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October 17, 2013

VIA E-MAIL: vivien.monaco@ocfl.net
AND U.S. MAIL

Vivien Monaco, Esq.
Assistant County Attorney
Orange County Attorney's Office
201 S. Rosalind Avenue, 5th Floor
Orlando, FL 32802

Re: Mango's Parking Variance Request

Dear Vivien:

As you are aware, we represent Golden Corral located at Sand Lake Road and International Drive with respect to their concerns about the parking variances requested by Wallack Holdings LLC, owner of a proposed Mango's. Even without the requested variance, we remain concerned about Mango's plans and the potential devastating effects on the surrounding businesses. In the event Mango's goes forward with a major renovation of the property, we want to make sure that Mango's complies with all county code requirements (including the open space requirements arising as a result of a "substantial improvement" and the parking requirements) applicable to a night club with a capacity of up to 2,500 people.

Attached you will find a parking analysis prepared by Tony Luke, our traffic engineer. This analysis addresses his expert interpretation of how the Orange County Code should be applied to the proposed Mango's nightclub in order to properly provide for the anticipated parking needs. I draw your attention to the last page thereof, which includes an analysis of the county parking code. We would like to schedule a follow up meeting with county staff to discuss the parking code requirements.

Finally, we received verbal information that Wallack Holdings is now discussing the idea of a proposed parking garage on the site with Orange County officials and staff.

2015-02-10 Public Hearing B3 Ex-02 James Cheek

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MIAMI FORT LAUDERDALE WEST PALM BEACH ORLANDO TAMPA TALLAHASSEE AMSTERDAM

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Notwithstanding any such discussions, please know that any proposed changes to the parking set up and allocation between Mango's, Golden Corral and the neighboring businesses at the intersection of Sand Lake Road and International Drive remains subject to the terms, conditions and requirements of the Hollywood Plaza Property Owners Association, Inc. As such, we respectfully request that the county provide us with notice if Mango's requests any building, renovation or other county approval related to the proposed location at Sand Lake Road and International Drive.

Sincerely,

Shutts & Bowen LLP


Daniel T. O'Keefe

DTO/teb
Enclosure

cc: Mr. Mitch Gordon (w/enc. via e-mail: mitch.gordon@ocfl.net)
Mr. John Smogor (w/enc. via e-mail: john.smogor@ocfl.net)
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TO: Douglas Dannen
FROM: J. Anthony Luke, P.E.
DATE: September 20, 2013
RE: Proposed Mango's Tropical Café, Orange County, Florida (LTEC 13-3801)

The following is a summary of the review of documents submitted as part of the parking variance application for the proposed Mango's Tropical Café on International Drive in Orange County:

Traffic Operations Analysis Report (March 2013) prepared by TPD for Mango's Tropical Café

1. Applicant needs to clarify programmed improvements on I-Drive (additional lanes & transit by FDOT & Orange Co)- the specific improvements were not found on the FDOT Work Program of the Orange County CIP
2. TPD used 7:00-8:00 PM peak hour as the heaviest traffic volumes- did not confirm that this is the peak hour of I-Drive. Analysis should include peak hour of I-Drive
3. Recent (2012) traffic count trends show a growth since 2009. Orange Co study used a growth rate of 3.3%/year. Counts should be redone and future growth should also be reflected in the analysis.
4. TPD's operations analysis did not include traffic from the nearby future developments, such as ISHOPS and I-Drive Live. This served to understate future volumes used in the analysis.
5. Trip generation calculations based on ITE Quality restaurant probably underestimates the traffic. It's suggested that counts be conducted @ an existing Mango's to provide a realistic basis for the trip generation.
6. It doesn't appear to be reasonable to assume that 16% of the trips generated by the business during peak hours will utilize public transit. The Orange Co report assumes that the estimated transit mode % in 2011 will almost double by year 2015 w/ the planned transit improvements. This projection was for daily ridership, rather than for a particular peak hour. An independent survey of Golden Corral conducted by LTEC resulted in an average of only 3.6% transit mode use during evening hours.
7. TPD analysis did not consider additional trips generated by the valet service. Depending on the utilization of the valet service, this could add a significant volume of trips to I-Drive & the intersection @ Sand Lake Rd.

