

MINUTES OF THE REGULAR MEETING  
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY  
MONDAY, JUNE 9, 2008  
\*1:30 P.M.

\*The Regular Meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Arts at approximately 3:36 p.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**ROLL CALL:**

Chairman M.J. Mike Arts  
Vice Chairman Bill Hager (Absent - excused)  
Commissioner Peter R. Baronoff  
Commissioner Susan Haynie  
Commissioner Susan Whelchel

**Also attending the meeting were:**

Boca Raton City Manager Leif J. Ahnell  
Boca Raton City Attorney Diana Grub Frieser, Attorney to the Agency

**AMENDMENTS TO THE AGENDA:**

*Motion was made by Commissioner Whelchel, seconded by Commissioner Haynie, to reverse the order of the presentations listed under, **DIRECTOR'S REPORT**, to review the North/South Linkage first. Motion carried 4-0 on a voice vote; Chairman Arts, Commissioners Baronoff, Haynie, and Whelchel voting yes.*

**MINUTES:**

Minutes of the Regular Meeting of May 27, 2008

*Motion was made by Commissioner Haynie, seconded by Commissioner Whelchel, to approve the minutes as presented. Motion carried 4-0 on a voice vote; Chairman Arts, Commissioners Baronoff, Haynie, and Whelchel voting yes.*

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

There were no items for consideration.

**PUBLIC REQUESTS:**

No one came forward to speak.

**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:**

### 1. North/South Linkage - Pedestrian Plaza (a.k.a. The Spine)

The City Manager referred to a letter received from Crocker Partners and advised that Charles Siemon would be giving the presentation today after which, the CRA could consider the letter and provide input.

Charles Siemon of Siemon and Larsen, and representing Crocker Partners, gave the presentation. He explained that the area proposed for redevelopment comprised the three blocks between Mizner Park and Palmetto Park Road. He asked that there be an acknowledgment of conversations held with Crocker Partners; he also asked that the CRA authorize execution of a letter of intent, stating that the letter would be non-binding other than to allow the project to go forward with the terms and conditions identified, in order to negotiate and develop a definitive deal.

Mr. Siemon then explained that the Spine would be organized around Sanborn Square, as the center, which is anticipated to be a two-story environment. A series of buildings would be connected with an approximate 40-foot tall building, including an amenity deck and parking, plus a tower on either side. Mr. Siemon stated that, in order to make this project economically viable, without using eminent domain, these buildings must have more architectural character and capacity. Consequently, Crocker Partners proposed that the buildings be allowed to reach 140 feet; the average height would be less than 100 feet. He stated that the details would be worked out in the development agreement and then in the development review process; the letter sets out the nature of the project, the support that's requested, the use of tax increment funding, creation of a CDD (Community Development District) as a method to provide public parking underneath the facility, and a development agreement lasting long enough to put together the ownership of the property. Mr. Siemon concluded his comments and then gave the floor to Tom Crocker.

Tom Crocker, with Crocker Partners, supported comments made by Mr. Siemon and indicated that many contracts have fallen by the wayside. He stated that, due to a number of factors, this project needed tax increments, a CDD, density, and so forth; Crocker Partners did not want to embark on the project unless the City gave them what he termed, the equivalent of a handshake, to allow the density and the use of tax increment funding. He clarified that this letter of intent was not a legally binding document nor was it meant to create any liability for anyone.

Responding to Council, Mr. Siemon advised that, included in the letter of intent is a limited license with regard to Sanborn Square. He advised that the site planning process and the parking configuration might require some adjustment during construction; however, Sanborn Square would be restored to its park function at the end of construction.

At the request of Chairman Arts, the City Manager reviewed the letter from Crocker Partners; details were provided as to square footage, uses, terms and conditions proposed for the, "Sanborn Square District." Mr. Ahnell reiterated that this was a non-binding letter of intent, which did not obligate anyone on either side. This was an attempt to move forward with the project and bring back a development agreement to the CRA and the City for consideration.

Commissioner Haynie questioned what the public's contribution would be in terms of this endeavor. Mr. Ahnell explained that the public's contribution would be the rights-of-way, two parking lots (one at the post office and one south of the Cartoon Museum), and the tax increment for public improvements, which staff would bring back to the CRA for consideration. Ms. Haynie confirmed with the City Manager that there was no way of knowing at this point what the tax increment would be; also, this letter of intent did not contemplate any cash contribution from either the City or the CRA. Commissioner Haynie then confirmed with Mr. Ahnell that sufficient building rights existed in the downtown, with transfers, and then spoke to an original reverter clause connected with Sanborn Square. Mr. Ahnell added that Crocker Partners would reimburse the City for hiring any professionals necessary for completion of the transaction; he also confirmed with Ms. Haynie that Crocker Partners' design would follow those outlined by Ray Gindroz of Urban Design Associates.

Chairman Arts indicated that he would like to see a timeline. The City Attorney clarified that the five years mentioned in the letter did not pertain to the non-binding letter of intent; it referenced the term of the development agreement. Details were provided.

Chairman Arts asked whether anyone from the public would like to comment. Lenore Wachtel expressed surprise at the proposed 140 feet height and stated that 100 feet is tall. She also opined that the pictures shown of the buildings looked huge, bulky and square. She asked that the 140 feet be explained and requested a copy of the letter. Mr. Ahnell advised that the downtown consultant is looking at the height issue and would come back to the CRA in July with recommendations. He added that the visioning committee and the consultants concluded that much of the downtown currently looks bulky. The concept supported by the public and the committee is that people can build more square footage but it should be reconfigured so it's more open and avoids looking like a bulky square.

Mr. Siemon advised that the sketch shown today is what was created before Mr. Gindroz began working on the design guidelines for the downtown; this is not what the buildings would look like. He added that Crocker Partners would like to come back to the CRA sooner rather than later. Mr. Crocker tendered thanks to the CRA for its continued support.

*Motion was made by Commissioner Whelchel, seconded by Commissioner Haynie, to approve the letter of intent, dated June 9, 2008, between Crocker Partners, the CRA, and the City. (Staff would recommend that the City Council agenda be amended tomorrow evening that Council might consider the letter at that time.) Motion carried 4-0 on a voice vote; Chairman Arts, Commissioners Baronoff, Haynie, and Whelchel voting yes.*

## 2. Center for the Arts Presentation

Mr. Ahnell and Commissioner Baronoff provided commentary on the success of the 2008 Festival of the Arts event. Commissioner Baronoff then left the meeting at approximately 4:20 p.m.

Charles Siemon, speaking on behalf of the Festival of the Arts, gave a PowerPoint presentation and reviewed the 2008 Festival, focusing on the reviews, the artists, and the events, in addition to the educational opportunities afforded by the Festival. He then spoke to the sound system (and reviews of the sound system), revenues, and Festival statistics. Mr. Siemon advised that the County's support (\$150,000) would not be forthcoming next year; he voiced hope that the City would continue to support the Festival and then answered questions from the Agency.

John Collins reported that on Saturday at 8:00 pm, in collaboration with FAU (Florida Atlantic University), students would give a free performance, specifically, a potpourri of musical theater songs, which are excerpts from shows they will perform this summer.

### **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 Whelchel, seconded by Chairman Arts, to adjourn the meeting. Motion carried 3-0 on a voice vote; Chairman Arts, Commissioners Haynie, and Whelchel voting yes.*

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 4:40 p.m., Monday, June 9, 2008.

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M.J. Mike Arts, Chairman

ATTEST:

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Sharma Hagerty, City Clerk