer additional information to be presented at the meeting.

The roundtable meeting was scheduled for Wednesday, October 27, 2021 at 6 p.m. Mr. Fett advised that he would like to hear the thoughts and expectations from participants at this meeting. Mayor Vincent emphasized the need to "expand what we already have," with some different elements, as the Town has already seen some success under current conditions. He recommended that the Plazas be incorporated into future discussion as well.

Commissioner Strauss stated that he would like updates based on some of the questions he had asked, including ADA-compliant spaces and other items. Vice Mayor Oldaker noted that he would prefer withholding any additional direction until after the roundtable has been held. Mayor Vincent was in favor of conceptual ideas on how the Town might proceed.

5. DISCUSSION ITEM

a. Parking Opportunities

Interim Town Manager Connors explained that this Item was included on tonight's Agenda because there has been discussion in the Town regarding the loss of parking spaces when outdoor seating was expanded. Two opportunities have been presented to her by property owners of these subject parcels, which she wished to pass on to the Commission. She emphasized that the inclusion of this Item does not represent a recommendation by Town Staff.

The first opportunity is the purchase of two parcels near the Downtown area, which could accommodate roughly 20 parking spaces. The second is usage of the former

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Florida Development Group (FDG) lot for parking, with proceeds from parking shared at no cost to the Town. There are additional opportunities with the FDG lot, such as employee parking for the west. Interim Town Manager Connors requested direction from the Commission on these proposals.

Commissioner Sokolow observed that there is no interest in additional parking at this time, particularly on these two parcels. He recommended that this Item be removed from the Agenda until there is further discussion of updating the 2014 parking study.

Mayor Vincent confirmed that he and Interim Town Manager Connors had briefly discussed both proposals. He requested consensus from the Commission on how this could be brought back as a subsequent Agenda Item. He has also asked for information on the availability of lots in the Town, although he has not yet received this information.

Commissioner Strauss also felt this should be a future Agenda Item, with more backup materials made available to the Commission. He encouraged the continued sharing of ideas.

6. <u>RESOLUTIONS – PUBLIC COMMENTS</u>

a. Resolution 2021-59 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PURSUANT TO THE TOWN CODE OF ORDINANCES SECTION 2-27 "WAIVER OF CODE REQUIREMENTS," FINDING THAT THE COVID-19 PANDEMIC CONTINUES TO BE AN EXTRAORDINARY CIRCUMSTANCE AND CONTINUING TO WAIVE CERTAIN REQUIREMENTS OF CHAPTER 17 "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES," SECTION 17-89 "SIDEWALK CAFÉ PERMIT STANDARDS AND REQUIREMENTS," FOR SIDEWALK CAFÉS TO ALLOW FOR TRANSITION BACK TO NORMAL OPERATIONS FOR ADDITIONAL TIME; PROVIDING REQUIREMENTS FOR THOSE USING THE WAIVERS; PROVIDING FOR CONTINUED USE OF THE CONNIE HOFFMAN OCEAN PLAZA; PROVIDING FOR EXPIRATION, CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment.

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Barbara Cole, resident, asked how long it may take to arrive at further plans for the Downtown area, and to ensure that any extension granted to these businesses is of sufficient time that the Resolution does not have to be regularly renewed.

Bill Ciani, resident, did not agree that parking is not a problem in the Town, and was not pleased with the ongoing use of barricades. He was in favor of a new parking study before doing away with Downtown parking spaces.

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

Interim Town Manager Connors noted that the maximum extension permissible by Code is six months.

Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to approve Resolution 2021-59 for a six-month period. Motion carried 5-0.

b. Resolution 2021-60 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, URGING THE FLORIDA LEGISLATURE TO REPEAL PREEMPTION OF LOCAL REGULATIONS OF HOME BUSINESSES AND STOP PREEMPTING LOCAL HOME RULE POWERS; PROVIDING DIRECTION TO TOWN OFFICIALS; PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, felt the proposed Resolution may be too late, but that the Town needed to be heard on this issue.

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

Commissioner Strauss made a motion, seconded by Vice Mayor Oldaker, to pass Resolution 2021-60. Motion carried 5-0.

7. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 9:09 p.m.

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Lauderdale-By-The-Sea
Special Town Commission Meeting
October 4, 2021

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Mayor Chris Vincent

ATTEST:

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Tedra Allen, CMC
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Town Clerk Tedra Allen

11/5/2021

Date