

MINUTES OF THE REGULAR MEETING  
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY  
MONDAY, JULY 21, 2008  
\*1:30 P.M.

\*The Regular Meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Arts at approximately 3:06 p.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**ROLL CALL:**

Chairman M.J. Mike Arts  
Vice Chairman Bill Hager  
Commissioner Peter R. Baronoff (absent – excused)  
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:**

There were no amendments to the agenda.

**MINUTES:**

Minutes of the Regular Meeting of June 9, 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, Vice Chairman Hager, Commissioners Haynie and Whelchel voting yes.*

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

1. DDRI IDA No. CRP-08-02

An Individual Development Approval of the City of Boca Raton Community Redevelopment Agency to construct a new one (1) story free standing bank building consisting of 3,631 square feet and a height of approximately 30 feet with a technical deviation from Chapter 23, regarding access management, and a technical deviation from the Downtown Development Order related to a reduction in parking aisle width for Comerica Bank, located at 1 South Federal Highway; providing for severability; providing for repealer; providing an effective date

The City Attorney reviewed the quasi-judicial procedure to be followed; the City Clerk administered the oath to those who indicated they wished to speak. Under ex parte disclosures, Commissioner Haynie and Vice Chairman Hager advised that they had spoken with Derek Vander Ploeg.

Development Services Senior Planner Susan Lesser gave the PowerPoint presentation, explaining that this proposal included demolition of the existing Valero gas station and construction of a new one-story, 30-foot high Comerica Bank building; location, acreage, zoning, and land use designation were provided. She advised that the project meets or exceeds all setback and height requirements for structures up to 35 feet tall in the DDRI (Downtown Development of Regional Impact). The open space requirement of 15% was also exceeded at 35%. Elevations were then reviewed, as were some of the proposed architectural details.

Ray Gindroz of Urban Design Associates (UDA) reviewed the project, finding it to be a major improvement for the site and consistent with the goals of the master plan update. Ms. Lesser indicated that Mr. Gindroz suggested the benches be positioned to create a better pedestrian orientation, in addition to continuation of sidewalks across driveways for further pedestrian emphasis; the applicant expressed willingness to address these suggestions. Access, parking, traffic and concurrency were then reviewed as well.

Ms. Lesser explained that a technical deviation was requested in regard to driveway corner spacing and the proposed Palmetto Park Road project driveway; details were provided. She stated that the City's Traffic Engineer recommended the driveway be eliminated in order to limit unnecessary curb cuts along Palmetto Park Road, thereby providing an overall safer environment for pedestrians and vehicles traveling along Palmetto Park Road; consequently, the City's Traffic Engineer did not support the technical deviation request.

A second technical deviation was requested to provide a reduced vehicle drive aisle width of 24 feet as opposed to the required 26 feet. Ms. Lesser reviewed the justification provided by the applicant; specifically, design considerations for smaller site redevelopment has been accepted for similar facilities and, should the 26-foot requirement be implemented, it would negatively impact other aspects of the site such as streetscapes, landscape perimeter, and pedestrian walkways. The City's Traffic Engineer did not support the request.

The Community Appearance Board reviewed the project and recommended approval with a condition related to visual screening of any mechanical equipment that might be installed on the building. The Planning & Zoning Board also reviewed the project and approved same with conditions; specifically, the condition eliminating the Palmetto Park Road driveway was deleted; re-routing of a pedestrian access along a public sidewalk would be subject to staff review and approval; and a viable timeframe for the construction of the cross access to the adjoining site was required. Ms. Lesser concluded her presentation by advising that staff recommended approval of the petition with the conditions included in the IDA. She then answered questions from the CRA, which focused on environmental cleanup.

Derek Vander Ploeg, the architect for the project, spoke to permitting for the environmental cleanup and made himself available for questions. Glenn Gromann, a member of the Downtown Boca Raton Advisory Committee, voiced support of the project.

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

*Motion was made by Commissioner Haynie, seconded by Commissioner Whelchel, to approve DDRI IDA No. CRP-08-02. Motion carried 4-0; Chairman Arts, Vice Chairman Hager, Commissioners Haynie and Whelchel voting yes.*

## **PUBLIC REQUESTS:**

Lenore Wachtel voiced opposition to increasing the height of buildings in the downtown from a maximum of 110 feet to approximately, in her view, 160 feet, including decorative elements. She noted that Delray's very active downtown had buildings that only reached 40 feet and concluded her comments by indicating that she did not want to see Boca Raton become like Miami or Ft. Lauderdale.

