



FUTURE LAND USE ATLAS AMENDMENT STAFF REPORT 04-EXPEDITED REVIEW PROCESS (ERP) AMENDMENT

Item Name:	Mecca Farms EDC (LGA 2004-00045)
Request:	RR-10 to EDC/2 and removal from the Rural Tier
Item Before the Board:	To hold a public hearing on a proposed County-initiated amendment to the Future Land Use Atlas (FLUA) to change the future land use designation for a 1919.23 acre parcel from Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center with underlying Low Residential, 2 units per acre (EDC/2), and to remove the site from the Rural Tier. The site is located east of the J.W. Corbett Wildlife Area and approximately 1 mile north of Northlake Boulevard.
Note:	Additions to the staff report since Transmittal to DCA are shown in <u>underline</u> .
Meeting Date:	Final Report , Adopted October 13, 2004
Project Manager:	Susan Miller, AICP, Principal Planner and Brandon Schaad, Planner
MOTION: To <i>adopt</i> the proposed amendment, subject to conditions.	

A. Planning Recommendation: Staff recommends **approval** of the proposed request based on the findings and conclusions presented in this report, subject to the following 2 conditions:

1. Development on the site shall be limited as follows:

Use	Intensity/Density	
	Min.	Max.
Research and Development	<u>8,000,000 sq. ft.</u>	10,500,000 sq. ft.
Retail	<u>330,000 sq. ft.</u>	440,000 sq. ft.
Utility ¹	--	392,040 sq. ft., <u>not to exceed 20 acres</u> ³
Educational	<u>1,587,762 sq. ft.</u>	2,117,016 sq. ft., <u>not to exceed 2500 elementary/secondary students and 2000 college/university students</u> ³
Recreation/Community Facility ²	<u>100,000 sq. ft.</u>	487,872 sq. ft. ³
Clinic/hospital	--	529,254 sq. ft., <u>not to exceed 300 beds</u> ³
Residential	<u>2000 units</u>	2000 units, not including any units requested from TDR or <u>and</u> Workforce Housing programs ^{4,5}

1. Includes any building space which may be required to provide utilities, such as potable water, wastewater, electric, telephone, cable television and other utility services.
2. Could include a range of community facility uses, including, but not limited to, the following: community centers, fire stations, sheriff substations, libraries and recreational structures.
3. The maximum square footages for these uses were derived by using the acreage allocated to them on the site master plan, then applying the maximum floor area ratio allowed in the appropriate pod under either the Comprehensive Plan or the ULDC (whichever is more restrictive).
4. Additional units should be added if an adequate number of residential units is not available to provide a sustainable mix of uses internally to this project and/or in close proximity to the project.
5. If the project utilizes either the TDR and/or Workforce Housing Program, the increased density shall be in accordance with the land use conversion matrix contained in DRI Traffic Condition # 67, dated October 5, 2004.
6. To ensure the basic character of the project is not altered, land uses may be exchanged based on the land use conversion matrix contained in DRI Traffic Condition # 67, dated October 5, 2004; however, no land use may exceed the maximum in the table above and no land use may fall below the minimum as specified in the table above.

2. If the Scripps Research Institute does not move forward on the Mecca Site, County staff shall bring to the Board of County Commissioners (BCC) for initiation an amendment to consider returning the property to the Rural Residential, 1 unit per 10 acres (RR-10) designation or another appropriate land use designation.

- B. LPA Recommendation:** Motion to recommend *approval* of Staff's recommendation passed in a 7-3 vote (with Ms. Francis, Mr. Greenfield and Ms. Murray dissenting) at the June 11, 2004 Public Hearing. An alternative motion to cross hatch areas adjacent to the southern and western boundaries of the site died for lack of second. At the request of the Board, Ken Todd of the County Water Resources Management Division explained the contribution the site could have to the Comprehensive Everglades Restoration Program (CERP).

Board discussion focused on the following: the CERP and other water management issues; mass transit connections to the site, particularly the potential for light rail service; how it was decided that 10.5 million square feet of research and development was an appropriate number; the strength of the justification arguments; the potential for an economic development center to be too isolated on this site without light rail service; the need for the amount of retail proposed; the location of the site; the impacts on various service providers; destruction of natural lands; the possibility of cross hatching portions of the site to protect neighboring areas; the need to create a sustainable community on the site; the possibility of not allowing TDR units on the site; and the provision of parks and recreation opportunities.