8. Shared Parking: The report explains that this is acceptable due to ULI's "Shared Parking". We question whether the ULI approach applies to this high density tourist area (a specialized parking lot in the tourist district with non-standard hourly profiles). Substantial information should be provided that supports the validity of the ULI approach to this site, or a parking study should be done.
9. Shared Parking analysis shows no demand created by the Comfort Inn hotel. Therefore the total demand will be much higher with the hotel parking demand considered.
10. The shared parking analysis did not apply realistic parking characteristics to the existing and proposed uses- the peak times applied for the Golden Corral and Kobe restaurants were incorrect.

Additional Comments:

- 1) Crash data was reviewed for the adjacent I-Drive segments and major intersection- I-Drive & the intersection of I-Drive & Sand Lake Rd are locations that experience some of the highest rates of crashes in Orange Co.

GAI Parking Variance report

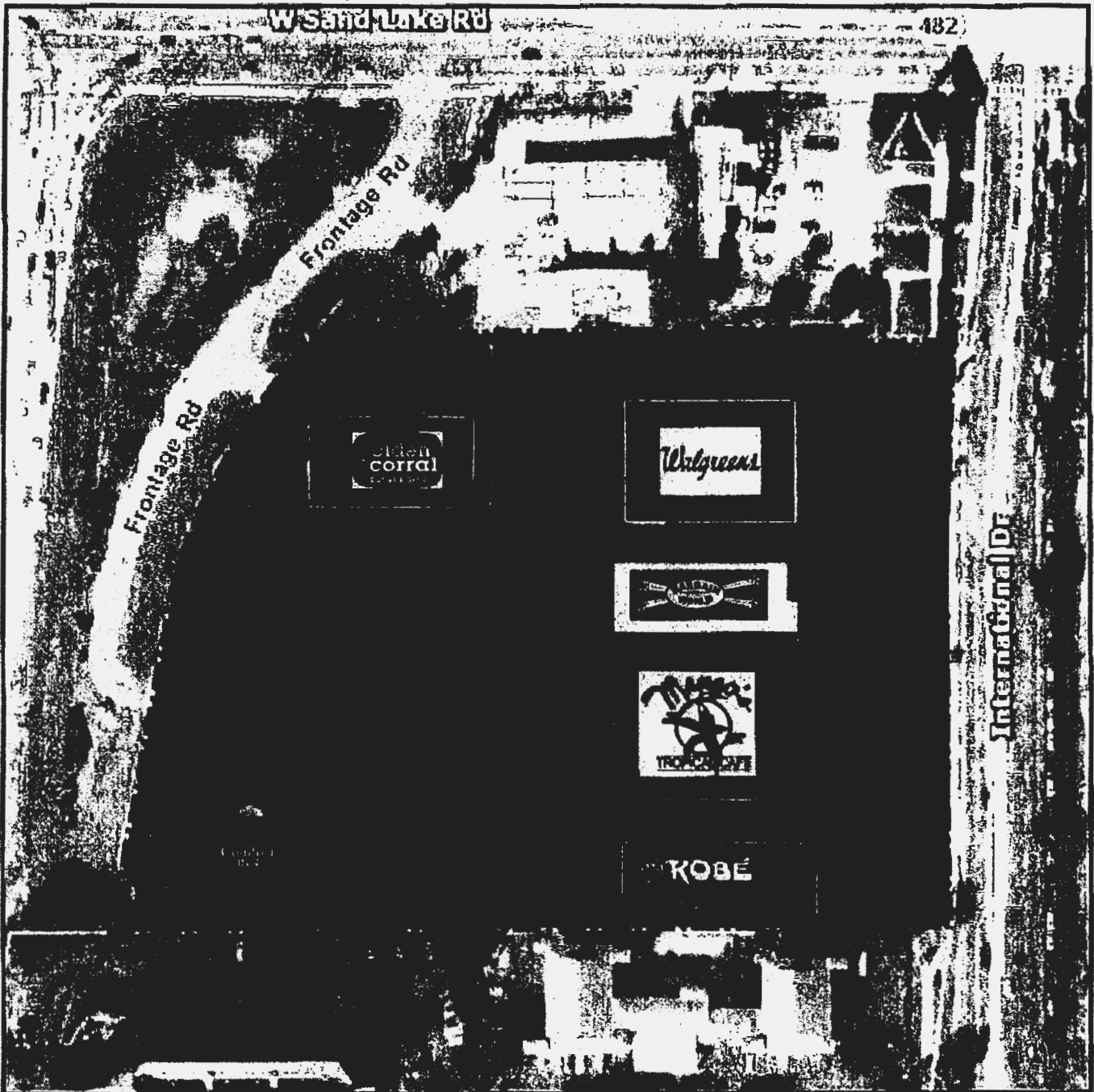
1. Building sizes for repurposing credits (prior TGI Fridays and Bargain World space) were not verified
2. The same concerns relate to the 16% reduction in parking needs based on the transit utilization as for the use of the reduction in the traffic analysis. It's not clarified in the application that the reduction isn't already accounted for in the County's parking requirement codes. It was noted that the proposed I-Drive bus transit lanes are routed along Universal Boulevard, rather than on International Drive near the proposed Mango's. Therefore, the transit route will not be adjacent to the Hollywood Plaza and not convenient for potential users.
3. Document does not specify how many employee spaces will be moved to off-site parking
4. Will the design of the valet operations decrease current available spaces?
5. Review of parking calculations indicates that the parking provided will be 260 spaces deficient based on Mango's interpretation of the parking code
6. Charter bus from convention and I-Drive Trolley usage should already be included in transit reduction- this should not be justification for the variance.
7. Off-site parking is only to be considered if it is on the same lot, or within 300 feet from the principal entrance (SS. 38-1477)- The distance from the offsite parking to the Hollywood Plaza entrance is almost 1,000 feet.



