

# Today's Restaurant

FLORIDA'S FOODSERVICE INDUSTRY NEWSPAPER

VOLUME 23

FEBRUARY 2019

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## Appetizers

Lincoln Eatery opens on Miami Beach



What's hot in culinary forecast



Robots and tech making restaurants safer



Smart Grain™ offers Ancient Grain Pizza Crusts



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## Central Florida's first outdoor entertainment venue announced

Constructed out of repurposed shipping containers

Orlando, FL – Tavistock announced plans earlier for Boxi Park at Lake Nona™ – Central Florida's first outdoor entertainment venue built with repurposed shipping containers. The 30,000-square-foot, family- and dog-friendly outdoor district will include a mix of restaurants and bars, beach volleyball courts, and a live entertainment venue.

Located in Lake Nona Town Center just south of SR 417 on Lake Nona Boulevard, Boxi Park will be among the first-of-its-kind on the East Coast integrating restaurants, an outdoor stage, and beach volleyball to create an open-air entertainment destination built using 12 containers arranged in one- and two-story configurations. The park's design allows guests to explore different food and beverage options layered throughout the space including ample shaded seating, playground, and fenced dog park. Boxi Park's stage will host a variety of local performers with regular programming scheduled for weekdays and weekends. The park will also include beach volleyball courts open to the public.

"Lake Nona is about connecting people," said Jim Zboril, President of Tavistock Development Company, developer of the innovative community. "We have worked tirelessly to create engaging opportunities for our residents, businesses, and visitors – places to connect. Boxi Park will provide a unique entertainment venue to relax, grab a beer, let the kids run around, and enjoy the sunshine. We're very excited to bring this new concept to Central Florida."

Boxi Park will include curated food and beverage options showcasing different cuisines along with two

fullservice bars serving a selection of cocktails, wine and beer garden featuring its own craft beer line. With 14 unique concepts and 100 plus locations located throughout the United States, including Canvas Restaurant & Market and Chroma Modern Bar + Kitchen in Lake Nona, Tavistock Restaurant Collection will leverage its culinary

expertise to showcase a mix of original concepts and innovative partnerships.

"A collaborative venture between our Development and Restaurant companies, Boxi Park integrates forwardthinking development with culinary innovation," said Charles B.

See **BOXI PARK** page 14



## Giardino Gourmet Salads plans 12 new Miami units

Miami, FL – Giardino Gourmet Salads, a premiere Florida-based fast casual concept focused on garden-to-bowl nutrition, announced that it is continuing its expansion across Miami following multi-unit franchisees Jaime Mitrani and Robert Fuerth's acquisition of their 5th Giardino Gourmet Salads restaurant located in the Blue Lagoon business district.

"Our secret to continued growth includes passionate franchise owners like Jaime and Rob who provide a high-level of customer service to guests every day," said Ody Lugo, Giardino Gourmet Salads co-founder and board member. "We're thrilled that Jaime and Rob continue to reinvest in the brand through the

See **GIARDINO** page 13





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**Del Taco plans strategic expansion across Orlando over next few years**

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The Today's Restaurant website averages over 160,000 hits per month! Classified ads, buttons, banners or interactive animated ads - we have the ad size and price to fit your budget.

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# Appell Pie

## Do's and Don'ts (continued)

Howard Appell ♦ Today's Restaurant Publisher

### Don'ts

After thinking about dinner all day, since eating lunch and tasting my favorite chicken quick serve meal in my head, my wife and I arrived at the counter at 5:55 PM. Feeling like a Pavlov dog I ordered a whole chicken to be shared with leftovers for the following day. The response we received was so unbelievable it still haunts me. Remember that we arrived at the peak dinner hour during the peak tourist period in South Florida. The answer... We have no chicken! What, you're a restaurant that specializes in chicken and you don't have any and you won't have any for thirty minutes? This is the second time this has happened at the same location.

*Alert to management or lack thereof, If you are a chicken restaurant you don't run out of chicken at dinner time.*


Bulletin, Breaking News, Alert to management or lack thereof, If you are a chicken restaurant you don't run out of chicken at dinner time. The following day I sold my stock in the company, just kidding.

We recently went to dinner with another couple during the week at the height of the dinner hour for a steak dinner. When we arrived we joined the masses waiting for a table. I usually will not wait more than five or ten minutes for a table and we were assured we would not have to wait any more than that. Looking around in a section of the dining room I noticed at least four or five tables for four and a few booths with no guests. To me this signals a

problem with staffing and scheduling by management.

We were taken to our table in ten minutes only because we called ahead. Others may not have been so lucky. The waiter, a pleasant young man, took our order for drinks. I forgot to mention that this evening was on one of the coldest nights of the year so far 53 degrees. Lol. That's cold for Florida. Anyway drinks were ordered including a hot tea for my friend who was told that they had run out of teabags. Here we go again. I suggested taking iced tea and microwaving it to make hot tea but that didn't work out well. We ordered our entrees including a cheeseburger for my friend. Within the proper delivery time our meals were delivered except without the cheeseburger for my friend. We waited for him to come back to check on the meal but no one came. We finally asked a waitress to find our waiter. He arrived apologetic and said he would check on it. He clearly forgot to write it down and enter it in the POS system for the kitchen to prepare. He was flustered but still pleasant. The manager finally came by to apologize and to take it off our bill which was one way to handle a tense situation. The "don't" portion of this story is management again. Don't put a server on the floor who isn't fully prepared to face the customers with full knowledge of the workings of the in house technology and kitchen procedures.

### Do's

In this issue of Today's Restaurant News we have a great article on Robotics and AI in the foodservice industry. Look for it. Remember our industry serves fundamental human needs, food and eating it, so management has to provide the very best training to serve our customers properly without running out of food, beverage or service. If we don't do it we will be replaced by a tabletop robot who can say thousands of words but can't really appreciate the taste of great chicken etc. 

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**Today's Restaurant**  
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# What's Going On

Important new products, corporate news and industry events

◆ The standard uniform for most people in the food industry involves some type of headwear to prevent hair and sweat from rolling down onto the prepared items, but most of the time the hat becomes smelly and stained from hours on the job. **NoSweat liners stick to the inside of any hat** and instantly wick away sweat to prevent stains, odors, burning eyes and other distracting, and sometimes dangerous, side effects of sweat. Depending on the person and activities being performed, the liners can last up to two weeks before needing to be replaced. NoSweat is a lifestyle brand and manufacturer of products that are 100% USA made and built to increase performance, safety and hygiene for anyone who sweats and wears some type of hat, helmet, visor or hard-hat. Founded in 2008 by Justin Johnson and based out of Minneapolis, NoSweat offers a growing, patented line of sweat-absorbing solutions that are unique to the construction, industrial, food prep, foodservice and many other spaces. Learn more online at [nosweatco.com](http://nosweatco.com).