Several members of the public spoke, including residents of the Acreage and Loxahatchee Groves, representatives of Indian Trail Improvement District and the Sierra Club, expressing the following concerns: that there is a lack of proposed mitigation for traffic impacts; that a planning charette is needed for the site; that the site should be developed with green building techniques incorporated; that TDR units should not be permitted on the site; and that the effect of the proposal on water storage issues should be taken into account.

- C. BCC Transmittal Action:** Motion by Comm. Koons, seconded by Comm. Newell, to transmit passed in a unanimous 6-0 vote (with Comm. McCarty absent) at the June 28, 2004 Public Hearing. The Board also directed Staff to look further into how much research and development space is needed, and to bring this information back to the Board at the time of adoption. Board discussion focused on the following: the rationale for allowing TDR units on the site and whether increased traffic from TDR units had been considered; how the allowed square footages of various uses in the condition were derived and the possibility of a less rigid condition; water management and the goals of the CERP; how the movement of wildlife through the area is being addressed; the timing

of residential development on the Mecca Farms and Vavrus portions of the project; and tying the phasing of residential development on the site to the development of employment generating uses.

Ten members of the public spoke on this amendment. One member of the public spoke in support of the amendment, but cautioned that the amount of retail proposed may be inadequate. Another person expressed support for using 500 acres of the site for Scripps, but not for developing the entire site. Eight members of the public, representing several environmental groups, spoke in opposition of the amendment, with concerns regarding preservation of open space, the strength of the arguments used as justification for the land use change, urban sprawl, the use of TDR units, water management, traffic, insects and other pests, the possibility of alternative sites and the benefit of promised jobs versus the cost to County residents.

POST TRANSMITTAL ACTION

- A. ORC Report Findings:** In the ORC report, the Department of Community Affairs (DCA) offered the following comments relating to this proposed amendment:
- While the amendment contains a condition limiting the number of units and non-residential square footage on the site, the amendment should also contain minimum thresholds for land uses to ensure that the proposed project will contain a functional mix of appropriate land uses;
 - While the used a market study to support need for research and development space in a 7-mile trade radius before 2020, it is unclear how a local trade radius could effectively determine the need for biotech space, which depends on regional and national economic factors. The County should either document that the proposed method is appropriate or use an alternative method;
 - The analysis presents water and sewer demand projections that are significantly lower than the demand projections presented in the Development of Regional Impact Application for Development Approval. Further, the analysis does not address transmission capacity required for the distribution system or provide capacity figures for affected treatment plants. Finally, the amendment does not include an amended Capital Improvement Schedule to demonstrate how the required improvements will be funded;
 - The County did not include a Future Land Use Map for this proposed land use amendments showing the new land use as it would appear on the adopted amendment.
- B. Response to ORC Report:** The following are Staff's responses to DCA's comments in the ORC Report regarding this amendment:
- Staff has revised the condition limiting density and intensity in response to this comment. Minimums have been added for every category of use except utility uses and clinic/hospital uses. The amount of utility square footage will be determined by the amount needed to support the other uses on the site. In the case of clinic/hospital uses, no minimum is assigned because the presence of these uses is not considered essential to a functional mix. Some maximums are also clarified to use units have match the Development of Regional Impact (DRI) Application for Development Approval (ADA) (students for educational uses and beds for clinic/hospital uses) or to match the acreage allocated on the master plan (in the case of utility uses and recreation/community facility uses). Finally, explanatory notes are added.
 - Staff has included a detailed response to this comment in the ORC Response Report. To summarize, Staff addressed need for research and development space in two ways: first, by reviewing the size of biotech clusters in other states; and second, by projected workforce demand from nearby residential areas. It was found that there are a number of biotech research parks throughout the United States of comparable size to that proposed on the Mecca Farms site. Further, these research parks historically include biomedical research and development and associated

business, as well as hospital and university collaborations, educational establishments and business incubators, along with a host of complementary businesses representing suppliers, light manufacturers and distributors. Mecca Farms offers the size to ensure that biotech and businesses that support biotech will have room to grow in coming decades. A similar amount of vacant industrial land is not available in the County's eastern corridor, as much of the vacant industrial land has been converted to other uses. Regarding projected workforce demand, there is a small amount of employment in this part of the County, and that population within a 7-mile trade radius is growing. Over time, the creation of specialized jobs and other supporting jobs – broad based employment opportunities – at the research park will provide employment opportunities to both current and future residents who choose to work closer to home. The full ORC Response Report provides a detailed explanation.

