

MINUTES OF THE REGULAR MEETING
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY
MONDAY, JANUARY 23, 2006
3:30 P.M.

The Regular Meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Bill Hager at approximately 3:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Chairman Bill Hager
Vice Chairman Susan Whelchel
Commissioner Steven L. Abrams
Commissioner Peter R. Baronoff
Commissioner Susan Haynie

Also attending the meeting were:

CRA Executive Director Jorge Camejo
Boca Raton City Manager Leif J. Ahnell
Boca Raton City Attorney Diana Grub Frieser, Attorney to the Agency

AMENDMENTS TO THE AGENDA:

There were no amendments to the agenda.

MINUTES:

Minutes of the Regular Meeting of January 9, 2006

Motion was made by Commissioner Haynie, seconded by Commissioner Baronoff, to approve the minutes as presented. Motion carried unanimously on a voice vote; Chairman Hager, Vice Chairman Whelchel, Commissioners Abrams, Baronoff and Haynie voting yes.

REGULAR BUSINESS - PART I - QUASI-JUDICIAL & RELATED PUBLIC HEARINGS:

1. DDRI IDA No. CRP-05-03

An Individual Development Approval of the City of Boca Raton Community Redevelopment Agency granting Individual Development Approval to develop Phase 4 and Phase 5 of the Palmetto Park Mixed Use Project, consisting of residential, office and retail uses, located at 120 East Palmetto Park Road

Chairman Hager advised that quasi-judicial procedure would be followed for both public hearings; the City Clerk administered the oath to those who indicated they wished to speak on this petition. There were no ex parte disclosures.

Development Services Senior Planner Jennifer Simon gave the PowerPoint presentation. She explained that the first three phases were already completed; however, Phases 4 and 5, although approved, were never constructed and the vesting for the original mixed-use project expired in February 2005. Consequently, this petition represented a new IDA for the subject property.

Phase 4 involves construction of a 100-foot building consisting of retail and restaurant uses on the ground floor, residential units on the second through the ninth floors, and an internal parking structure, which will serve both Phases 4 and 5. In addition, three live/work lofts are proposed on the east side of the building

along Plaza Real South a/k/a Spine Road; details were provided. It is expected that these lofts will convert to retail, as pedestrian activity increases along Plaza Real South.

Phase 5 involves construction of another 100-foot high building on the site of the former Smith Barney building and will connect with the Phase 4 building at each level. It will consist primarily of residential uses including townhouse lofts; 1-, 2-, and 3-bedroom units, and live/work lofts; details were provided. A total of 146 residential units are proposed. Ms. Simon then reviewed the trip generations, advising that an increase of 47 daily trips was expected; however, there would be a decrease in morning and afternoon peak hour trips due to the increase in retail space. The Community Appearance Board (CAB) and the Planning and Zoning Board reviewed the project and both Boards recommended approval, as did staff.

Wendy Larsen, the attorney representing the petitioner, gave a PowerPoint presentation and spoke in support of the project, advising that the overall character of the project had changed, substantial improvements to the pedestrian experience were made, and the project introduced a live/work concept component; it would also complete a portion of the downtown spine. Ms. Larsen then answered questions from the Agency regarding the timeframe and plan for completion of both phases, inclusion of street furniture, installation of WiFi, and the conversion to retail space.

Responding to Agency members, Ms. Simon advised that landscaping and street furniture are typically taken care of as part of the normal CAB process; however, it could be included in the petition now as a condition of approval. Agency members generally agreed to defer to the CAB process.

The public hearing was opened and, seeing no one come forward to speak, closed.

Motion was made by Vice Chairman Whelchel, seconded by Commissioner Abrams, to approve DDRI IDA No. CRP-05-03. Motion carried unanimously; Chairman Hager, Vice Chairman Whelchel, Commissioners Abrams, Baronoff and Haynie voting yes.

2. DDRI IDA No. CRP-05-05

An Individual Development Approval of the City of Boca Raton Community Redevelopment Agency granting the petition of Mizner Park Cultural Arts Associates, Inc. for an Individual Development Approval to permit a mixed use building that consists of institutional, retail, and office uses, located at 201 Plaza Real

Quasi-judicial procedures were still in effect; the City Clerk administered the oath to those who indicated they wished to speak. There were no ex parte disclosures.

Development Services Senior Planner Jim Bell gave the PowerPoint presentation. He explained that this site is in the Mizner Park mixed-use development, which was approved in 1989; background information was then provided regarding the former occupant of the building, the International Museum of Cartoon Art.