**Eco-Products is now to offer compostable lids that allow sipping without a straw.** The compostable lids, made from a plant-based plastic, make it easy to sip from a cup without spilling. Eco-Products already is supplying arenas in the U.S. and Canada with the lids to help fans not spill their beverages as they cheer on their teams. "We tried out the lids first with Canadian hockey fans. They loved not spilling their beers, so we knew we had a winner," said Sarah Martinez, Director of Marketing for Eco-Products. Eco-Products' "Cold Cup Sip Lids" allow people to easily drink from a cup with the lid on. Designed to prevent spills and "splashback," the lids come in different sizes to fit a variety of cups. Made from 100 percent renewable resources, all are BPI certified and meet ASTM International standards for compostability. "If a customer doesn't want to use a straw, restaurants, stadiums and arenas want to give them an option that doesn't include spilling their drink," Martinez said. "This compostable lid is the answer. Eco-Products, a Novolex brand and Certified B Corporation, is a leading brand of single use foodservice packaging made from renewable and recycled resources. Its products are, relative to traditional counterparts, gentler on the environment because they require fewer virgin resources to produce, and make diversion from landfills an option upon disposal. Visit [www.ecoproducts.com](http://www.ecoproducts.com) for more information.

◆◆◆◆◆  
**The automatic dough sheeting system from Wellbake Equipment was designed for the growing North American flatbread market.** The high-capacity industrial sheeter produces dough thicknesses between 0.5 and 25 mm. The dough belt widths

range from 600 to 1,200 mm. The sheeter can make bread thins, ciabatta, focaccia, lavash, naan, pita, tortilla chips and pie crusts. For all details visit the website at [wellbake.com](http://wellbake.com).

◆◆◆◆◆  
**Breakfast Brunch Café** recently announced that it will begin offering franchise opportunities to qualified candidates throughout the state of Texas and nationally in 2019. Founded in 2015, the company is led by independent founders who believe in maintaining a family environment that offers great service and locally sourced food made from scratch. To champion this goal, the company is introducing an ownership concept that allows franchisees to own and operate a franchise as a true family business, as well as reap the benefits of all their labor and hard work. Visit [breakfastbrunchcafe.com](http://breakfastbrunchcafe.com) for more information.



◆◆◆◆◆  
In Fellsmere, Florida, Organic shrimp and oyster producer **Florida Organic Aquaculture** opened its new production and research facility, the largest closed-water shrimp production plant in the nation.

◆◆◆◆◆  
**DAS Beer Garden is opening a 5,500 square-foot craft beer and pizza spot**

See **WHAT'S GOING ON** page 6

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# Avoiding unexpected successor liability in restaurant acquisitions

Richard A. Bruner Jr. ♦ Today's Restaurant Contributor

Buffalo Wild Wings' acquisition by Arby's and the acquisition of Popeyes by Restaurant Brands International in late 2017 were part of a two-year surge in restaurant acquisitions that is still happening. Although there is great opportunity for restaurants purchasing existing restaurants, buyers will want to take steps to avoid assuming the sellers' liabilities. When purchasing any business, the structure of the transaction initially determines whether the buyer will assume the liabilities of the seller. The two most common methods to structure an acquisition of a small business, including a restaurant, are stock acquisitions and asset acquisitions.

## Stock Acquisition vs. Asset Acquisition

In a stock acquisition, the buyer acquires all of the outstanding stock of the selling company directly from the selling company's shareholders. By doing so, the buyer acquires all of the assets and liabilities of the selling company as a matter of law. That is, all of the assets and liabilities will remain in place after closing, and the company essentially remains unchanged other than having a new owner. In an asset acquisition, however, the buyer

identifies the specific assets and liabilities it agrees to acquire and assume in the asset purchase agreement, and the buyer has the ability to leave unwanted or undesirable assets or liabilities behind. Most acquisitions of small businesses, including restaurants, are structured as asset purchases to avoid the automatic assumption of the seller's liabilities.

Although the asset purchase agreement limits the buyer's assumption of the seller's liabilities to those expressly set forth in the agreement, applicable law may supersede the limitations set forth in the agreement and impose liability on the buyer. In certain circumstances, the buyer can be held responsible for the existing restaurant's liabilities if a court determines, among other reasons:

- ♦ The buyer expressly or impliedly assumed the liabilities.
- ♦ The transaction is deemed a de facto merger under state law. A de facto merger occurs when a transaction is in substance a merger of the seller and buyer, and the doctrine of de facto merger exists to prevent companies from avoiding the assumption of seller's

liabilities while enjoying all the benefits of a merger.

- ♦ The transfer was fraudulent or intended to defraud creditors.
- ♦ The buyer is a mere continuation of the seller.
- ♦ The buyer continues essentially the same operations of the seller.

In addition, under certain federal and state laws, a buyer may be responsible for statutorily identified liabilities of a seller, such as environmental and tax liabilities.

*A buyer of an existing restaurant should try to protect itself against successor liability...*

## Protection Strategies for Buyers Against Successor Liability

A buyer of an existing restaurant should try to protect itself against successor liability, or at least try to minimize the impact of successor liability, by (1) structuring the acquisition as an asset acquisition, (2) conducting comprehensive due diligence on the seller, (3) including comprehensive representations, warranties and indemnities in the asset purchase agreement, and (4) holding back a portion of the purchase price for a reasonable period of time to ensure funds are readily available to pay any undisclosed liabilities.


In addition to conducting due diligence on other aspects of the restaurant's business, the buyer should, when possible, conduct lien searches to ensure there are no liens on the assets being purchased, conduct judgment searches to ensure there are no outstanding judgments against the seller,

conduct litigation searches to ensure there are no pending lawsuits against the seller, and try to obtain tax clearance certificates from relevant taxing authorities where available to ensure there are no outstanding taxes due by the seller.

With regard to the asset purchase agreement, the buyer should include comprehensive representations and warranties for the assets being acquired and the liabilities of the existing restaurant, such as representations and warranties stating that the seller owns the assets free and clear of all liens. The seller should also be obligated to indemnify the buyer for any breaches of, or inaccuracies in, the representations and warranties for a reasonable period of time after the closing. Finally, the agreement should also allow the buyer to pay any outstanding liabilities of the seller at closing on seller's behalf from the purchase price.

Lastly, the buyer should hold back a portion of the purchase price to ensure that funds are readily available to cover any undisclosed or unexpected liabilities of the existing restaurant for which the buyer may be liable. Holdbacks can be accomplished by a variety of methods, such as paying a portion of the purchase price after closing, leaving a portion in escrow, or paying a portion via a promissory note.

## Conclusion

Although there is great value in restaurant investment that is driving a thriving mergers and acquisitions market in the industry, buyers are wise to focus on just acquiring the business rather than the liabilities that may come along with it. Restaurant purchasers, therefore, should take steps to mitigate their risk by structuring the transaction as an asset acquisition, conducting thorough due diligence, paying careful attention to agreement details and using set asides to address any undisclosed liabilities down the road. 

*Richard A. Bruner, Jr. is a shareholder at Trenam Law, practicing in the firm's Business Transactions group where he focuses on a variety of corporate, securities and transactional matters. Bruner may be reached at [rbruner@trenam.com](mailto:rbruner@trenam.com).*

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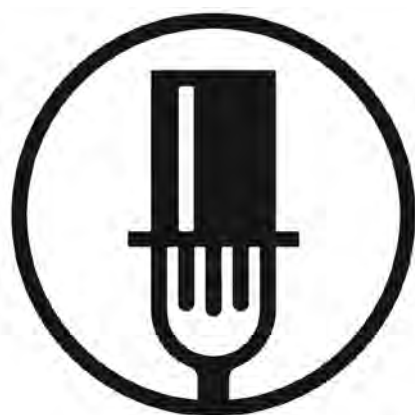
# Lincoln Eatery opens in Miami Beach's hot Lincoln Road retail district

Making its official debut on January 31, 2019, The Lincoln Eatery marks the arrival of one of the 21st century's biggest global culinary trends – the modern food hall – on Miami Beach. Located adjacent to Lincoln Road, South Beach's famed pedestrian shopping, dining and people watching street, the highly-anticipated urban food collective presents a curated selection of 14 unique dining and drinking options featuring an eclectic assortment of culinary concepts.