Scenario 1

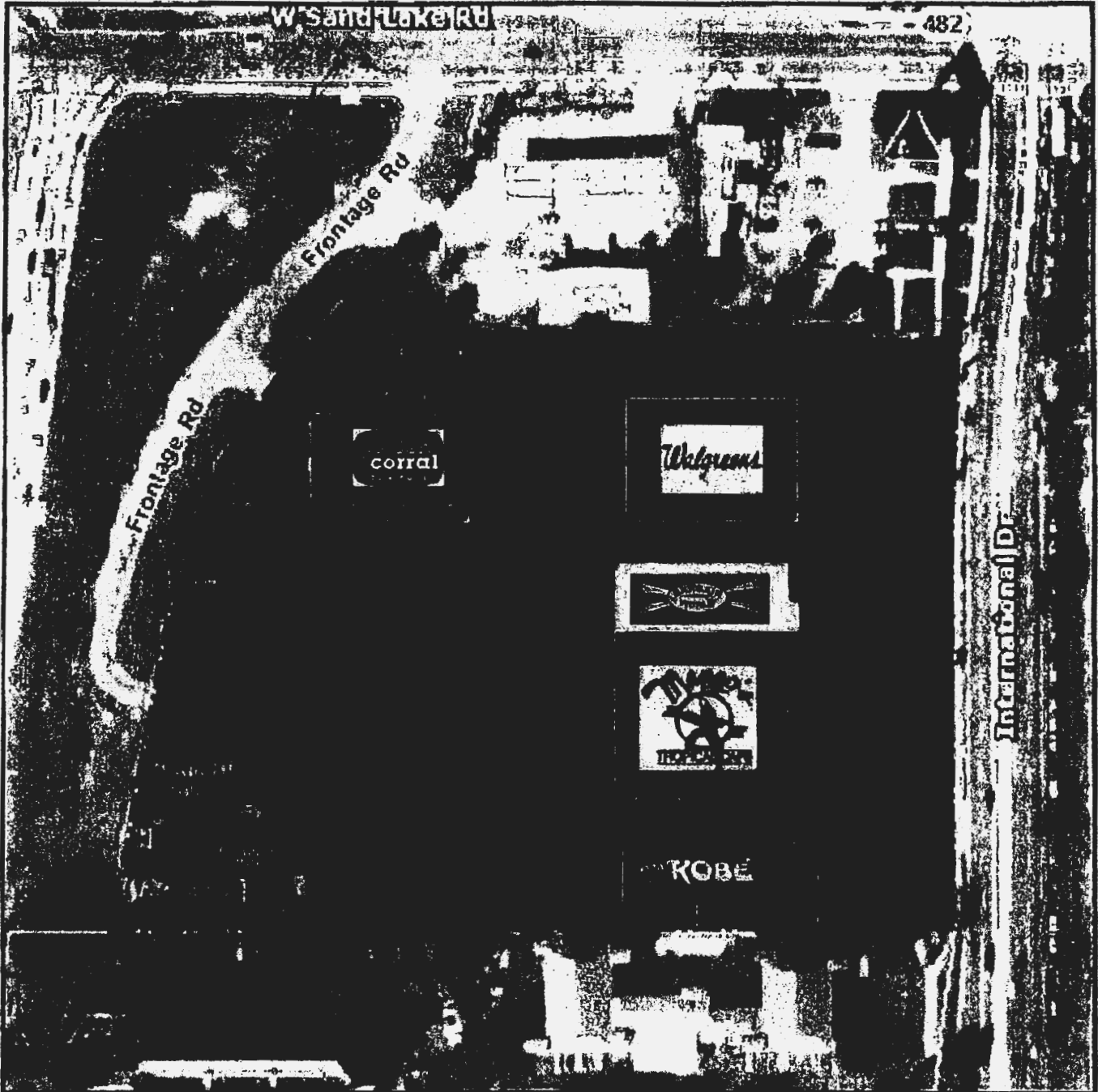
(Hollywood Plaza - 18 Years of Balanced Parking)

