

MINUTES OF THE REGULAR MEETING  
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY  
MONDAY, AUGUST 21, 2006  
\*1:30 P.M.

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

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**ROLL CALL:**

Chairman Peter R. Baronoff  
Vice Chairman M.J. Mike Arts  
Commissioner Steven L. Abrams  
Commissioner Bill Hager  
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 August 7, 2006

*Motion was made by Commissioner Whelchel, seconded by Commissioner Hager, to approve the minutes as presented. Motion carried unanimously on a voice vote; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager and Whelchel voting yes.*

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

1. DDRI IDA No. CRP-04-06R2

An amended and restated Individual Development Approval of the City of Boca Raton Community Redevelopment Agency amending and restating the Individual Development Approval; with technical deviations from Chapter 23 and the Downtown Development Order to permit deviations from: off-site circulation requirements, the 45-minute loading/unloading requirement for the parking garage, parking dimension requirements for tandem parking, stacked (mechanical) parking and the reservation of parking for a valet service operation, with temporary off-site parking during the construction period located at 301 East Palmetto Park Road for 200 East mixed use development located at 200 East Palmetto Park Road

Chairman Baronoff advised that quasi-judicial procedure would be followed; the City Clerk administered the oath to those who indicated they wished to speak. Under ex parte disclosures, Chairman Baronoff advised that he spoke with Charles Siemon and Wendy Larsen; Vice Chairman Arts advised that he spoke with Charles Siemon; Commissioner Hager advised that he spoke with Wendy Larsen.

Development Services Senior Planner Jennifer Simon gave the PowerPoint presentation. The location of the project was provided. The site proposed for the temporary parking is on the north side of Palmetto Park Road, slightly east of 200 East Palmetto Park Road. Ms. Simon then provided a brief history of the project up to the present time. This petition, if approved, would allow stacked mechanical and tandem parking within the approved parking structure, which will be operated by a valet service. No modifications are proposed to the building elevations.

A valet drop-off area is proposed at the front of the building on Palmetto Park Road, which would accommodate approximately 3 cars at one time. A second valet drop-off and a valet pick-up area are proposed along the ground level within the parking structure; 300 feet of storage area from Palmetto Park Road would be available to accommodate this drop-off and pick-up area. This parking modification is due to the conversion of retail use to restaurant, which has a higher parking demand. In order to accommodate the required 451 parking spaces, the petitioner proposes to modify the dimensions of some of the spaces. In addition, 14 private parking garages are also proposed; details were provided.

A number of technical deviations were requested to accommodate the parking design and operation. Ms. Simon reviewed the deviations and the justifications for same in detail. The technical deviations are as follows: 1) deviation from City Code Chapter 23-190 for on-site circulation, as the site's traffic is not being completely contained on-site due to the Palmetto Park Road valet drop-off area; the City's Traffic Engineer did not support the deviation; 2) deviation from the Downtown Development Order (DDO), waiving the 45-minute loading/unloading requirement for a parking garage; the City's Traffic Engineer supported the deviation, 3) deviation from the DDO for the dimensions of parking to provide tandem and stacked mechanical parking as well as for the reservation of parking within the parking garage; the City's Traffic Engineer supported the deviation. The traffic analysis was then reviewed.

Ms. Simon delineated the proposed temporary off-site parking, advising that there would be one access point into the parking lot from East Palmetto Park Road. The off-site parking area would function as two separate parking areas; one for Wachovia bank, with valet parking, and one for the construction crew, which would be controlled by a gate that closes at 6:00 p.m. A 36-foot landscape buffer will be provided along the rear of the parking area, abutting Boca Raton Road.

