

MINUTES OF THE REGULAR MEETING
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY
MONDAY, APRIL 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 4:42p.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:

Lynn University - Lease for International Museum of Cartoon Art

Executive Director Jorge Camejo introduced Dr. Donald Ross, President of Lynn University. Dr. Ross then presented the University's 'Statement' regarding utilization of the International Museum of Cartoon Art site. Per the Statement, and as presented by Dr. Ross, the proposal includes the assumption of the current lease and the creation – in a public/private partnership with the City – of a 400 seat state-of-the-art theatre and a hospitality management laboratory. Lynn University would partner with hotel developers and/or operators for the construction and operation of a proposed hotel that would house the theatre and the learning laboratory, and collaborate with community and cultural organizations for usage of the facilities.

The members indicated their interest in the conceptual plan, and supported Lynn University bringing forward a detailed proposal for staff review. There was discussion regarding whether or not a Request for Proposal for use of the site should be concurrently issued, but no direction in that regard was given at this time. However, any proposals would be considered. Additionally, the City Manager was directed to ascertain what it would cost the City to operate a community center at the site, if the City were to acquire the building.

MINUTES:

Minutes of the Regular Meeting of March 18, 2002

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

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

Prior to the commencement of the following public hearings, the City Attorney explained the quasi-judicial procedures that would be followed and the City Clerk administered an oath to those who planned to speak on the petitions.

1. Resolution No. CRP-01-03

Individual Development Approval application of Daniel J. Mahoney, authorized agent for Fifth Avenue Place, LLC., requesting Individual Development Approval ("IDA") from the Community Redevelopment Agency for the property located at 455 East Palmetto Park Road to develop a 58,030 square foot office/retail building; providing this Individual Development Approval shall supersede all previous development approvals

Upon introducing Senior Planner Diane Borchardt, Mr. Camejo advised this would be her final presentation to the Agency, as she has submitted a letter of resignation. After commenting on her tenure with the City and her pending departure, Ms. Borchardt reviewed the subject petition.

Ms. Borchardt provided history of the IDA approval that had previously been granted for the multi-phased project of which this office building, located on Palmetto Park Road, was a part. Upon completion of the other phases, active construction ended, the IDA lapsed, and approval expired. The current IDA proposal for the Fifth Avenue Place Tower office building is for 58,030 square feet of office/retail in a seven-story, 92-foot tall building. Parking would be provided in the already constructed parking garage. It was noted the Community Appearance Board and the Planning and Zoning Board voted not to recommend approval. Among the reasons cited by the P&Z Board were mass, incompatibility with the surrounding area, and failure to meet the appropriate design criteria in the Development Order.

In response to a query, City Traffic Engineer C. Douglas Hess stated that the project would generate 1,102 new trips.

Chairman Freudenberg opened the public hearing.

Crockett Farnell with Seawood Builders, representing the petitioner and owner of the property, Calvin Haddad, clarified some issues and responded to questions. Architect Juan Caycedo, with RLC Architects, commented on the project, responded to questions, and asked for support.

The City Attorney confirmed that after the entire project was approved and the IDA issued, a significant portion of the project was built; however, construction ceased for a period of time that exceeds the requirements under the IDA in the Building Code, resulting in the permit lapsing and expiring.

Lenore Wachtel, commenting on traffic in the area, asked that consideration be given to installation of a crosswalk.

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

Motion was made by Commissioner Abrams, seconded by Chairman Freudenberg, to adopt Resolution No. CRP-01-03.

Motion was made by Chairman Freudenberg, seconded by Commissioner Abrams, to amend Resolution No. CRP-01-03 by adding language that would increase the sidewalk width to eight feet. Motion carried unanimously; Chairman Freudenberg, Vice-Chairman Haynie, Commissioners Abrams, Hager and Hanson voting yes.

The vote on the main motion to adopt Resolution No. CRP-01-03 as amended failed unanimously; Chairman Freudenberg, Vice-Chairman Haynie, Commissioners Abrams, Hager and Hanson voting no.

2. Resolution No. CRP-00-10

Individual Development Approval application of Poppi Mercier, authorized agent for Children's Museum, requesting Individual Development Approval ("IDA") from the Community Redevelopment Agency for the property located at 498 Crawford Boulevard to develop a 4,962 square foot museum and television studio; grant a technical deviation for on-site circulation; providing this Individual Development Approval shall supersede all previous development approvals.

The Executive Director introduced Planner Daryl Johnson who made the presentation. Mr. Johnson provided information regarding the location of the site including surrounding neighborhoods and businesses. The museum expansion totals 4,962 square feet in area with a maximum building height of 30 feet; 17 parking spaces have been provided. Frontage for this site is located on N.W. 4th Diagonal and Crawford Boulevard. If approved, this development will have one-way vehicular access from N.W. 4th Diagonal. Therefore, the petitioner was requesting a technical deviation relating to on-site circulation. The City's Traffic Engineer has reviewed the request and supports the deviation. The Community Appearance Board (CAB) did not recommend the design on a 3-3 vote. The CAB suggested additional landscaping along Crawford Boulevard and construction of a 6-foot high concrete wall along N.W. 4th Diagonal for security purposes. The Board also voiced concern over aesthetics. The Planning & Zoning Board unanimously recommended approval. Staff also recommended approval with the conditions outlined in the IDA. Mr. Johnson then answered questions from the CRA.

