

June 1, 2021

In response to the proposed: *Ordinance No. 2021-39 Placing a Moratorium on Outdoor Speaker Permits on or over the City's Rights-of-Way within the Downtown Entertainment District for approximately six months, and allowing the City Council to set Sidewalk Café hours by Resolution (Economic Development)*

Dear City Officials,

As it's been since the onset of the COVID-19 pandemic, for most all otherwise vibrant downtowns across the country; we are not alone in the new struggles to reinvigorate a totally different version of the entertainment districts we knew pre-COVID. How our community socializes has undeniably changed drastically and thus continues to demand changes, big and small, from business operators, from patrons, and from authorities.

We, a large group of downtown Orlando hospitality operators and property owners, reach you today to express our collective concern for, and opposition to, the details as outlined in the recently proposed moratorium (Ordinance No. 2021-39) namely *allowing the City Council to set Sidewalk Café hours by Resolution*. Our industry needs the time and opportunity to recuperate - limiting what patrons can do at our businesses, when they've opted to socialize in a post-COVID environment (much less frequently than before), is harmful and seemingly an attempt to throw salt in the wounds of an injured industry. The City of Orlando should not make such reactive policy decisions based on isolated incidents.

While we understand and appreciate the shared desire to foster a downtown that is safe, inviting, diverse and economically-significant; this restriction is simply not how to protect or support any of those desires. It is not manageable or appropriate nor does it address our community's current needs.

From downtown stakeholders:

- *I hope that City Council and officials will study the issues and think through any changes they are proposing concerning downtown patios. Small changes can have major unintended consequences. Closing patios at 10pm sounds like something one would expect from the Villages, not a thriving hospitality and entertainment district in one of the most traveled destinations in the world right now. Let's work together to solve the problems that make sense, without destroying the atmosphere and vitality that makes this City special. - Joel Springman of Wall Street Plaza*
- *The code already requires seating inside of the fenced sidewalk cafe areas. If that was better enforced, like it is in other neighborhoods in Orlando, it would effectively achieve the desire to have more order and less of a "street party" vibe but also still allow businesses to utilize prime outdoor square footage that they count on for revenue now more than ever. Customers need more outdoor options, not less. - Aaron Dudek of The Lodge, the Woods and Burtons Thornton Park*

- *If we are forced to take tables/chairs inside before closing, there won't be any room inside our venues for our patrons. This is a setup for failure. Patrons across the board will resist our staff, and even our security, which will lead to even more problems for us operators.* - Ryan Davis of Harry Buffalo and The Other Bar
- *Eliminating sidewalk cafe permits after 10pm would penalize the type of business model that all vibrant downtowns want. Code enforcement, police presence, and a cleaner downtown would do a great deal to make desirable customers feel comfortable and the undesirables not.* – Kelly Ekas of Casey’s on Central
- *There should be a thorough review conducted comparing how our Code Enforcement efforts match up to other similar entertainment districts. The same should be done comparing Orlando’s policies on sound and outdoor gatherings. Downtown is singled out and continues to be more restricted yet our City is reluctant to adopt any progressive policies from our peers in Austin or Nashville? This approach is backwards and damaging to property value and downtown’s overall brand.* Jeff Gitto of Room 22, Vyce Lounge, Gitto’s Pizza, Sidebar, and Hanson’s Shoe Repair.

**Understanding that the following responses are in place:**

- CRA will allocate funds to increase size of downtown bike patrol units
- CRA will allocate funds to support additional code enforcement officers dedicated to downtown
- There may be a moratorium set that suspends use of outdoor speakers on ROWs

**...please instead consider addressing the following ongoing hurdles [in lieu of limiting operating hours for sidewalk cafes in Downtown Orlando]:**

- Reinvigorate the Nighttime Economy Committee and allow for regular dialogue between stakeholders and the authorities
- Improve upon the Permitting process and Code Enforcement efforts that create regulated opportunities for downtown businesses and enforces them accordingly
  - As you did with special event review process during COVID, collaborate across departments and develop steps/requirements based on code (which is often not interpreted the same across said departments when businesses seek support during the actual permitting process)
- Improve upon the existing process to schedule/confirm/pay extra duty police officers – look more closely at what other Florida cities have done to reimage the current “price wars” that exist when any customer (i.e. small downtown bar or Universal Orlando) attempts to book extra duty OPD officers
- Mandate “agent of change” like policies that address sound mitigation for new developments, specifically residential
- Develop a specialty training program for downtown OPD bike unit officers that focuses on community policing; building neighborly relationships and offering consistent representation
- Upgrade street lighting in/around the Downtown Entertainment District
- Remove on-street (“Cinderella”) parking from Orange Avenue
- Determine a standard for permitted outdoor speakers that only allows a certain model