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

### **2. Resolution No. 2008-06-CRA**

A resolution of the Boca Raton Community Redevelopment Agency finding and determining there will not be a deficiency in the amounts on deposit in the Sinking Fund for the Mizner Park Bonds for the Fiscal Year 2008-2009 as provided for in the interlocal agreement with the City of Boca Raton; providing for severability; providing for repealer; providing an effective date

Financial Services Special Projects Director Robert George explained that passage of this resolution would find no deficiency in the Mizner Park Sinking Fund deposits. He noted that a resolution is required at this time each year, per the covenants and the interlocal agreement between the City and the CRA.

He also advised that this was the fourth year in a row that there would be no deficiency in the deposits, despite assessments of the downtown having fallen slightly. Mr. George explained that this year represented the first taxable value decrease since 1994-1995; details were provided.

The public hearing was opened and, seeing no one come forward to speak, closed.

*Motion was made by Commissioner Whelchel, seconded by Commissioner Haynie, to approve Resolution No. 2008-06-CRA. Motion carried 4-0; Chairman Arts, Vice Chairman Hager, Commissioners Haynie and Whelchel voting yes.*

### **OTHER BUSINESS:**

3. Urban Design Associates – Downtown Design Concepts
  - a. Palmetto Park Phase IV - RAM Developer

Ray Gindroz of Urban Design Associates (UDA) began his presentation by explaining that an analysis of the City's current design guidelines for the downtown found that existing setback and height requirements contributed substantially to the construction of large bulky buildings with flat tops. The recommendation by UDA today would not change the capacity of development on the site; it would introduce flexibility in height, more restrictions related to setbacks, and encourage more architectural requirements. Specifically, criteria would focus on maximum floor area (square footage), floor area ratio (FAR), and cubic volume.

He gave a PowerPoint presentation, reviewing new interim design guidelines proposed for the downtown, which were anticipated to result in congenial and attractive urban spaces and buildings. Those guidelines were as follows: 1) determine the site capacity and basic building envelope, 2) determine building footprint and placement, 3) determine general building envelope, 4) establish vertical articulation, 5) determine building massing, 6) introduce horizontal articulation, 7) articulate the building elements, 8) window design, and 9) ground floor treatments; details were provided on all the above. Regarding setbacks, it was noted that there are four different types of streets in the downtown; consequently, structures would be set back by 18 feet, 20 feet, or 26 feet, as measured from the curb - not the property line. Flexibility in height requirements was also discussed. While a maximum height of 140 feet would be allowed per the new guidelines, a corresponding reduction in building mass would be required, also per the new guidelines; it was noted that this issue necessitated further study, the results of which would be presented in the anticipated pattern book. Overall, emphasis was given to design of buildings and streetscapes in order to create interconnected spaces.

Mr. Gindroz advised that a developer (RAM) had volunteered to construct a test project in the downtown, using the new design guidelines; the CRA would be asked today for the authority to move forward on same. In closing comments, Mr. Gindroz indicated that through a collaborative effort and by using the new guidelines, total development capacity would be no greater than that which can currently be achieved using the present guidelines. Specifically, the net change in mass is zero; it is the net change in design that would transform the downtown.

Chairman Arts invited members of the Downtown Boca Raton Advisory Committee to provide input; Glenn Gromann, Lynne Novick, Mary Csar, Clem Storch, Michele Bellisari, and Derek Vander Ploeg, voiced support and urged passage of the interim design guidelines. Wendy Larsen, Bill Smith, and Charles Siemon, who spoke on behalf of property owners and developers, also voiced support.

Lenore Wachtel questioned what is involved in the process to change building height; specifically, she questioned whether the Downtown Development Order would need to be changed or whether the issue would be put before the residents. She also asked how heights could be limited in one portion of the downtown and not in another portion where it might not be suitable, voicing concern over a downtown skyline comprised totally of 140-foot tall buildings.

The City Attorney explained that the change would be made in two parts: 1) an amendment to the rules, and 2) an amendment to the DRI (Development of Regional Impact); details were provided.

*Motion was made by Vice Chairman Hager, seconded by Commissioner Whelchel, directing staff to process all code amendments, standards, and rules to facilitate the design guidelines, both permanent and interim, the pattern book, and the RAM project, pursuant to the presentation made today, as well as streamlining the review process, pursuant to the City Manager's letter to the CRA, dated July 16, 2008; staff would bring back all the above to the CRA by the end of September 2008. Motion carried 4-0; Chairman Arts, Vice Chairman Hager, Commissioners Haynie and Whelchel 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 Haynie voiced that she wished to stay involved as the City works with the FDOT (Florida Department of Transportation) and the Livable Communities Program.

**ADJOURNMENT:**

*Motion was made by Vice Chairman Hager, seconded by Commissioner Haynie, to adjourn the meeting. Motion carried 4-0 on a voice vote; Chairman Arts, Vice Chairman Hager, Commissioners Haynie and Whelchel voting yes.*

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 4:45 p.m., Monday, July 21, 2008.

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M.J. Mike Arts, Chairman

ATTEST:

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Sharma Hagerty, City Clerk