Chairman Freudenberg opened the public hearing on Resolution No. CRP-00-10.

The designer of the facility, Bill Andrews, explained that much has been done to add to the dimensionality of the building. In addition, the site is heavily landscaped. Regarding the 6-foot wall, Mr. Andrews did not recognize the need for same, but suggested that the applicant could allow the ficus hedge to grow higher. He then addressed additional questions related to parking, expected attendance, and how the museum would schedule tours.

Lenore Wachtel spoke in support of the plan.

Poppi Mercier, Executive Director of the Children's Museum, thanked those people involved with this project and voiced support of same.

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

Motion was made by Commissioner Abrams, seconded by Vice-Chairman Haynie, to adopt Resolution No. CRP 00-10. Motion carried unanimously; Chairman Freudenberg, Vice-Chairman Haynie, Commissioners Abrams, Hager and Hanson voting yes.

PUBLIC REQUESTS:

Lenore Wachtel welcomed Commissioner Hager to the Agency and then spoke to the issue of the Cartoon Museum, voicing opposition to the Lynn University proposal. She suggested that the south end of Mizner Park be reserved for cultural endeavors. Ms. Wachtel then commented positively on the newly installed lighted street signs and the new turn lane on Palmetto Park Road at the bridge. Recognition was also extended to Bicycle/Pedestrian Coordinator Joy Puerta and Deputy Director of Recreation Services Joseph Cogley for consistently providing information and assistance as requested.

REGULAR BUSINESS - PART II - RESOLUTIONS:

There were no items for consideration.

REGULAR BUSINESS - PART III - CONSENT AGENDA:

There were no items for consideration.

OTHER BUSINESS:

Mr. Camejo referenced a letter he received from Codina Management and explained that they were requesting a 45-day extension for submittal of the annual Net Operating Income (NOI) report, as required by the Mizner Park contract. The report was due March 1, 2002; according to Codina, the report would be forthcoming within the week. Consequently, Mr. Camejo indicated to Codina that the CRA was unlikely to object to their request. However, any penalties applicable in the contract would apply. Mr. Camejo then suggested amending the due date for the NOI report to reflect April 15th of each year. This would allow Codina Management the time needed to conduct their own financial analyses and prepare statements to provide the City with an accurate NOI report. Mr. Camejo explained his office would prepare a resolution amending the due date for consideration at the first CRA meeting in May.

Motion was made by Commissioner Abrams, seconded by Chairman Freudenberg, to accept staff's recommendation for the extension. Motion carried unanimously on a voice vote; Chairman Freudenberg, Vice-Chairman Haynie, Commissioners Abrams, Hager and Hanson voting yes.

DIRECTOR'S REPORT:

The Executive Director had nothing to report at this time.

ATTORNEY'S REPORT:

The City Attorney had nothing to report at this time.

COMMISSIONERS' REPORTS:

Commissioner Hanson suggested that, on future Individual Development Approvals, written approval from Fire-Rescue Services and the Police Department should be provided.

Commissioner Hanson commented on parking garage heights at Mizner Park, expressing that emergency response vehicles, such as police cars with light bars, canine units, or bomb squads are unable to access the garages. She suggested that minimum clearance heights of parking garages might need to be revisited.

Commissioner Hanson suggested that Agency members consider what direction the City will be taking in regard to Palmetto Park Road, that this issue may be addressed at the May planning session.

Vice-Chairman Haynie asked to see a written policy in relation to parking and towing procedures at Mizner Park, due to the rash of reserved parking signs that have cropped up. In addition, some parking spaces have been fenced off for a construction staging area behind the American Café.

Commissioner Hager commented that an RFP for the Cartoon Museum is worth considering to ensure that "all the bases have been covered."

Commissioner Hanson suggested that a library or a community center might be an appropriate use for the Cartoon Museum site. As a follow up, Commissioner Abrams suggested that staff determine how much it would cost to run a community center at that location. Ms. Hanson then asked for the amount of tax dollars that have been spent on the facility to date.

Chairman Freudenberg stated that 21 groups have come forward with interest in using the Cartoon Museum site. Unfortunately, in most cases, the financial backing was not there, particularly in the cases of the cultural groups. Mr. Freudenberg expressed that he continues to work to find a long-term solution, which would benefit the City, culture, and Mizner Park.

ADJOURNMENT:

Motion was made by Vice Chairman Haynie, seconded by Commissioner Hanson, 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 6:32 p.m. Monday, April 8, 2002.

Dave Freudenberg, Chairman

ATTEST:

Sharma Carannante, City Clerk