- The potable water and wastewater demand projects for the biotechnology research and development facilities included in the DRI ADA were prepared based on actual potable water and wastewater usage for comparable facilities at the Scripps La Jolla campus. The residential demands in the DRI ADA were based on Palm Beach County Water Utilities Department (PBCWUD) averages for similar residential developments. The utility demand projection included in the DRI application should therefore be more accurate than projections developed using averages based on land use designations. In response to the capacity question, the PBCWUD is currently designing potable water and wastewater pipeline extensions specifically sized to meet the build-out utility demand projections for this development. PBCWUD currently has the funds on hand in its Capital Improvement Fund to fully fund these pipelines. In addition, PUBWUC currently has more than enough potable water and wastewater treatment capacity to meet all utility demand projections.
- Exhibit 1 of the Staff report and adopting ordinance includes the Future Land Use Atlas pages for these sites. Following the adoption of these proposed amendments and the State's finding of "in compliance," the Planning Division officially updates the Future Land Use Atlas to reflect these changes.

C. Revisions Not Previously Reviewed: After further review, Staff has proposed an additional condition providing that if development does not commence within 5 years from the effective date of this amendment, Staff will bring an amendment to the BCC for initiation to return the site to its original future land use designation or other appropriate designation. Staff's recommendation of approval is based largely on the potential for substantial economic development benefits. Therefore, if by some unforeseen circumstance the project did not occur on this site, it is prudent to provide a mechanism to return the site to its original future land use designation.

D. BCC Adoption Action: Motion by Comm. Koons, seconded by Comm. McCarty to **adopt an ordinance** with Staff's recommendation with a modification passed in a 6-1 vote (with Comm. Masilotti dissenting) at the October 13, 2004 Public Hearing. The modification changed the maximum square footage allowed for research and development in the first condition from 10,500,000 square feet to 8,500,000 square feet. Board discussion focused on proposed minimum and maximum square footages for research and development on the site, the possibility of closer joint planning with the

proposed development on the Vavrus Ranch property east of the subject site, the precedent that this amendment might set for higher densities and intensities in the area, whether the County is treating itself differently through this amendment than it would treat a private developer, whether TDRs should be allowed outside the Urban/Suburban Tier, whether the project should be multiple use or only research and development uses, long run costs of the project and whether the School Board has plans to use the land allocated for it on the subject site. Representatives of 1,000 Friends of Florida, the Florida Wildlife Federation, the Sierra Club, the Palm Beach County Environmental Coalition and the Audubon Society of the Everglades spoke in opposition to the amendment. Several members of the public spoke in opposition to the amendment and one person spoke in favor.

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AERIAL PHOTOGRAPH MAP
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PETITION SUMMARY

Owner	Lantana Farms Associates, Inc.
Applicant.....	Palm Beach County
Parcel Size	1,919.23 acres
Parcel Location	East of the J.W. Corbett Wildlife Area and approximately 1 mile north of Northlake Boulevard
Parcel Access.....	The future extensions of Seminole Pratt Whitney Road and PGA Boulevard
Parcel Control Numbers	00-41-42-05-00-000-7020; 3000; 7010; and 00-41-42-06-00-000-5010
Tier Designation	Rural
Proposed Tier Designation.....	None (removal from Rural Tier)
Existing Land Use	Agricultural (Citrus Farm) and Sand Excavation
Current FLU Designation.....	Rural Residential, 1 unit per 10 acres (RR-10)
Current Zoning District.....	Agricultural Residential (AR) and Special Agriculture (SA)
Current Development Potential	191 dwelling units; non-residential uses per AR and SA zoning
Proposed FLU Designation	Economic Development Center with underlying 2 units per acre (EDC/2)
Proposed Zoning District.....	Planned Industrial Park Development (PIPD)
Proposed Development Potential.....	Site will be limited to: Research and Development Uses: 10,500,000 sq. ft.; Retail Uses: 440,000 sq. ft.; Utility Uses: 392,040 sq. ft.; Educational uses: 2,117,016 sq. ft.; Recreation / Community Facilities: 627,264 sq. ft.; Medical Uses: 529,254 sq. ft.; 2000 dwelling units
Water/Sewer Service.....	Palm Beach County Water Utilities
Annexation Area	City of Palm Beach Gardens
Overlay/Study Area	Western Northlake Corridor Land Use Study; Scientific Community Overlay (proposed)
Amendment History	None
Commission District.....	Commissioner Marcus, District 1