- Hollywood Plaza - as originally approved
 - 510 spaces adequately served
- 5 buildings (6 businesses) and met code requirements
 - No need for towing, No parking problems



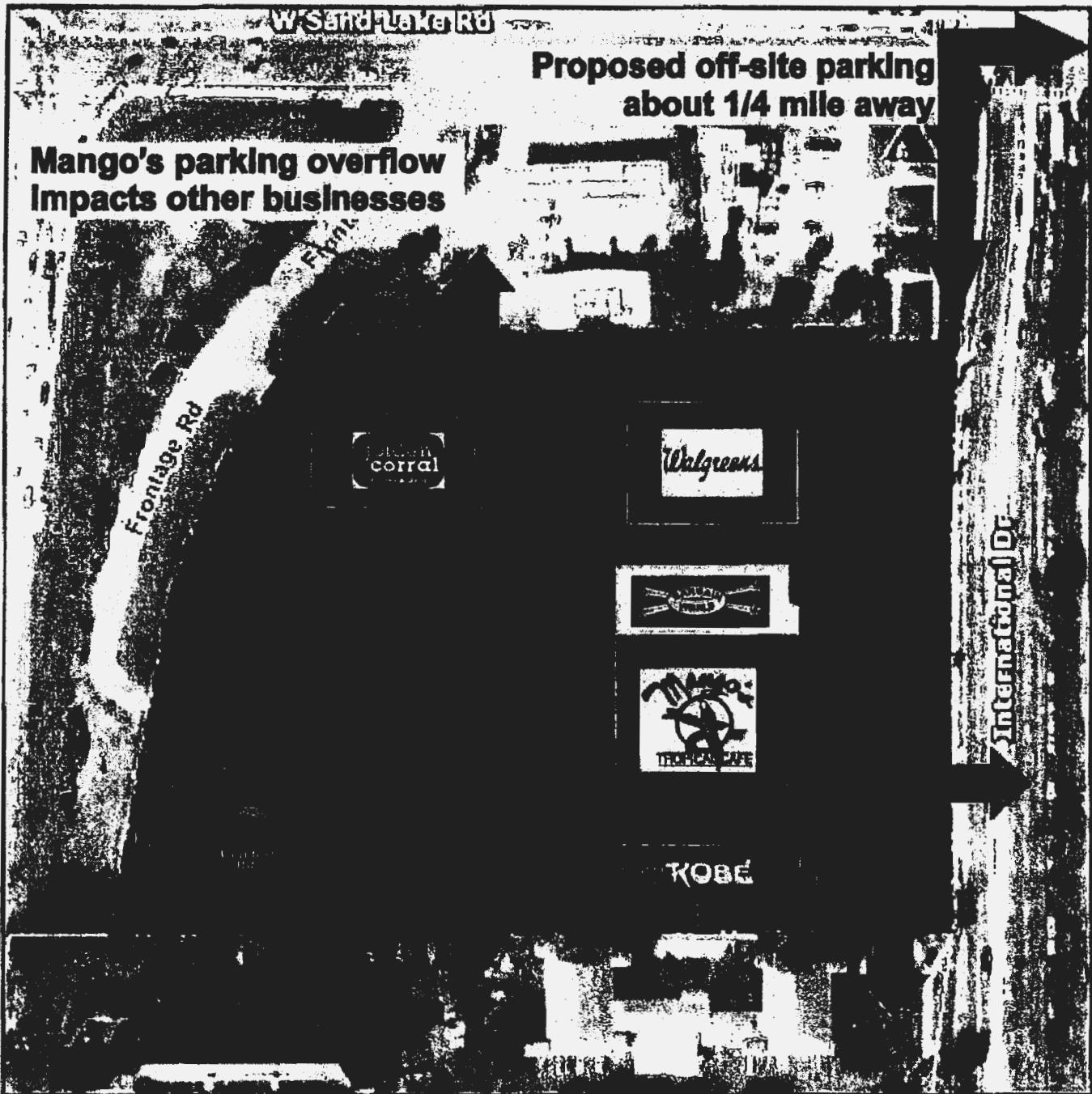
Scenario 2
(Mango's Parking Short 260 spaces)

