

MINUTES OF THE REGULAR MEETING
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY
MONDAY, SEPTEMBER 8, 2003
4:30 P.M.

The regular meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Dave Freudenberg at approximately 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 Susan Whelchel

Also attending the meeting were:

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

AMENDMENTS TO THE AGENDA:

There were no amendments to the agenda.

MINUTES:

Minutes of the Regular Meeting of August 25, 2003

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

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

1. DDRI IDA No. CRP -03-02

An Individual Development Approval of the City of Boca Raton Community Redevelopment Agency granting an Individual Development Approval to develop a 7,937 square foot building at 10 East Boca Raton Road

The City Attorney reviewed the quasi-judicial procedures that would govern the public hearing. There were no ex-parte disclosures. The City Clerk administered the oath to those who indicated they wished to speak on the petition.

Planning and Zoning Director Carmen Annunziato explained that the petitioner wished to construct a restaurant on the site and noted that the parking would be provided in two garages – one to the north and one to the south. He then introduced Development Services Senior Planner Jennifer Simon, who gave the PowerPoint presentation.

Ms. Simon provided information on the property, referred to as Old Town Tavern, outlining the acreage and the precise location. A single-story building currently exists on the property, utilized by the Budget Car Rental Agency. The proposed project would call for the demolition of the existing building and

construction of a two-story, 7,937 square foot building, containing a two-level restaurant with outside dining. Information regarding access, building setbacks, and open space were provided. In addition, the amenities to be found on both floors were delineated. The second floor would only be open to the public in the evenings. Parking is offsite and would be provided at two locations through a shared parking agreement; the two locations contain office buildings with attached parking garages. Peak parking demand was determined to be during the weekdays between the hours of 9:00 a.m. and 4:00 p.m.. Therefore, a condition limiting the second floor to use after 6:00 p.m. during weekdays is included within the IDA. A total of 245 parking spaces are required; 245 are being provided.

Ms. Simon then detailed the findings of the Community Appearance Board (CAB), whose members reviewed this petition on August 5, 2003. In response to the Board's concerns regarding, but not limited to, screening of the loading area, landscaping, and additional architectural detailing, the petitioner made several changes to the site plan. On August 19, 2003, the CAB reviewed the revised site plan and recommended approval with seven conditions, some of which included elevation revisions, additional landscaping, screening of mechanical equipment, and aesthetic elements. The Planning and Zoning Board reviewed the petition on August 7, 2003 and recommended approval with modifications to Conditions 10.(h) and 10.(i) of the IDA, which relate to valet parking and reservation or restriction of parking spaces. It was noted that staff had incorporated the conditions of the CAB into the IDA. However, the two conditions as recommended by the Planning and Zoning Board were not included, as they were deemed inconsistent with prior IDAs and the Rules of the CRA Board. In conclusion, staff recommended approval of the petition with the conditions listed in the IDA; Ms. Simon then answered questions from Agency members. Much attention focused on the parking issue.

Under ex-parte disclosures, Commissioner Hager stated that he had spoken with the president of the Historical Society and the petitioner, Peter McAllister. Commissioner Whelchel advised that she had spoken with Peter McAllister and Mary Csar.

At the public hearing, Suzanne Page, Vice President of PBM Development, spoke to the parking issue and referred to the findings of both the CAB and the Planning and Zoning Board. She then stated that approximately 28% of the restaurant's clientele would come from the two office buildings immediately adjacent to the restaurant's site, which would alleviate the number of trip generations in the downtown area in accordance with the City's Transportation Demand Management (TDM) ordinance.

Mary Csar, Executive Director of the Historical Society, which is located just east of Old Town Tavern in Old Town Hall, voiced much concern over the parking issue. She explained that the Historical Society has had problems in the past with people using their parking lot to visit other establishments; she cited Budget Rental in particular. Ms. Csar then explained the dynamics of patronage of the Historical Society, stating that each day brings different events/meetings, which can take place day or night. Consequently, parking can be light or heavy at any given time. Ms. Csar stated that, should this petition be approved, the Historical Society would request a written agreement that the restaurant be solely and financially responsible for protecting the Historical Society's parking lot.

Peter McAllister, President of PBM Development, offered suggestions as to how the parking issue might be resolved, including putting up a gate at the entrance to the Historical Society's parking lot; he also stated that he was open to any suggestions Council might have for working out the parking matter. Council then tendered questions to Mr. McAllister in this regard; valet parking and a parking agreement with the Historical Society were discussed.

Carl Jacobs voiced support of the petition but was opposed to the suggestions regarding installation of a gate or the use of valet parking.

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

Motion was made by Commissioner Abrams, seconded by Commissioner Hager, to adopt DDRI IDA No. CRP-03-02.

Motion was made by Vice Chairman Haynie, seconded by Commissioner Hager, to amend DDRI IDA No. CRP-03-02, using language generally consistent with the following: "Prior to issuance of the Certificate of Occupancy, Old Town Tavern shall present to the City Manager a parking plan acceptable to the Boca Raton Historical Society, which shall be implemented as provided in said plan. In addition, in the event that the City determines that the parking lot at Old Town Hall is being improperly utilized by Old Town Tavern guests and/or visitors, the City may compel, from time to time, Old Town Tavern to effectuate a cure or cures to the parking violations at the expense of Old Town Tavern including, without limitation, at the City's election: 1) the obligation to construct an entry system to limit access to the Old Town Tavern parking, 2) to provide security and/or a parking lot management service during hours designated by the City, or 3) to require valet services during hours designated by the City." Motion carried unanimously on a voice vote; Chairman Freudenberg, Vice Chairman Haynie, Commissioners Abrams, Hager and Whelchel voting yes.

The vote on the main motion to adopt DDRI IDA No. CRP-03-02, as amended, carried unanimously; Chairman Freudenberg, Vice Chairman Haynie, Commissioners Abrams, Hager and Whelchel voting yes.

PUBLIC REQUESTS:

No one came forward to speak.

REGULAR BUSINESS - PART II - RESOLUTIONS:

There were no items for consideration.

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 Vice-Chairman Haynie, seconded by Commissioner Abrams, to adjourn the meeting. Motion carried unanimously; Chairman Freudenberg, Vice-Chairman Haynie, Commissioners Abrams, Hager and Whelchel voting yes.

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 5:14 p.m., Monday, September 8, 2003.

Dave Freudenberg, Chairman

ATTEST:

Sharma Carannante, City Clerk

CRA Meeting
Recorder: VH