- Immediately, further support and utilize OPD's Gang Enforcement Team (GET) for regular downtown Orlando details

**In addition to the above, please also consider the following support programs [in lieu of limiting operating hours for sidewalk cafes in Downtown Orlando]:**

- Create a CRA-funded grant program that encourages businesses to purchase/install sound mitigation equipment/technology/infrastructure at their establishments
- Show sidewalk café boundaries, per allowable property, with permanent placards/medallions on the sidewalk itself to reduce encroachment and make it easier for Code Enforcement to enforce
- Promote Downtown Orlando for its overall nighttime vibrancy (events, sports, dining, nightlife, experiential, art, etc) via a CRA-lead marketing campaign focused on the recent improvements, added security and fund allocations
- Create a CRA-funded grant program that encourages businesses to purchase/utilize security resources (such as ID scanners, outdoor lighting, staff training such as SAFE BAR in DC that teaches bystander education strategies)

Limiting operating hours for downtown sidewalk cafes is not the best use of the City of Orlando's authority or efforts. It is an impractical request of the businesses to enforce this policy especially without much notice, without any public education or without major logistical support and pre-planning. Should the City actually adopt a moratorium to temporarily limit sidewalk cafe operating hours to 10pm, that will effectively set up any business who operates past 10pm for failure. Logistically speaking, venues do not have room to store furniture inside of the venue in the middle of their primetime hours. As you already know; managers, staff and in-house security are currently hard to come by across the hospitality industry - thus, the teams that do currently operate these businesses are responsible for more than ever, with less manpower. The square footage that the City is considering to limit [hours of operation for] will directly equate to less revenue for those businesses who are on the heels of their most financially devastating event in their history.

We sincerely hope that instead of criminalizing hospitality operators for a recent spike in crime, that you will dig deeper to understand the root of the problem. OPD has stated publicly several times that the recent spike in crime has not been tied to nightlife patrons, but rather to persons who did not step foot inside of a downtown business. This is more of an opportunity for the City to support, rather than penalize, the industry that has and continues to literally "pay the bills" (buys property, pays property taxes, employs thousands, attracts millions of visitors, pays sales tax, and more details that will soon be demonstrated in the completed Nighttime Economy Economic Impact Assessment) more significantly than almost any other industry in Central Florida.

Your understanding of our collective feedback and the implementation of the improvements that have been needed for years (outlined above) will help remedy the anger and disappointment from downtown Orlando's most significant and lucrative stakeholder group. Please do not move forward with this blindsided - instead please address the root issues that needed addressing long before this damaging and unmerited moratorium was concocted. We are tax-paying, law-abiding

business operators and property owners who need and deserve the support of our local elected officials and policymakers.

Jason	Anderson
Rob	Bair
Logan	Berkowitz
Mike	D'Esposito
Kathy	Day
Ryan	Davis
John	Dobson
Aaron	Dudek
Kelly	Ekas
Mike	Flynn
Jimmy	Forster
Jake	Friend
Brandon	Geers
Jeff	Gitto
Pat	Griffin
Alfred	Guindi
Ivan	Isolica
John	Khalil
Kevin	Little
Spyro	Makris
George	Maltezos
Keith	Mawardi
Scott	Sims
Joel	Springman
Justin	Sullivan
Matt	Terasi
Robert	Wilkerson
Jesse	Williams
Kevin	Young

Ace Café
Aloha Beautiful
Attic
Basement
The Beacham
Bullitt
Casey's on Central
Celine
Crow and Company
Dapper Duck
Eden the Lounge
Gitto's Pizza
Harp & Celt
Jimmy Hula's
Mather's Social Gathering
McQueen's
Neon Beach
Pourhouse
Room 22
Sidebar Orlando
The Lodge
The Robinson Cafe & Cocktail Lounge
The Social
The Woods
Tier
Tin & Taco
Treehouse
Vyce Lounge
Harry Buffalo
The Other Bar
Stagger Inn
Thrive Cocktail Lounge & Eatery
Saddle Up