As envisioned by its developers, Terranova Corporation, South Florida's leading full-service commercial real estate firm, The Lincoln Eatery is poised to become a convivial hub on Miami Beach – a gathering place that celebrates the intersection of food, design and community in a unique setting. Designed by Arquitectonica - the iconic global architecture firm notable for putting South Florida on the world design map - The Lincoln Eatery occupies 9,600 square feet of street level space at the intersection of Lincoln Lane and Meridian Avenue.

According to Stephen Bittel, Terranova's founder and chairman, "We're extending Lincoln Road's footprint north with the development of The Lincoln Eatery as the anchor. Our goal with The Eatery is to work with local and national culinary entrepreneurs, providing the support and infrastructure they need to be successful; in turn offering an exciting, affordable new dining experience that will be authentic and new to the area. All of The Eatery's tenants will be unique from one another, offering something for every palate. We are thrilled with the creative and delicious mix of cuisines and concepts that are joining forces us."

Many of the Eatery's tenants are new to the market, bringing authentic,



## LINCOLN EATERY

*The Lincoln Eatery will offer flexible indoor/outdoor seating for over 200.*

and in most cases, homegrown made-in-Miami options to a wider audience with first time brick and mortar retail locations. They include:

**ChillIN:** A South Florida-based ice cream concept serving delicious flash-frozen ice cream with liquid nitrogen and a variety of fresh ingredients and toppings.

**Fresh Garden Bowls:** A healthy fast-food alternative with vegan, vegetarian, and gluten-free options to

satisfy a modern healthy lifestyle featuring made-to-order salads, wraps and freshly squeezed juices.

**Manhattan Paletas:** First South Florida location for the Mexican-based brand which has been serving all natural frozen paletas made from fruits and other flavors for over 50 years.

**Marble & Rye:** A modern take on a traditional New York kosher delicatessen featuring old world deli staples with a contemporary twist.

**Necessary Purveyors:** Specializing in artisanal dishes inspired by the South from made to order sandwiches to granola jars that are approachable yet sophisticated.

**Patagonia:** Serving authentic Argentinean pastries and sweets including empanadas and medialunas made fresh daily.

**The Tavern Bar:** The Eatery's central 'drinkery' will offer wine, beer and handcrafted cocktails.

**Toast & More:** A French bakery serving a large selection of savory and sweet tartines, French pastries, quiches and of course, toasts.

**TYO Sushi:** A fusion of traditional skill with modern tastes, incorporating Japan's signature and time-honored sushi roots and spicing it up with today's modern flavors.

**XO Espresso Bar:** A specialty coffee bar serving quality coffee, wellness drinks, organic teas and a wide range of small bites and pastries to match.

The Lincoln Eatery will offer flexible indoor/outdoor seating for over 200. A modern interpretation of the industrial food hall, The Lincoln Eatery's design elements include glossy subway tiles and polished concrete floors. Overhead, a matrix of wooden beams evokes a lush tropical canopy. In late 2019, Terranova will open the project's second phase – a

See **FORECAST** page 12

**48 Million Americans get sick 128,000 are hospitalized and 3,000 die each year in the United States from food borne disease according to the CDC.**

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# What's Going On from page 3

on **Singer Island**, located at 2415 N Ocean Drive. DAS Craft Beer & Pizza will offer 60+ craft beers and gourmet pizzas created by DAS Head Chef Jason Rohrbach. There will also be a stage for live music and entertainment, an indoor bocce ball court, and an outdoor patio with access to the beach.



◆ ◆ ◆ ◆ ◆  
◆ **Master-Bilt®**, manufacturer and supplier of a full line of commercial refrigeration equipment, will be displaying a wide array of products in a redesigned booth with interactive video

presentation at the NAFEM Show in Orlando, February 7-9, 2019, in booth #2823. Master-Bilt's newly designed booth will highlight many items including its redesigned ice cream dipping/display merchandisers. Among many products showcased at the NAFEM booth are Master-Bilt's Master-Chill™ roll-in and pass-thru blast chiller/freezers. Blast chillers and blast freezers improve food safety, increase productivity in the kitchen and extend the shelf life of food, saving time and money. These

can be stand-alone units or integrated into a walk-in allowing a customizable solution depending on space limitations. In addition, Master-Bilt will be showcasing Parallel Rack Systems which are multiple compressor refrigeration units incorporated into a single housing and used to cool all the refrigeration equipment within a kitchen or retail environment. Master-Bilt, a member of the Standex Food Service Equipment Group and in business for 80 years, offers a complete line of refrigerated coolers and freezers for commercial food-service applications. Master-Bilt's markets of specialty include institutional settings, restaurants, small footprint retail and convenience stores. For more information on Master-Bilt's full product line visit [master-bilt.com](http://master-bilt.com).



◆ ◆ ◆ ◆ ◆  
◆ **BrewFirst is a leading high-end craft beer brewing system.** The system has allowed restaurants, hotels, clubhouses, and catering halls to create their own signature beers, in any flavor profile, including, IPA's traditional ales, strong porters, stouts, pale ales, ambers, heavy bitters, and fashionable golden ale in-house. Owner, Darryl Cohen, and his team have resigned the model to make it even more efficient. Not only do they help companies acquire licensing to sell beer, but they have upgraded their system that now allows you to brew your own light craft beer in just 3 hours. The only requirement is that you need to have 2,500 square feet of space for the machine. The whole system only requires a two-phase power, a water supply and drain for installation. Not only can owners serve the freshest beer at an enormous savings, but in many states, they can self-distribute. For detailed information visit [brewfirst.com](http://brewfirst.com).

◆ ◆ ◆ ◆ ◆  
In 2019, **The Lost Cajun** is set to open at least 12 new restaurants throughout the East Coast. In the next three to five years the brand is on track to develop 32 new locations. Raymond Griffin is the CEO and Founder. [TheLostCajun.com](http://TheLostCajun.com).

◆ ◆ ◆ ◆ ◆  
◆ **Diestel's Uncured Turkey Bacon**, for use in the Foodservice Industry and any place else, is crafted with care from butcher-quality, whole-muscle cuts and slow smoked over natural hardwood to bring out the bird's rich turkey flavor and give it premium texture. Baked or fried, chewy or perfectly crisp, the family's quality craftsmanship shows through in every bacon-y bite, making this a healthy and lean meat alternative. Shared Heidi Diestel, "No sugar is added to our Uncured Turkey Bacon because it doesn't need it. There is nothing more delicious than high-quality, sustainably raised turkey, and we've gone above and

beyond to deliver those artisan flavors in every single slice of our bacon. It's of course a wonderful complement to the all-American bacon and eggs breakfast or for adding savory flavor to lunch and dinner recipes, but honestly, it's incredible all on its own." Visit [DiestelFamilyRanch.com](http://DiestelFamilyRanch.com) for their full product line and ordering details.

