

MINUTES OF THE REGULAR MEETING
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY
MONDAY, MAY 21, 2007
*1:30 P.M.

*The Regular Meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Baronoff at approximately 2:19 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Chairman Peter R. Baronoff
Vice Chairman M.J. Mike Arts
Commissioner Steven L. Abrams
Commissioner Bill Hager
Commissioner Susan Whelchel

Also attending the meeting were:

Boca Raton Deputy City Manager George S. Brown
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 May 7, 2007

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

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

1. Resolution No. CRP-05-07R1

A resolution of the Boca Raton Community Redevelopment Agency providing for an extension to Individual Development Approval No. CRP-05-07, that includes a transfer of authorized development between subareas, to permit a multifamily residential development with an internal parking garage located at 375 East Royal Palm Road; providing for severability; providing for repealer; providing an effective date

Chairman Baronoff indicated that quasi-judicial procedure would be followed for the public hearing; the City Clerk administered the oath to those who indicated they wished to speak. Under ex parte disclosures, Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams and Hager advised that they spoke with Mitch Kirschner; Commissioner Whelchel advised that she spoke with Mark Gensheimer.

Development Services Senior Planner Jennifer Simon gave the PowerPoint presentation, advising that this was a request for a 12-month extension for the Royal Palm Villas residential development, which included a transfer of development rights. Acreage, location, and a brief outline of the Individual Development Approval (IDA) approved in June 2006 followed. Ms. Simon explained that the CRA could grant the requested extension, provided that the applicant show progress made on the project and justification for the request. In terms of justification, the applicant stated that the developer is analyzing modifications to the IDA, due to changes in market conditions. However, the developer wants to keep the current approval active. In addition, physical constraints of the property have caused delays regarding the relocation and installation of utilities. In conclusion, staff recommended approval of the extension. Ms. Simon then confirmed with the Agency that there were no changes to the approved plan.

Attorney Mitch Kirschner from the law firm of Hodgson Russ, speaking on behalf of the applicant, advised that his client was looking into the "greening" of this project and whether some of the downtown master planning initiatives could be adopted. He then asked for approval of the requested extension.

Seeing no one else come forward to speak, the public hearing was closed.

Motion was made by Commissioner Whelchel, seconded by Commissioner Hager, to approve Resolution No. CRP-05-07R1. Motion carried unanimously; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager, and Whelchel voting yes.

2. Resolution No. CRP-06-02R1

A resolution of the Boca Raton Community Redevelopment Agency providing for an extension to Individual Development Approval No. CRP-06-02, that includes a transfer of authorized development between subareas, to permit a multifamily residential development located at 327 East Royal Palm Road; providing for severability; providing for repealer; providing an effective date

Chairman Baronoff indicated that quasi-judicial procedure would be followed for the public hearing; the City Clerk administered the oath to those who indicated they wished to speak. Under ex parte disclosures, Chairman Baronoff advised that he had spoken with Derek Vander Ploeg.

Development Services Senior Planner Jennifer Simon explained that this request for a 12-month extension also included a transfer of development rights. Acreage, location, and a brief outline of the Individual Development Approval (IDA) approved in June 2006 followed; details were provided. Ms. Simon indicated that the justification given by this applicant was similar to what was previously described in the prior request. Consequently, staff also recommended approval of this extension.

Derek Vander Ploeg, the architect for the project, advised that the development was about three months away from being able to file for a permit. Responding to Agency members, Mr. Vander Ploeg suggested that the timeframe currently in place for completing these projects should be reviewed, opining that additional time was needed due to the magnitude of these projects and would ultimately result in a savings of staff time and petitioner time. The City Attorney stated that any such changes would require an amendment to the Downtown Development Order (DDO). The CRA directed staff to review this item.

Seeing no one else come forward to speak, the public hearing was closed.

Motion was made by Vice Chairman Arts, seconded by Commissioner Whelchel, to approve Resolution No. CRP-06-02R1. Motion carried unanimously; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager, and Whelchel voting yes.