I. SUMMARY REPORT

A. BACKGROUND

The subject site is located in northern Palm Beach County, just west of the City of Palm Beach Gardens, just east of the J.W. Corbett Wildlife Management Area and Seminole Pratt Whitney Road, south of Unit 11 and approximately 1 mile north of Northlake Boulevard, and is located in the Rural Tier. The property is in an area of the County that is subject to the Western Northlake Corridor Land Use Study (WNCLUS). The WNCLUS, a joint effort between Palm Beach County, the City of Palm Beach Gardens and the City of West Palm Beach, is intended to determine appropriate land uses within the Northlake Boulevard area which will preserve and enhance the rural character, while also recognizing and planning for limited urban development. The proposed research park (subject to a concurrent Development of Regional Impact (DRI) application) is not subject to the Study's recommendations however, because a DRI is exempt under the provisions contained in the interlocal agreement. Also, previously, the subject site was located within the boundaries of the Central Western Communities (CWC) Sector Plan, however, the site was removed from the Sector Plan area in November, 2003, when plans were announced for the research park, as this development makes the subject site substantially different from the remainder of the study area.

Generally, the area surrounding the site is made up of conservation, agricultural and rural residential uses. Adjacent to the subject property on the north and west are existing conservation lands, Unit 11 (Hungryland Slough Natural Area) and the J.W. Corbett Wildlife Management Area, respectively. Unit 11 has a future land use (FLU) designation of Rural Residential, 1 unit per 10 acres (RR-10) and Agricultural Residential (AR) zoning. The Corbett Wildlife Area has a FLU designation of Conservation (CON). Its zoning designation is Preservation/Conservation (PC) on that part bordering approximately the southern half of the subject site, and Agricultural Production (AP) where it borders the northern portion of the site. To the south is the northernmost part of The Acreage – an exurban community of single-family homes primarily on lots averaging 1.25 acres – with a FLU designation of Rural Residential, 1 unit per 2.5 acres (RR-2.5) and zoning of AR. To the east of the site is the Vavrus Ranch, which is currently used for cattle grazing, and is within the jurisdiction of the City of Palm Beach Gardens. The City has assigned this property a FLU designation of RR-10 and the PDA zoning district. A Development of Regional Impact (DRI) application has been submitted for the northern portion of this property, in order for it to develop with uses complementary to those proposed on the subject site.

The property, known as the Mecca Farms site, totals 1,919.23 acres and currently supports an orange grove and sand excavation operations. It has a FLU designation of RR-10 and split zoning designations of Special Agriculture (SA) on most of the property and AR on the northeast corner. In 1997, approximately 1631 acres of the property were rezoned from AR to SA to allow for commercial excavation, and a Class A Conditional Use for Type III Excavation was approved for a 225 acre area in the central part of the property.

In 2003, the Scripps Research Institute (TSRI) chose to locate their expansion facility in Florida, following initiatives by the State government to attract the non-profit research organization. TSRI originally considered several areas in Florida, then narrowed the choices to Orlando and Palm Beach County, ultimately choosing Palm Beach County for their expansion site. In order

to take advantage of economic clustering and encourage the creation of spin-off research and development companies, it was decided that TSRI should be located in a multiple-use research park, and the Mecca Farms site was chosen as the best location in the County. In order to allow for this development while protecting the surrounding area, as well as to encourage scientific and research and development related activities in the County, the County is processing several text amendments to the Comprehensive Plan concurrently with this application. If approved, these text amendments will, among other things, establish a Scientific Community Overlay for the property, create a Limited Urban Service Area (LUSA) for the site, and allow exemptions for this Overlay from traffic impact requirements for Comprehensive Plan amendments.

B. INTENT OF THE PROPOSED AMENDMENT

The stated intent of the petition is to:

- change the future land use designation from RR-10 to EDC/2;
- remove the site from the Rural Tier;
- obtain Planned Industrial Park Development (PIPD) zoning; and
- develop a science and technology based research park

C. ISSUE SUMMARY

The following offers a summary of the issues and concerns regarding the proposed amendment, followed by staff assessment. The applicant supplied information relating to the justification and demonstration of need. The other factors of consideration reflect Staff analysis of various County and State policies and directives. Full discussion of each of the items listed below can be found in the **Support Data and Analysis Section** of this report.