◆ ◆ ◆ ◆ ◆  
Everywhere you go, you see people pulling out their little bottles of hand sanitizer before eating or after touching public door handles or railings. This concern for preventing illness also extends to touching the toilet seat in public restrooms, which can be breeding grounds for common bacteria and germs. Give your patrons and associates another effective way to ensure bathroom hygiene with the **Health Gards™ Toilet Seat Cleaner System** from **HOSPECO®**. Developed to make sure that washrooms meet high standards of hygiene, the Health Gards Toilet Seat Cleaner System consists of a discreet, easy-to-use dispenser and a pleasantly fragranced toilet seat cleaner. One application of this fast-drying, alcohol-based cleaner and patrons can feel instant protection from the germs typical of restroom environments. To use, a guest simply sprays Health Gards® toilet seat cleaner onto toilet paper, wipes down the toilet seat, and discards the moistened paper as usual in the toilet. No rinsing or further wiping is required. The process assures patrons know the seat has been cleaned to their own standards of cleanliness. The dispenser is designed in neutral white and gray to blend into any decor. It is easy to install, maintain, and reload, and can be mounted to the wall using tape, anchors, or screws. Each 500 ml pouch contains more than 3,800 sprays—enough for over 1,900 applications.

◆ ◆ ◆ ◆ ◆  
According to **Technomic's Menu-Monitor**, craft beer was the most added beverage on menus in Q2 2018. Operators can enhance the guest experience this spring by offering Craft Beer Battered appetizers and sides that help enhance the flavor of craft beer, like the new Brew City® IPA Beer Battered Onion Rings or the new Brew City® IPA Beer Battered Gouda & Mozzarella Cheese Bites. Operators can also offer the Anchor® Spicy Battered Pickle Fries to add a spicy flair to any menu application. **McCain® Foods** has also launched a Spring Sports program that provides insights, solutions and tools to foodservice operators focused on food and craft beer pairings. The program supports operators during this busy spring sports season to drive traffic and profitability. Resources include a social media toolkit and special offers for True Beer Food™ items ideal for beer pairings. To learn more about the program, visit [www.mccainusafoodservice.com/springsports](http://www.mccainusafoodservice.com/springsports).



## Calendar Events

### Upcoming industry affairs

Send your Calendar Event to [Today's Restaurant](mailto:Today's Restaurant)!

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### February 2019

#### 7-9 ◆ The NAFEM Show

Orange County CC ◆ 9800 International Drive ◆ Orlando, FL  
[Thenafemshow.org](http://Thenafemshow.org)

### March

#### 3-5 ◆ 2019 International Restaurant and Foodservice Show of New York

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### April

#### 26-28 ◆ SoFlo Cake & Candy Expo

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### May

#### 17 ◆ South Florida's Taste of the Nation

Ice Palace Films Studios ◆ 59 NW 14th Street ◆ Miami, FL  
Email: [abeckmann@strength.org](mailto:abeckmann@strength.org)

#### 18-21 ◆ The National Restaurant Association Show

McCormick Place ◆ Chicago, IL ◆ 312.853.2542 ◆ [nra@experient-inc.com](mailto:nra@experient-inc.com)

### September

#### 15-16 ◆ 2019 Florida Restaurant & Lodging Show

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# New owner for Stoner's Pizza Joint in Jax

Charleston, SC - Stoner's Pizza Joint, a millennial-focused, quick-service pizza franchise, has announced that Bruce Levy of Chatham Foods & Dining LLC, has assumed ownership of its existing Jacksonville, Florida location, located at 11565 N. Main St. Additionally, Levy has signed a franchise development agreement to open two new restaurants in the state, targeting the greater Jacksonville area, as well as St. Augustine. This new agreement comes on the heels of the six-unit deal signed in Texas in Q4 2018 and further supports the brand's plans to grow to 100 locations over the next five years.



*Stoner's Pizza Joint features fresh, high quality non-GMO food prepared in-house daily with minimal production time...*

Levy has extensive experience in restaurant operations and franchising, as well as commercial real estate and development. He has previously worked with Sonny's BBQ, Sonic Drive-In and Blaze Pizza, in addition to owning his own concepts in South Florida and Puerto Rico. Day-to-day operations of his new Stoner's Pizza Joint restaurants will be led by Dawson and Charlotte Robertson, who have been in the restaurant and hospitality industry for more than a decade.

"Having been in the industry for more than 40 years, I know a good opportunity when I see one, which is why I couldn't pass up joining the

Stoner's brand," said Levy. "The concept is edgy, offering fresh, quality food at great prices, and it appeals to a massive age demographic in the country today. I'm excited to kick off my partnership with the brand and look forward to bringing more Stoner's locations to Florida soon."

Founded in 2013, Stoner's Pizza Joint was recently purchased by the experienced restaurateurs behind HHI Hospitality, which owns and operates several proprietary restaurant concepts in Hilton Head, South Carolina, including Charbar Company and ¡Holy Tequila!, among others. Partners Drew Ciccarelli and Nick Bergelt developed and launched Stoner's Pizza Joint's franchising program in July 2018 with the goal of growing the brand's footprint to 100 locations by 2023. Currently, Stoner's Pizza Joint has six corporate locations throughout Georgia and South Carolina with three more in development.

"An industry veteran like Bruce investing in our brand is a testament to Stoner's simplistic business model, high ROI and operational excellence. As we remain on pace to open 100 stores over the next five years, we're grateful to have such an experienced operator be part of our early growth story," added Nick Bergelt, chief concept officer of Stoner's Pizza Joint.

Stoner's Pizza Joint features fresh, high quality non-GMO food prepared in-house daily with minimal production time, including proprietary recipes for the pizza dough, sauce, and cheese blend. Menu items are prepared in conveyor ovens that are heated by bricks to give the food the crisp taste of a brick oven, but with the speed and convenience of a conveyor oven. Menu items include a simple variety of specialty pizzas, calzones, strombolis, hickory-smoked chicken wings made daily in-house, freshly prepared salads, and fresh baked chocolate chip cookies.

*About Stoner's Pizza Joint: Founded in 2013 and headquartered in Charleston, South Carolina, Stoner's Pizza Joint is a millennial-focused, quick-service pizza restaurant that uses high quality, fresh ingredients. The company offers a variety of specialty pizzas, hickory-smoked wings made daily in-house, salads, strombolis, and calzones. Today, Stoner's Pizza Joint has grown to six corporate locations throughout Georgia and South Carolina with three more in development. For more information about Stoner's Pizza Joint, visit [www.stonerspizzajoint.com](http://www.stonerspizzajoint.com).*



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## What's hot in culinary forecast

CBD and cannabis-infused food and beverages are among the top trends for 2019, along with zero-waste cooking, globally inspired dishes and vegetable-forward cuisine. American Culinary Federation chefs identified the trends for the National Restaurant Association's What's Hot survey.

The annual survey asks chefs to identify food and beverage trends for the coming year. Chefs ranked 140 items — from all-day breakfast to zero-waste cooking — as “hot,” “yesterday's news” or “perennial favorite.” The resulting What's Hot list gives a preview of the food, beverages and culinary themes that will be the talk of 2019.

Nearly 77 percent of the chefs ranked cannabis/CBD-infused drinks as the No. 1 trend, and 76 percent of them tapped cannabis/CBD-infused food as the second most popular. Chefs who participated in the survey said infusing foods with the ingredients could create unique cuisine opportunities and potential new markets for experiential dining occasions. Seventy percent ranked zero-waste cooking as the third most popular trend.

