

**INDIAN RIVER COUNTY, FLORIDA
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: John A. Titkanich, Jr., County Administrator
Sean A. Lieske, Acting Public Works Director
Kirstin Leiendecker, P.E., Assistant Public Works Director

FROM: Andrew Sechen, Land Acquisition Specialist

SUBJECT: **Five Guys at Sebastian Corners Use of County Parking Spaces Agreement
1929-1931 US Highway 1 & 1921-1923 US Highway 1, Vero Beach, FL 32958**

DATE: **September 27, 2023**

DESCRIPTION AND CONDITIONS

The County has entered into a lease agreement with Flow Smart Five Sebastian, LLC (Five Guys Burgers & Fries) for premises located within the Sebastian Corner Retail Center, at 1919 – 1939 US Highway 1, Sebastian, Florida 32958. Flow Smart Five Sebastian, LLC’s architect was notified by the City of Sebastian’s Community Development Department that based on the site plan from 2019, the restaurant only has 31 parking spaces available for use within the retail center. However, in accordance with the City of Sebastian’s land use development requirements, the restaurant will require 39 parking spaces, two (2) of which would be used for outdoor dining. Flow Smart Five Sebastian, LLC is asking the County to approve the use of joint parking spaces, recognizing that the major usage will be after 5:00 PM when the other businesses, including Veterans Services and the Tax Assessor’s Office, within the Sebastian Corner Retail Center are closed. The hours of operation for the Tax Assessor’s Office are Monday through Friday 8:00 AM - 5:00 PM. The additional 8 parking spaces can be accommodated with a joint use parking agreement. The County contacted realtors at Colliers, and had their legal counsel draft this agreement. The City of Sebastian has reviewed the agreement and stated that the agreement will be acceptable following Indian River County Board of Commissioner approval.

The County and Flow Smart Five Sebastian, LLC would like to execute the attached joint use agreement to share parking usage between the Tax Collector and Flow Smart Five Sebastian, LLC.

FUNDING

There is no funding required for this item.

RECOMMENDATION

Staff recommends the Board approve the agreement and authorize the Chairman to execute the Use of Parking Spaces Agreement on behalf of the Board.

ATTACHMENT

Use of Parking Spaces Agreement

APPROVED AGENDA ITEM FOR: OCTOBER 3, 2023