	<u>Spaces</u>
• Total Hollywood Plaza On-site Spaces.....	510
• Code Required Spaces for 5 Existing businesses	<u>390</u>
- Kobe.....67	86
- Walgreens	79
- Golden Corral.....108	
- Comfort Inn	
- Bargain World (9,000 s.f.).....50	
<hr/> Total = 390	
• On-site spaces remaining available for Mango's.....	120
• Mango's proposed on-site parking (based on their interpretation of code)	<u>380</u>
• Proposed Mango's on-site parking deficit.....	260



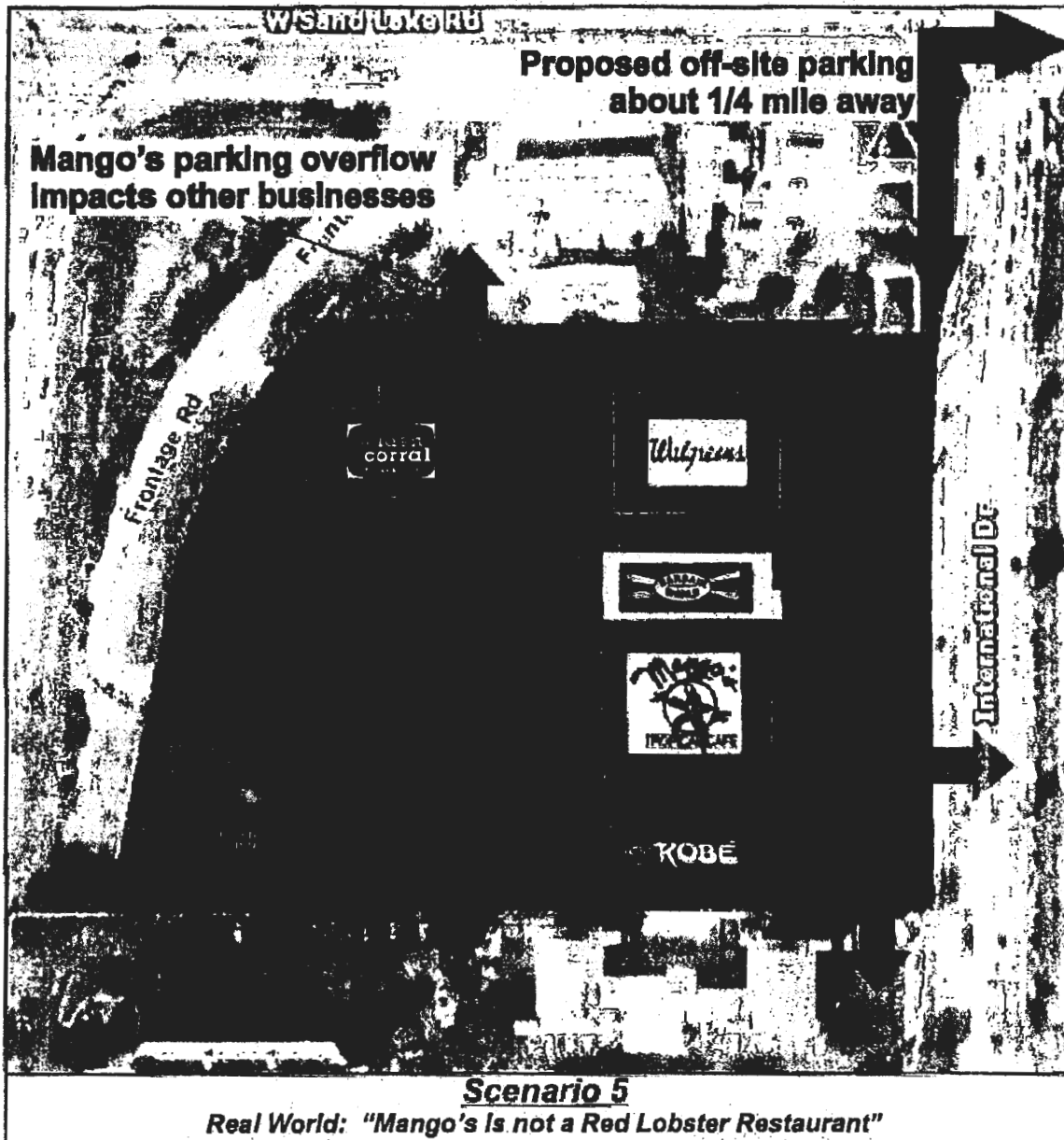
Scenario 3
(The Mango's Takeover)