“The Association's 2019 What's Hot report reflects contemporary consumer cravings in tandem with emerging societal dining trends,” says Hudson Riehle, senior vice president of research for the National Restaurant Association. “We're seeing a more eco-friendly perspective and greater emphasis on global flavors/cuisines as well as enhanced availability of healthful items/children's meals and the exploration of new food sourcing options.”

The survey indicates that Americans crave foods that not only nourish them but also help sustain the planet. Plant-based and veggie centric foods are no longer just for vegetarians. In fact, three of the 15 hottest items are plant-based sausages/burgers, veggie-centric/vegetable forward cuisine and plant-based proteins. Hyper-local sourcing, including restaurants that grow produce in their own gardens, also made the Top 10 list:

1. Cannabis/CBD oil-infused drinks.
2. Cannabis/CBD oil-infused food.
3. Zero-waste cooking.
4. Globally inspired breakfast dishes.
5. Global flavors in kids' meals.
6. Hyper-local.
7. New cuts of meat.
8. Veggie-centric/vegetable-forward cuisine.
9. Chef-driven fast-casual concepts.
10. Craft/artisan/locally produced spirits.

Zero-waste cooking, which transforms food scraps, damaged produce and leftovers into culinary delights, ranks third on the list of overall trends for 2019 and second in the culinary concepts category. Chefs are taking a second look at items they trashed in the past — using coffee grinds to flavor homemade ice cream and showcasing cabbage butts in crowd-pleasing stir-fries.

Global flavors also ranked highly, with the trend heating up from last year. Globally inspired breakfast dishes claimed the fourth spot on the survey, followed by global flavors in kids' meals.

In category after category, global flavors shine. The Israeli soda gazoz ranks second in the non-alcoholic beverage category. Thai-rolled ice cream placed first among sweets. African cuisines, condiments and spices trended across several categories, including items that originated in North, West and East Africa (Ethiopia). Chefs identified North African cuisine (think tajine and fuul) as today's “hottest” global flavor.

New cuts of meat, such as shoulder tender, oyster steak or Merlot cut,

See **FORECAST** page 12





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# Smart Flour™ offers Ancient-Grain Pizza Crusts for foodservice

Austin, TX – Smart Flour™ is bringing tasty, gluten-free pizzas to fast-casual restaurants, school cafeterias, and convenience stores across the country with its lineup of culinary-driven, ancient-grain based pizza crusts and flatbreads.

Harnessing the power of whole grains, the crusts feature a classic taste and texture that can be enjoyed by everyone, whether they have dietary restrictions or are simply looking to make healthier food choices without sacrificing taste. Two universally appealing, certified gluten-free varieties include:


◆ Ancient-Grain Pizza Crust: Smart Flour's original, naturally gluten-free, whole-grain pizza crusts are crispy on the outside with a tender chew in the middle. Made with brand's proprietary ancient-grain blend of sorghum, amaranth and teff, the crusts feature an elevated nutritional platform and deliver a boost of fiber, protein, and calcium. Available in 10" and 12" rounds and a 6" x 9" flatbread.

◆ Tavern Pizza Crust (New!): Light in color and balanced in flavor, these tavern-style crusts bake up like a traditional, white-flour crust. Made with sorghum, they also offer a boost of fiber and antioxidants. Available in 10" and 12" rounds and a 5.5" x 16" oval size.

Smart Flour's Pizza Crusts and Flatbreads feature ontrend attributes like being vegan, Non-GMO Project Verified, and free of many common allergens including nuts, dairy, soy, egg, and rice. An easy-to serve option for restaurant operators or foodservice providers, the par-baked crusts bake at



the same time and temperature as regular pizza crusts and can be easily cooked in a variety of ovens.

Smart Flour's Tavern Pizza Crusts and Ancient-Grain Crusts are sold frozen in a 12-count package, and Smart Flour's Ancient-Grain Flatbreads are available in a 36-count package. For best results, the crusts should be fully defrosted before cooking but can also be used straight from the freezer. The products have a refrigerated shelf life of seven days. Visit the company at [www.smartflourfoods.com](http://www.smartflourfoods.com). 

**About Smart Flour™:** Smart Flour's success in foodservice and launch into retail in late 2013 has been instrumental in transforming the gluten-free market and overall perception of gluten-free foods. Made with the power of ancient grains for elevated nutrition, the company's culinary-inspired, better-for-you, and certified gluten-free offerings have shown the world that gluten-free products don't need to sacrifice good taste that is healthy. The brand's lineup includes: Pizza and crusts for grocery, along with crusts, flatbread, hoagie rolls, hamburger buns, pancake & waffle mix, and dessert bars for foodservice customers. For more information, visit [www.smartflourfoods.com](http://www.smartflourfoods.com) and find @smartflourfoods on Facebook and Instagram.

## Section 179 still allows up to \$2.5M in tax write-offs

By Pamela Hewett

On December 22, 2017, the President signed the Tax Reform legislation. Section 179 has received a nice boost for the 2019 tax year that is a gift for all small business owners. Section 179 has increased from \$520,000 to \$1,000,000 in 2018. Property acquired over \$1,000,000 has a 100% bonus depreciation up to \$2,500,000. This is a small business tax incentive, so write offs over \$2,500,000 decrease the tax deduction \$1 per \$1. In the past years, the bonus depreciation was 50% but under the new tax reform Bonus Depreciation allows for up to 100% of cost of equipment/expansion costs. So, small business owners can deduct up to \$2,500,000 in expansions, equipment, software etc. in 2019.

Also, Qualifying Property has been expanded to include:

- ◆ Certain depreciable tangible property used in connection with lodging
- ◆ Improvements to non-residential real property such as roofs, heating, ventilation, air conditioning, and fire and alarm protection systems.

- ◆ Used equipment (in the past used equipment could not be written off under 179)

### Example Tax Deduction:

Amount Spent: \$1,500,000

Section 179 Deduction: \$1,000,000


Bonus Depreciation (100%): \$500,000

Total Deduction off Top Line: \$1,500,000

Cash Savings at 35% Tax Bracket: \$525,000

Lowered Cost of Equipment: \$975,000

Many businesses are finding that Section 179 Qualified Financing is an attractive and smart decision to keep their cash flow strong to use for expansion, and growth.

Please contact your CPA or tax expert to verify your benefits. This article is for information purposes only. 

Pamela Hewett has over 25 years of experience in equipment leasing and finance programs for businesses. To get a qualifying finance program or for additional questions, please contact Pamela Hewett at 813-531-0654 or email at [pamela@packagingfinancellc.com](mailto:pamela@packagingfinancellc.com). To see the Top 10 Most important Tax changes in the Tax Reform Bill go to [www.marketwatch.com/story/top-10-tax-changes-for-business-owners-2017-12-29](http://www.marketwatch.com/story/top-10-tax-changes-for-business-owners-2017-12-29).



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# Robots from page 10

and/or potential security breaches to reduce or eliminate hazards in our foods. This could prevent or reduce serious illnesses, and could help decrease the need for food recalls. Technical solutions will help identify and address safety issues earlier in the process – before the potentially dangerous foods are shipped, sold and served.

Even our kitchen equipment is getting “smarter.” The latest coolers, blast chillers and ovens include wireless systems that track and record temperatures automatically. This high-tech equipment can automatically alert owners, managers, or other staff members if something goes awry. This helps prevent food spoilage and potential foodborne illness outbreaks, saving businesses significant money and hassles, while keeping their guests (and their businesses) safer.