The Community Appearance Board (CAB) and the Planning and Zoning Board (P&Z) reviewed this petition and recommended approval. However, members of P&Z had concerns related to the valet drop-off area along East Palmetto Park Road, which resulted in a 4-2 vote. Ms. Simon provided additional commentary and then concluded her presentation, stating that staff also recommended approval. She then answered questions from Council. Much attention focused on the Palmetto Park Road valet drop-off area and the possibility that more than 3 cars would be backed up into traffic lanes on Palmetto. Mr. Ahnell clarified that Development Services staff supported the valet operations at that site; however, the City's Traffic Engineer did not. He added that there is a condition in the Development Order stating that if a problem is created by the parking operation, the property must come back before the CRA for review, which could result in elimination of that valet stand. Also, Police Services would not allow traffic to back up on Palmetto Park Road. Mr. Ahnell indicated that, ultimately, direction must be obtained from Council as to how City staff should view Palmetto Park Road, apart from any buildings along Palmetto, particularly if fewer lanes are allowed on that road or if stacking is allowed; Citywide impacts would need to be addressed.

Charles Siemon, the attorney for the petitioner, provided additional information related to the valet parking and then referred to a condition suggested by staff that would require a disclosure clause in all sales contracts and condominium documents related to the valet parking program. He asked that the language be modified to require that a letter of notification be provided to all purchasers and occupants; he then made statements in support of this request.

Lon Tabatchnick, the developer of 200 East, also spoke to the valet service; many details were provided. He then answered questions from Council.

Adam Beighley spoke in opposition to the project, with emphasis on the proposed temporary parking site. Darold Hurlbert indicated that he was glad to see the property being cleaned up and upgraded; however, he had many questions primarily related to the temporary parking lot. Jan Katynski also voiced concern over the temporary parking, specifically, whether parking would be allowed on Boca Raton Road, whether equipment or supplies could be staged there, and whether a landscaping buffer might be needed. Mr. Tabatchnick responded to residents' concerns.

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

*Motion was made by Commissioner Whelchel, seconded by Commissioner Hager, to adopt DDRI IDA No. CRP-04-06R2.*

*Motion was made by Vice Chairman Arts, seconded by Commissioner Hager, to amend DDRI IDA No. CRP-04-06R2, Page 10, Condition 8.o.5., deleting the underlined text immediately above Condition 9, and inserting language generally consistent with the following: "All current owners and tenants of the property shall receive from the petitioner, and all subsequent owners and tenants of the property shall be provided by the respective sellers and/or lessors, a separate written letter or document disclosing the requirements of Conditions 1 and 2 above."*

*Motion was made by Commissioner Hager, seconded by Commissioner Whelchel, to amend DDRI IDA No. CRP-04-06R2, to add language generally consistent with the following: "At all times that the temporary construction parking lot is utilized between Palmetto Park Road and Boca Raton Road, the fencing closest to Boca Raton Road shall be fully obscured by a mature ficus hedge, or such other landscaping material acceptable to staff, at least the height of the fence."*

*Motion was made by Commissioner Hager, seconded by Commissioner Whelchel, to amend DDRI IDA No. CRP-04-06R2, Page 10, Condition 8.o.5., the first underlined paragraph, second line, to read as follows: "...that an unreasonable level of ~~accidents~~ congestion is occurring related to the parking operation..."*

*Motion was made by Commissioner Hager, seconded by Commissioner Abrams, to consider all of the amendments, as moved and seconded, together with the main motion on DDRI IDA No. CRP-04-06R2, as one item to be considered and voted on. Motion carried unanimously on a voice vote; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager and Whelchel voting yes.*

*The vote on the main motion to adopt DDRI IDA No. CRP-04-06R2, as amended, carried unanimously; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager and Whelchel voting yes.*

**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:**

Due to the absence of the Executive Director, there was no report.

**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 Hager, seconded by Commissioner Abrams, to adjourn the meeting. Motion carried unanimously on a voice vote; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager and Welchel voting yes.*

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 4:42 p.m., Monday, August 21, 2006.

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Peter R. Baronoff, Chairman

ATTEST:

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Sharma Carannante, City Clerk