	<u>Spaces</u>
• Mango's proposed on-site parking (based on their interpretation of code)	380
• Spaces remaining for existing Kobe, Golden Corral, Bargain World, Comfort Inn and Walgreens businesses	130
• Total Hollywood Plaza spaces	510



**Scenario 4
(The Mango's Takeover)**

	<u>Spaces</u>
• Total Hollywood Plaza On-site Spaces.....	510
• Code Required Spaces for 5 Existing businesses.....	390
- Kobe.....67	86
- Walgreens.....	79
- Golden Corral.....108	
- Comfort Inn.....	
- Bargain World (9,000 s.f.).....50	
Total = 390	
• On-site spaces remaining available for Mango's.....	120
• Mango's proposed on-site parking (based on their interpretation of code).....	380
• Proposed Mango's on-site parking deficit.....	260



Scenario 5
Real World: "Mango's Is not a Red Lobster Restaurant"

- Proposed Mango's
 - 1158 Seats
 - Dance Floor / Bars / Standing Area (6,244 SF, 1249 people)
 - Retail
 - Employees (100 est.)

Restaurant Code	Amusement Assembly Code	Most Similar Parking Requirement" (1)
289	386	386
83	---	417 (2)
8	---	8
---	100	100
380	486	811

(1) Note under Sec. 38-1478. Quantity of off-street parking, it states (and it is right up front before the parking table so it is clear they understand that there are uses that do not fit exact categories and this is intended to allow flexibility for the zoning manager to apply parking that is reflective of the intended use):

"Off-street parking spaces shall be provided for any use hereafter established or at the time of the erection of any main building or structure or at the time any main building, structure or occupational use is enlarged or increased in capacity by adding dwelling units, guest rooms, floor area, seats, or by increasing employment, according to the following minimum requirements: If the use is not listed below, the parking requirements shall be determined by the zoning manager by adopting or utilizing the parking requirements for the listed use that the zoning manager determines is most similar.

- (2) 6244 SF Standing Area
 + 5 Building & Fire code standing space counted as 1 occupant per 5 GSF
-
- 1249 occupants in standing areas
 + 3 1 space for 3 people (same as fixed seats calculation)
-
- 417 spaces

Mango's website advertises capacity for 2,600 customers