While robotics, sensors and “smarter” equipment are revolutionizing the way some restaurants operate, there will always be a need for human staff in any food business. Human employees are integral to customer service functions (greeting guests, interacting with customers), as well as overseeing and managing food safety functions (cleaning, sanitizing, inspecting, monitoring, troubleshooting, etc.) To maximize success, combine the newest tech tools with trained, conscientious staff members. Restaurants should adopt tech tools in whatever capacity makes sense for their needs and budget. For most restaurateurs, that doesn't mean getting a \$30,000 burger-flipping robot. Now, there are many user-friendly tech options at a

variety of price points. In fact, tech solutions for restaurants are becoming more mainstream, accessible and affordable. One manageable first step is to utilize digital checklists that significantly improve restaurants' internal safety inspections, making them shorter, more user-friendly and accurate. (After all, daily safety inspections aren't doing restaurants any good if they're not being completed accurately – or at all.)

Restaurants are also finding value in high-tech thermometers, which make it more userfriendly, effective and accurate to determine when foods are cooked to safe temperatures. Equipment sensors set off alarms (and send notices to managers' cell phones) whenever there's a break in protocol – such as the walk-in cooler rising above a set temperature – which can be instrumental in avoiding food spoilage and subsequent risks (and costly waste).

Based on the numerous food safety breaches that have occurred lately, it's clear that we can't rely on humans alone to keep our foods – and our guests – safer. But trained humans – combined with innovative technologies – will help restaurants reduce (or eliminate) risks, while boosting their productivity, efficiency, and (most importantly) safety. **TR**

*Aaron Cohen co-founded CoInspect to make food safer and filing cabinets obsolete. CoInspect software powers food safety, quality assurance, and standards management for restaurants and food manufacturers. The company's obsession: Make software that is fast, flexible, and easy-to-use. For more information, visit [www.coinspectapp.com](http://www.coinspectapp.com) or reach him at [aaron@coinspectapp.com](mailto:aaron@coinspectapp.com).*

# Forecast from page 8

cooled some after nabbing the top spot for the past two years. As for “yesterday's news,” chefs ranked overnight oats, anise-flavored cocktails and pretzels in desserts as trends that have come and gone.

The National Restaurant Association is the largest foodservice trade association in the world\* — supporting over 500,000 restaurant businesses. In partnership with our state restaurant associations, we work every day to empower all restaurant owners and operators to achieve more than they thought possible. The National Restaurant Association can be reached at 2055 L St. NW, Suite 700, Washington, DC 20036 and 800.424.5156. About Us

We represent and advocate for foodservice industry interests — taking on financial and regulatory obstacles before they hit members' bottom line. We provide tools and systems that help members of all sizes get significantly better operating results. And we offer the kinds of networking, education and research resources that are only possible because of our vast, and active, membership base.

We save our members time, money and headaches by helping them take on what matters most for their success and growth — whether that's protecting their economic interests, sharing best practices, or getting them in front of emerging trends.

We strive to move our industry forward by finding answers to the tough questions, distilling complex information into practical knowledge and helping our members navigate the issues that can leave them in the weeds. And that makes us the go-to resource for smart, relevant intelligence that helps our members run their businesses better.

At the Association, we believe that there is strength in numbers. When we come together as an industry, our collective voice is stronger and our impact is greater than when any of us stands alone. And that means our shared spirit of hospitality, passion for serving others and belief in the American entrepreneurial dream will be safeguarded and advanced.

\*Largest foodservice trade association by membership. **TR**

# What's Going On from page 6

**Presto, a creator of the front of house platform solution for restaurant operators, recently announced the launch of two new products.** Presto Wearables, a smartwatch-like device that notifies servers of guests' needs and management when guests need a manager's attention and Presto A.I., a specialized product that analyzes data in real time. Presto Wearables and Presto A.I. adds to the Company's lineup of products that help restaurant operators, from fast casual to fine dining and reduce operation costs, drive sales, advance the guest experience and increase efficiencies. Rajat Suri is the founder and CEO of Presto.



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**Molteni Caractère** has been announced by the Chicago Athenaeum: Museum of Architecture and Design as one of the stars of the GOOD DESIGN® Awards Program, the oldest and most prestigious global awards program that honors and recognizes the best design talent and manufacturing worldwide. For the 2018 edition, more than 900 new products and graphic designs were selected from more than 47 countries in Europe, Asia, and the Americas. The emphasis of GOOD DESIGN® - following the original 1950s criteria - is on quality design from the innovation, functionality and aesthetics point of view. The design of the new **Molteni Caractère** was exactly conceived to fulfill these requirements, representing **Electrolux Professional's** excellence in blending established heritage with a contemporary style. “We are very proud of this recognition, which comes from the most renowned global award program, founded by the pioneers in modern design”, commented Michele Cadamuro, Design Director at Electrolux Professional. “I would like to thank the entire team for their talent in creating a premium solution, able to meet the high demanding chefs' expectations with high tech materials and details, while inspiring and affecting people's emotions in a subtle and elegant way. Molteni Caractère is the symbol of an evolution without revolution, a change within continuity. This is our design philosophy, aimed at making our customer's work-life easier, more effortless and more profitable every day”.



◆ ◆ ◆ ◆

**Nor-Lake's new glass door merchandisers are now available.** Refrigerator and freezer model selections include both swing and slide door refrigerators and swing door freezers. Also, Nor-Lake's eAdvantEDGE Sandwich / Salad Prep Table line now offers a new optional flat lid. This removable flat lid option allows for

extra workspace in limited foodservice prep areas. It can also be completely removed for convenient access to food items stored in pans. The AdvantEDGE Sandwich/Salad Prep Tables also feature a condenser filter screen, removable without tools, allowing easier condenser coil cleaning resulting in peak efficiency. This front-breathing refrigeration system design allows for zero-clearance installation on sides and back. Nor-Lake, a member of the Standex Food Service Equipment Group and in business since 1947, is a leader in the designing and manufacturing of quality refrigeration products. Nor-Lake offers a complete line of refrigerated coolers and freezers for commercial foodservice applications. For more information on Nor-Lake's full product line or literature visit [www.norlake.com](http://www.norlake.com).

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**Diversity Food Brands (DFB)**, an industry leading provider of resources and brands for the corporate, campus, healthcare and airport foodservice industry, recently announced expansion plans for its propriety brand **Sandella's Flatbread Café**. Currently operating in more than 50 locations in 25 states, DFB plans to add more than 12 locations in 2019. For food service operators, Sandella's kitchen design and reimaged prototype expand on its reputation of quality and flexibility. With a lower build out cost than other brands in this segment, Sandella's capitalizes on its preparation system that allows hot food without an exhaust system. DFB's leadership team, helmed by president and founder Jeffery Keys, has decades of experience building and managing brands for the foodservice sector. For more information, visit [diversityfoodbrands.com](http://diversityfoodbrands.com).

◆ ◆ ◆ ◆

The launch of the newest app from the creators of Facetune: Swish, an amazing new tool for food and restaurant professionals has arrived. **Swish, by Lightricks**, is a video content creating app that allows users to create short video ads with NO editing experience necessary. The Swish app gives small & large businesses the ability to create dynamic videos. With foolproof templates users are able to create a beautiful video every time — on-the-go, from the palm of your hand. Videos from Swish can take as little as 2 minutes to create. Targeted to small businesses and creators on-the-go, Swish capitalizes on the company's goal of empowering everyday individuals to unleash their creativity. Swish provides an easy-to-use resource for small businesses looking to make an impact online and more effectively market their brands without hefty graphic design or video editing fees.





