

MINUTES OF THE REGULAR MEETING
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY
MONDAY, JULY 8, 2002
4:30 P.M.

The regular meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Dave Freudenberg at 4:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Chairman Dave Freudenberg
Vice-Chairman Susan Haynie
Commissioner Steven L. Abrams
Commissioner Bill Hager
Commissioner Carol Hanson

Also attending the meeting were:

City Manager Leif J. Ahnell
City Attorney Diana Grub Frieser
Executive Director Jorge Camejo
City Clerk Sharma Carannante

AMENDMENTS TO THE AGENDA:

There were no amendments to the agenda.

PRESENTATIONS:

There were no presentations.

MINUTES:

Minutes of the Regular Meeting of June 24, 2002.

Motion was made by Commissioner Abrams, seconded by Commissioner Hager, to approve the minutes, as presented. Motion carried unanimously; Chairman Freudenberg, Vice-Chairman Haynie, Commissioners Abrams, Hager and Hanson voting yes.

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

1. DDRI IDA No. CRP-01-04

An Individual Development Approval of the City of Boca Raton Community Redevelopment Agency granting the petition of Charles L. Siemon for Individual Development Approval with technical deviations from the City's engineering design standards relating to driveway design and location, and parking design; granting a transfer of authorized development between subareas to develop a 223,375 square foot retail, office and hotel building with an attached parking garage and a 10,953 square foot bank building located at 200 East Palmetto Park Road

The City Attorney explained the quasi-judicial procedures that would govern the public hearing. The Clerk administered the oath to those who indicated they would speak. Under ex-parte disclosures: Vice-Chairman Haynie advised that she had spoken to Gregory Talbott; Commissioner Hanson stated she had spoken to Esther Dance; and Chairman Freudenberg and Commissioner Abrams advised they had filed their ex-parte disclosures with the Clerk.

Executive Director Jorge Camejo stated that the many issues to be addressed are related to traffic and are the same as the issues faced when Palmetto Park Road was improved.

Senior Planner Jennifer Simon gave the PowerPoint presentation. The request is for Individual Development Approval to redevelop an approximate 3.09 acre parcel that is zoned DDRI (Downtown Development of Regional Impact) with a Future Land Use designation of CBD (Central Business District). Detailed information related to architectural features, structure height, square footage, open space, parking requirements and ingress/egress was provided for each of the planned components. Ms. Simon also reviewed the analysis of the proposed transfer of 114,665 square feet of office equivalent development from other downtown subareas, as well as the criteria for such transfers. The projected increase in the assessed value of the property is approximately \$22.8 million. The projected annual tax increment revenue at completion is \$215,000.

Transportation Planning Engineer Luanna Deans addressed the technical deviations on the original site plan. Staff supported five of the 12 that were proposed. The revised site plan, provided as part of the PowerPoint presentation, incorporated all but two of the conditions imposed by the Planning and Zoning Board. The elimination or modification of the proposed technical deviations resulted in a total of nine technical deviations, seven of which were supported by staff; the petitioner did not revise the site plan to provide an eastbound right-turn lane on Palmetto Park Road or to provide 26-foot aisles in the parking garage. Recommendations of the Community Appearance Board included a redesign of the bank teller drive-through to make it more compatible with the proposed bank and retail, office and hotel building, and a revision of the landscape plan to include flowering trees along Palmetto Park Road.

Ms. Simon and Mr. Camejo then responded to questions.

The public hearing was opened. The petitioner, Attorney Charles Siemon was given the first opportunity to speak. He stated that this project is representative of "what we have been trying to achieve in the downtown." Mr. Siemon expounded upon the genesis of the transfer process and noted that the process is not a deviation from what was planned to happen. He also addressed various traffic related issues.

Peter Ross, Cindy Faunce, Dolores List and Bonnie Straub – all residents of Royal Palm Road – spoke in opposition to the project, citing traffic concerns. Sally Stewart also voiced her opposition. Rick Higgins, also a resident of Royal Palm Road, spoke in favor. Mr. Siemon made closing comments and the public hearing was closed. Planning and Zoning Board Chairman Robert Hagerty, responded to questions from Chairman Freudenberg.

Motion was made by Commissioner Abrams, seconded by Commissioner Hager, to adopt DDRI IDA No. CRP-01-04, as revised. Motion carried on a 4-1 vote; Chairman Freudenberg, Vice-Chairman Haynie, Commissioners Abrams and Hager voting yes. Commissioner Hanson voted no.

PUBLIC REQUESTS:

John Gumina commented on the vacancies in Mizner Park.

REGULAR BUSINESS - PART II - RESOLUTIONS:

2. Resolution No. 2002-04-CRA

A resolution of the Community Redevelopment Agency authorizing the Executive Director to grant an extension to May 20th, commencing in 2003, for the submission of Net Operating Income Statements required under the commercial land leases for land in Mizner Park if said Net Operating Income Statements are provided pursuant to audited financial statements, and the lessees consent and grant appropriate extensions; providing for severability; providing for repealer; providing an effective date

The Executive Director explained that the resolution would change the submission deadline from March 1st to May 20th.

No one wished to speak at the public hearing.

Motion was made by Vice-Chairman Haynie, seconded by Commissioner Abrams, to adopt Resolution No. 2002-04CRA. Motion carried unanimously; Chairman Freudenberg, Vice-Chairman Haynie, Commissioners Abrams, Hager and Hanson voting yes.

REGULAR BUSINESS - PART III - CONSENT AGENDA:

There were no items to consider.

OTHER BUSINESS:

3. Resolution No. 2002-07-CRA

A resolution of the City of Boca Raton Community Redevelopment Agency ("Agency") amending the rules of the Agency regarding public notice of public hearings on certain Individual Development Approvals; providing for severability; providing for repealer; providing an effective date

The Executive Director advised that the resolution was drafted at the request of Commissioner Hanson and would provide for mailed public notices in connection with applications for Individual Development Approvals on petitions other than minor renovations. It was noted that no vote would be taken at this meeting, as a noticed public hearing is required. There being no objection, the proposed amendment to the CRA Rules, will be properly noticed and brought forward to the Agency at the July 22, 2002 meeting.

DIRECTOR'S REPORT:

4. Calendar for 2002-2003 CRA Budget

Executive Director Jorge Camejo advised the Agency of the following dates:

July 22, 2002 - consideration of the resolution finding and determining there will be a deficiency in the amounts on deposit in the Mizner Park Sinking Fund for FY 2002-03

August 26, 2002 - CRA Budget Workshop

September 23, 2002 – public hearing and budget adoption

ATTORNEY'S REPORT:

The City Attorney had no report.

COMMISSIONERS' REPORTS:

Commissioner Hanson asked the City Attorney to "track" the moratorium that some cities in North Palm Beach County have in effect at this time.

Commissioner Hanson requested a report on the temporary CO (Certificate of Occupancy) process.

In response to an inquiry from Vice-Chairman Haynie, Mr. Camejo stated that the parking study commissioned by Codina Management Company will be included as part of a request for Individual Development Approval for Mizner Park.

ADJOURNMENT:

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

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 6:30 p.m. Monday, July 8, 2002.

Dave Freudenberg, Chairman

ATTEST:

Sharma Carannante, City Clerk