PUBLIC REQUESTS:

Lenore Wachtel advocated installation of lightning prediction systems at golf courses, stating that there should be money in the golf course budget to pay for it. She also voiced surprise at seeing two-foot long fish in golf ponds. Mr. Brown advised that staff would report back on lightning prediction systems for the City's golf courses.

REGULAR BUSINESS - PART II – RESOLUTIONS AND REGULAR PUBLIC HEARINGS:

There were no items for consideration.

OTHER BUSINESS:

There were no items for consideration.

DIRECTOR'S REPORT:

3. Presentation by Crocker Partners, LLC – Update

Tom Crocker spoke on behalf of Crocker Partners, LLC, advising that their plan was to accumulate and buy as much property as possible, south of Mizner Park and north of Palmetto Park Road, with the goal of creating a pedestrian-filled, lively project sans cars; cars would be parked on one underground level. There would be no giant boardwalks as found in Mizner Park but smaller, more intimate places. Mr. Crocker noted that the plan continues to mature and his company would come back to the CRA to discuss specifics at a later date.

He advised that since his last presentation, much time and money had been spent negotiating with property owners in the downtown and great progress had been made, with over 50% of property owners having signed a contract or agreeing on terms. Mr. Crocker proceeded to ask for the City's support in terms of approval and economics, stating that his company wished to speak with City staff to discuss ideas as to how to make this project happen. Mr. Crocker concluded his remarks by advising that all major aspects discussed at the downtown charrette have been incorporated into Crocker Partners' plan and design. He then answered questions from Agency members.

In the discussion that followed, it was revealed that Investments Limited was not under contract at this time. Chairman Baronoff also noted that staff was awaiting the consultant's report on the downtown; Mr. Brown advised that preliminary results were expected in August of this year. Responding to additional queries from the CRA, Mr. Crocker indicated that, should Investments Limited choose not to join in the endeavor, this plan did not require 100% participation by the property owners; however, he acknowledged that the Investments Limited property was critical to moving forward.

Attention focused on the \$30 million that was proposed for the downtown linkage; Agency members voiced doubt that this money would now be used to fund that particular project in light of the expected property tax cuts. Mr. Crocker stated that was the very reason he wished to speak with staff, in order to discuss creative solutions; he opined that this project could be made affordable despite budget cuts. Additional discussion followed with the CRA encouraging discourse between Crocker Partners and City staff with the goal of finding realistic financial solutions.

Cartoon Museum Renovation Update

Development Services Director Jorge Camejo reviewed a timeline, provided by GGP (General Growth Properties) and Mizner Park V, related to improvements proposed for the former Cartoon Museum, which will house the Mizner Park Cultural Arts Center. He explained that improvements to the second floor of the building, which comprises the cultural space, would begin in November 2007; second floor buildout was expected by January 2008, with the opening projected for February 2008. Mr. Camejo advised that the question of a timeline had been raised at a prior meeting; this is the official timeline provided by Kaufman Lynn and GGP.

FDOT Sidewalk Easement

Mr. Camejo drew attention to another issue related to the Cartoon Museum property that was discussed when the IDA (Individual Development Approval) for the Mizner Park Cultural Arts Center was approved, having to do with a sidewalk easement located on the western edge of the property. Specifically, the area in question is adjacent to the right turn lane along Federal Highway. The approved IDA contemplated a buffer to separate a pedestrian walkway from the road. Mr. Camejo explained that a landscape buffer, consisting of a row of trees, was proposed to protect pedestrians on the sidewalk. In order to accomplish this, the easement must be dedicated to FDOT (Florida Department of Transportation) and the sidewalk shifted further to the east; it appears that FDOT will seek a resolution from the CRA and the property owners in terms of the dedication. He advised that additional information should be forthcoming at the next CRA meeting.

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

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 2:58 p.m., Monday, May 21, 2007.

Peter R. Baronoff, Chairman

ATTEST:

Sharma Carannante, City Clerk