# Giardino's from page 1

opening of new units and the acquisition of additional existing restaurants."

Miami natives, Mitrani and Fuerth's path to restaurant ownership began after Mitrani left his successful career as an attorney at the global law firm of Holland & Knight to pursue his dream of entrepreneurship. After looking into various franchise concepts, Mitrani joined forces with Fuerth and the business partners acquired their first Giardino Gourmet Salads restaurant in South Miami in 2012. Shortly thereafter, they built a new restaurant in Miami Lakes, where they took on an additional partner in Lilly Tudela, and acquired additional existing restaurants in Palmetto Bay and Kendall, which was followed by the recent opening their newest restaurant in the Blue Lagoon business district.

Since they first assumed ownership in South Miami, the business partners have fine-tuned operations, run multiple restaurants - of which one has individually generated over \$1 million in revenue a year - and become the largest multi-unit operators in the emerging Giardino Gourmet Salads system.

"When we were searching for a company to invest in, we knew we wanted a lifestyle brand that would resonate with millennials and carry over into other generations as well," said Jaime Mitrani, Giardino Gourmet Salads multi-unit franchisee. "Giardino Gourmet Salads fit that mold because there is a genuine need across South Florida for real,

simple food that is handcrafted for people that are focused on nutrient-rich ingredients instead of another burger. We're thrilled about developing our 5th location while continuing to provide communities across Miami with a garden-to-bowl alternative to traditional fast food at an exceptional value."




Mitrani and Fuerth's newest Giardino Gourmet Salads restaurant is located at 5787 NW 7th Avenue near the Blue Lagoon business district. This restaurant, along with the brand's 15 other locations across South Florida, feature globally inspired salads, wraps, grain bowls, soups and sandwiches. Every guest has the ability to customize a wide variety of salads, wraps and grain bowls

from more than 60 fresh ingredients including an extensive variety of freshly chopped leafy greens, vegetables, fruits, proteins, dozens of different dressings, homemade deli salads, sauces, and daily baked homemade croutons.

Giardino Gourmet Salads began with a vision in 2004 by founders Ody and Kenny Lugo, a former Miami-Dade County school teacher and Miami-Dade County firefighter respectively.

casual alternatives. With 15 restaurants open across South Florida, Giardino Gourmet Salads intends to continue to grow across the region.

"Franchisees such as Jaime and Rob are propelling our brand forward as they continue to deliver upon our unmatched quality, value and an unparalleled guest experience," said Kenny Lugo, Giardino Gourmet Salads co-founder and board member. "Their passion, along with the rest of our franchise network, is a major reason why we were named one of America's hottest startup fast casual restaurants. We take development very seriously and that is reflected in the quality of our owners, our relationships we build with them and the locations in which we operate restaurants."

Over the course of the next few months, Mitrani and Fuerth will continue to build their business and broaden their outreach to the surrounding community at Blue Lagoon. The restaurant will also increase its catering by tapping into surrounding businesses. 

*About Giardino Gourmet Salads: Founded in 2004, Giardino Gourmet Salads serves the widest variety of individually handcrafted, salads, wraps, bowls, soups and sandwiches using more than 60 fresh ingredients including an extensive variety of freshly chopped leafy greens, vegetables, fruits, proteins, dozens of different dressings, homemade deli salads, sauces, and daily baked homemade croutons. Giardino Gourmet Salads is consistently named one of the top restaurant chains shaping the fast casual restaurant segment. Giardino Gourmet Salads currently operates 16 locations across South Florida, Southwest Florida and Tennessee with plans to continue solid growth in those regions. Visit [www.giardinosalads.com](http://www.giardinosalads.com) for more information about its restaurants and franchise development opportunities in new and existing markets.*

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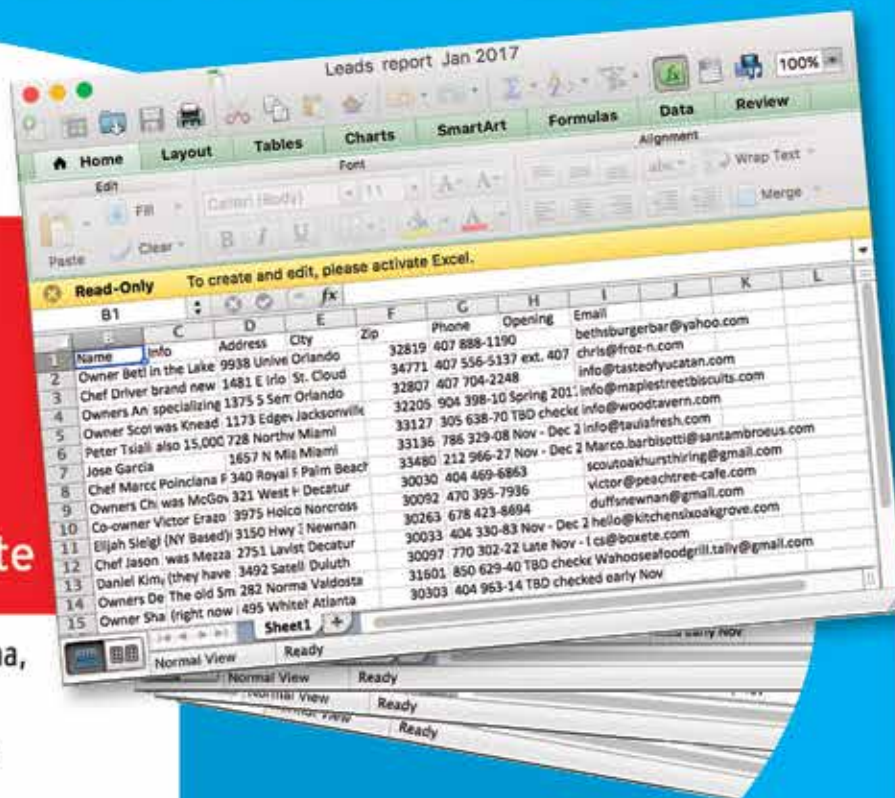
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Boxi Park from page 1

Lewis, Senior Managing Director of Tavistock Group. "We're leading the way in Central Florida on trends in sustainable design while evolving the concept of food halls to create a destination-worthy attraction. We're really looking forward to using this platform to bring fresh F&B concepts to Lake Nona's growing Town Center."

Located on the northwest corner of Lake Nona Boulevard and Tavistock Lakes Boulevard, Boxi Park will be opening soon.

Acting as an incubator for dining options, Boxi Park will feature a varying roster of restaurants. The park's unique temporary structure allows the containers to be moved as Lake Nona Town Center expands. Boxi Park will continue Lake Nona's practice of incorporating community art into development projects using colorful flooring patterns with geometric shapes throughout the park and on the containers. Large, 60-foot Live Oak trees will help provide shade to guests. The trees are part of a bigger relocation initiative from Tavistock Development Company to preserve and move more than 100 trees from wetlands located on the southern border of Lake Nona.