This petition proposed to convert three stories into two stories for a 40-foot high, mixed-use building containing over 84,000 square feet. Cultural uses include the institution museum and the Boca Raton Educational Television (BRET) studio; cultural/antique books; and retail space comprised of a bookstore and two restaurants. Acreage, zoning, land use designation, and location were provided. Compatibility with surrounding uses was reviewed, as was the site plan.

The first floor would contain a bookstore consisting of over 22,000 square feet, museum exhibit space of over 4,000 square feet, and two restaurants consisting of approximately 7,500 square feet each. The second floor contains the BRET studio and its offices for a total of over 5,500 square feet; over 9,000 square feet of additional museum exhibit space; a theatre/multi-purpose room of over 6,000 square feet; and an antique/cultural book section, of the bookstore, of over 5,500 square feet. Building height, setbacks, parking, vehicular and pedestrian access, trip generations, architectural design, and elevations were reviewed. Mr. Bell explained that a transfer of development rights was not required; however, since over 38,000 square feet of retail uses are proposed, a conversion of office and institutional uses for the retail high uses on the site is required.

The Community Appearance Board recommended approval of the petition with no conditions. However, the Board requested that the applicant explore the possibility of providing additional landscaping along the Federal Highway frontage with a possible relocation of the sidewalk in that location. The Planning and Zoning Board recommended approval with the conditions recommended by staff. Mr. Bell provided closing comments and advised that staff recommended approval of the project, subject to the conditions listed in the IDA.

The City's Traffic Engineer, Doug Hess, responded to Agency members' questions and addressed the issue of truck loading zones and access to the site. He also spoke to relocation of a bus stop and advised that the existing curb line is used only by the Broward County Transit System, which will relocate to another site, south of Camino Real and west of Federal Highway. Mr. Bell responded to queries related to outdoor dining on the first floor, explaining that there will be outdoor seating and additional open space.

Charles Siemon, President of the Mizner Park Cultural Arts Association (MPCAA), gave a PowerPoint presentation and spoke in support of the project. He advised that the MPCAA, working in coordination with General Growth Properties (GGP), has a deadline of February 15, 2006, to come before the County. Mr. Siemon then responded to questions from Agency members related to the seating capacity of the theatre on the second floor, the proposed construction schedule (completion expected in late spring 2007), the bookstore, and when the vacant GGP position on the MPCAA board would be filled. The City Manager was directed by Council to contact GGP in regard to: 1) when they will fill the on-site management position, 2) the status of the timeline to get the project started, and 3) what assurances they can give the Agency that they will expedite the opening of the cultural arts facility in Mizner Park.

The public hearing was opened and, seeing no one come forward to speak, closed.

Motion was made by Vice Chairman Whelchel, seconded by Commissioner Haynie, to approve DDRI IDA No. CRP-05-05. Motion carried unanimously; Chairman Hager, Vice Chairman Whelchel, Commissioners Abrams, Baronoff and Haynie voting yes.

PUBLIC REQUESTS:

No one came forward to speak.

REGULAR BUSINESS - PART II - RESOLUTIONS:

3. Resolution No. 2006-02-CRA

A resolution of the Boca Raton Community Redevelopment Agency (Agency) approving the installation of banner signs along Federal Highway; providing for severability; providing for repealer; providing an effective date

Planning and Zoning Director Carmen Annunziato gave the PowerPoint presentation, explaining that the Boca Raton Museum of Art requested authorization to install banner signs on nine light poles along the west side of the museum. There would be nine banners, 30"x 60" each, in full color, with reinforced vinyl and double-sided. One banner would be static; other banners would change periodically to represent different events and exhibits. The Community Appearance Board (CAB) reviewed and approved this request, as did staff, subject to the conditions listed in the resolution.

Julie Kaminsky, with the Boca Raton Museum of Art, spoke in support of the resolution. Seeing no one else come forward to speak, the public hearing was closed.

Motion was made by Commissioner Baronoff, seconded by Commissioner Haynie, to approve Resolution No. 2006-02-CRA. Motion carried unanimously; Chairman Hager, Vice Chairman Whelchel, Commissioners Abrams, Baronoff and Haynie voting yes.

OTHER BUSINESS:

There were no items for consideration.

DIRECTOR'S REPORT:

The Director had nothing to report at this time.

ATTORNEY'S REPORT:

The City Attorney had nothing to report at this time.

COMMISSIONERS' REPORTS:

The Commissioners had nothing to report at this time.

ADJOURNMENT:

Motion was made by Commissioner Haynie, seconded by Vice Chairman Whelchel, to adjourn the meeting. Motion carried unanimously on a voice vote; Chairman Hager, Vice Chairman Whelchel, Commissioners Abrams, Baronoff and Haynie voting yes.

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 4:22 p.m., Monday, January 23, 2006.

Bill Hager, Chairman

ATTEST:

Sharma Carannante, City Clerk