Boxi Park is the latest addition to the 100-acre Lake Nona Town Center which recently announced Cinépolis as the anchor movie theater tenant set

to open in 2020. Currently, the Town Center includes two award-winning hotels, Chroma Modern Bar + Kitchen, Bosphorous Turkish Cuisine, Jacq & Jack full-service salon and barber-shop, a Class-A office building, LandonHouse apartment community, and the flagship location of Drive Shack. In addition to Boxi Park, Town Center will also open Pixon, a modern apartment community, Park Pizza & Brewing Co., and the new BBA Aviation/Signature Flight Support headquarters by the end of 2018.

Complimentary parking for Boxi Park will be available in the adjacent surface lot or the five-story central parking structure featuring Lake Nona's interactive landmarks, The Beacon and Code Wall. Located on the northwest corner of Lake Nona Boulevard and Tavistock Lakes Boulevard, Boxi Park will be opening soon. For more information on Boxi Park visit BoxiParkLakeNona.com. <sup>119</sup>

**About Tavistock Development Company:** Tavistock Development Company is a diversified real estate firm owned by Tavistock Group specializing in planning, design, finance, construction and development of groundbreaking projects. Tavistock Development Company's real estate portfolio is highlighted by the 17-square-mile, master-planned community Lake Nona in Orlando, as well as The Green at Lakewood Ranch, Pier Sixty-Six Hotel and Marina, Sunbridge and The Grove in Windermere. For more information, visit www.tavistockdevelopment.com.

**About Tavistock Restaurant Collection:** Tavistock Restaurant Collection is a portfolio of award-winning restaurant concepts including Abe & Louie's, Atlantic Fish Co., Atlas, AquaKnox, Blackhawk Grille, Cafe del Rey, Canvas Restaurant & Market, Chroma Modern Bar + Kitchen, Cañonita, Coach Grill, Joe's American Bar & Grill, Napa Valley Grille, Timpano, and ZED451. Upcoming projects include Park Pizza & Brewing Co. and Boxi Park, both to be located at Lake Nona Town Center. For more information, visit www.tavistockrestaurantcollection.com.

Lincoln Eatery from page 1

spacious rooftop terrace with beautiful views of South Beach that will be open to the public for dining, drinking, special events and lounging. Other shopping and dining experiences in the district are online to open in 2019 including Genuine Pizza by Chef Michael Schwartz and The Cuban Coffee Cup.

One block north of Lincoln Road and within walking distance of the Miami Beach Convention Center...

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**About The Lincoln Eatery:** Designed by global architecture firm Arquitectonica, The Lincoln Eatery will bring together a total of 16 fast-casual, artisan, and grab-&-go concepts in a space that reflects the fast-paced vibe emerging in Miami Beach's expanded Lincoln Road district. Whether you're a local foodie looking for a quick bite or visiting from out of town and craving an authentic Miami Beach experience, The Lincoln Eatery has something for everyone and is the destination to meet, eat, drink and relax in Miami Beach.

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# Real Estate

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FLORIDA

Restaurant, business and property happenings in Florida

## Negotiating strategies for reducing rental rates

By Jeff Grandfield and Dale Willerton

Restaurant tenants should not be afraid to negotiate assertively on the rental rate. So why do restaurant tenants have such difficulty in this area? Frequently, the answer is a simple unawareness of market rental rates (or the "going rate") in an area.

Let us explain. Suppose the leasing agent or landlord wants you to pay \$25 per square foot on new lease space (or even on a lease renewal). However, you know that every other tenant in the building is paying rent ranging between \$18 to \$20 per square foot. Armed with this information, you would have no difficulty justifying your negotiations would you?

Restaurant tenants often mistakenly believe that the agent or landlord wouldn't dare ask for more rent than the space is worth. Consider, however, that the landlord is paying the leasing agent commission not just to lease the space, but to lease it for the highest rent possible - and to the best tenant available. Commercial landlords justifiably want to maximize the return on their real estate investments, which is entirely acceptable.

Here are eight strategies for lowering the rental rate on commercial leases:

Talk with other tenants in the building. You can learn a lot about the landlord's property management practices, how tenants are treated, how approachable the landlord is and so on by approaching current tenants. Tenants will often tell you whether they plan to stay or move, if their rent is excessive and other inside information only existing tenants know about.

Shop Around. Even if you're in love with one property, conspicuously seek out other options as it pays to create competition for your tenancy among several landlords in one geographical area. Leasing agents and landlords will often soften on asking rental rates when they realize you have sought out leasing options. Remember that you are the customer. Don't hand the landlord your tenancy on a silver platter - make him/her earn it.

Let the landlord make the first offer. It's much easier to negotiate when you see the business terms on paper. Suggest that the leasing agent or landlord e-mail you the Offer To Lease. Typically, the deal will never get worse than the first Offer or Proposal presented so you can measure your negotiating progress by comparing where the deal started and where it finished. Frequently, the first Offer is padded with room for negotiation - so never accept the first Offer outright.



The Lease Coach — Dale Willerton and Jeff Grandfield

We have effectively done this for our clients and seen the rental rate drop by more than \$10 per square foot from the landlord's original asking price.

Offset the Rent with other incentives. Sometimes the landlord won't budge on the rental rate. This is not the end of your negotiations. Frequently the landlord will concede other incentives such as free rent or more tenant allowance dollars in order to achieve his/her rental goals. If you can't bring the rent down can you get the incentives increased?



For a copy of our free CD, *Leasing Do's & Don'ts for Commercial Tenants*, please e-mail your request to [JeffGrandfield@TheLeaseCoach.com](mailto:JeffGrandfield@TheLeaseCoach.com). Dale Willerton and Jeff Grandfield - The Lease Coach are Commercial Lease Consultants who work exclusively for tenants. Dale and Jeff are professional speakers and co-authors of *Negotiating Commercial Leases & Renewals FOR DUMMIES* (Wiley, 2013).

Got a leasing question? Need help with your new lease or renewal? Call 1-800-738-9202, e-mail [DaleWillerton@TheLeaseCoach.com](mailto:DaleWillerton@TheLeaseCoach.com) / [JeffGrandfield@TheLeaseCoach.com](mailto:JeffGrandfield@TheLeaseCoach.com) or visit [www.TheLeaseCoach.com](http://www.TheLeaseCoach.com).

Flinch. No matter what rental rate you're offered, flinch a little. Act surprised that the rent is so high. Frequently, the agent's first offer is made to test you, to see exactly how you react. If you look visibly relieved or even pleasantly surprised by how reasonable the rental rate is you can be sure it won't come down.

Ask for justification. Question what other tenants are paying, specifically those who have recently moved in or renewed their leases. This is called the prevailing rate. When you learn that

a tenant is paying \$25 per square foot don't stop asking questions there. Inquire about the incentives they received. How many months of free rent or how much tenant allowance money did the landlord give the tenant so they would agree to pay \$25 per square foot?

Wait to Counter-offer. When you receive the leasing agent's first Offer to Lease (or lease proposal) don't counter-offer right away. If you have no fear that the space will be leased to someone else it can often work to your advantage to wait a few days. Even let the allocated response time lapse so you can counter-offer on your terms. Agents know that tenants can be influenced by artificial deadlines that are just that - artificial. When making your counter-offer you can do so by way of a separate letter stating your terms, or by changing the original document, initialing the changes, signing it and sending it back.

Walk away from the negotiating table. If, after receiving the landlord's most recent counter offer, you determine the terms will still not work for you, advise the landlord or their agent you are going to take some time to consider it further or explore other options.

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