Factor of Consideration	Planning Staff Assessment
<p>Justification Statement: Based on the factors of “Changed Assumptions” and “New Issues” that have taken place since the adoption of the 1989 Comprehensive Plan:</p>	<p>In response to the applicant’s justification statements:</p>
<ul style="list-style-type: none"> • Opportunity for this cluster industry was not anticipated; 	<p>The applicant’s argument concerning the opportunity for the development of a cluster industry relates to need, and does not address justification for a land use change on this particular site.</p>
<ul style="list-style-type: none"> • Proximity to industrial parks, transportation facilities and The Acreage; 	<p>Proximity to other industrial uses, the site’s access to transportation facilities and potential to provide an employment base for the surrounding residential area is adequate justification as to why this location would best meet the demonstrated need for this use.</p>
<ul style="list-style-type: none"> • Planned development to the east; 	<p>Development on the parcel to the east is likely to be contingent on the proposed development on the subject site; and therefore cannot be used as justification to change the FLU on the subject site.</p>
<ul style="list-style-type: none"> • Lack of other developable land large enough for the proposed use; 	<p>The applicant has shown that there is a lack of developable lands large enough to accommodate the proposed use, for which a need has been demonstrated. Therefore, this does serve as adequate justification to change the FLU designation on this site.</p>
<ul style="list-style-type: none"> • Opportunity for economic development; 	<p>The opportunity for economic development does not address conditions specific to this site, and so cannot be a justification for a change in FLU designation on the site.</p>
<ul style="list-style-type: none"> • Development at this location could spur development at nearby research parks; and 	<p>While it is possible that the proposed development on the subject site would spur development in nearby industrial areas, the applicant fails to provide any substantiation that this would occur.</p>
<ul style="list-style-type: none"> • Uses such as this are a good replacement for agricultural lands and agricultural jobs 	<p>Replacing agricultural uses is not a justification for a land use change. Further, the proposed amendment seeks to change a residential designation, not an agricultural designation.</p> <p><i>In conclusion, the applicant did provide adequate justification for a land use change on this site based on the site’s proximity to other industrial areas, access to transportation facilities, potential to provide an employment base for the surrounding residential area and the lack of other suitable land for this type of development.</i></p>

Factor of Consideration	Planning Staff Assessment
<p>Justification for Tier Redesignation:</p>	<p>FLUE Policy 1.1-b allows for the redesignation of a Tier to respond to changing conditions, or to purposely allow pre-designation of an area, when appropriate. The policy further allows the redesignation based on, “1. The availability of sufficient land to accommodate growth within the long range planning horizon, considering existing development approvals;” Proposed text amendments to the Comprehensive Plan, being considered concurrently with this application, would create the Scientific Community Overlay (SCO) on the subject property, and would allow the removal of property from the Rural Tier through the creation of the SCO. The Rural Tier does not allow industrial future land use designations, such as EDC, while the proposed SCO would allow this land use designation.</p> <p>The applicant has shown a need for the proposed use, and has shown that sufficient land has not been provided for. This meets the standard for tier redesignation or removal in Policy 1.1-b, as described above. <i>Thus, contingent upon the approval of the Scientific Community Overlay (SCO) and proposed language allowing removal of property from an assigned tier through the creation of the SCO, the applicant has justified the proposed removal of the site from the Rural Tier.</i></p>
<p>Demonstration of Need: A demonstration of need is required for a land use amendment. The applicant based the demonstration of need on a market study indicating a need in 2020 for industrial research and development space in a 7 mile trade radius.</p>	<p>The applicant has provided adequate information to substantiate a need. <i>Therefore, the demonstration of need requirement has been met.</i></p>
<p>Urban Sprawl Rule: One of the principles of the Comprehensive Plan is to prevent urban sprawl. State Statutes also require that all site-specific amendments be reviewed against the 13 indicators of urban sprawl.</p>	<p>This proposal is not considered to be urban sprawl. The applicant has demonstrated a need for industrial research and development space, and has shown that no developable land is available in the already urbanized area of the County to support this use. The applicant has also shown the need for an increase in residential density on the property to provide a better jobs/housing balance in the area. The residential component of the project and multiple-use potential for the site also allows for the creation of a more sustainable community, which will help to internalize trips and make the provision of public facilities and services more efficient.</p>

Factor of Consideration	Planning Staff Assessment
<p>Compatibility: Ensuring land use compatibility is a County Direction.</p> <p>The site is bordered by: an RR-10 designation to the north of the site. To the south is The Acreage residential community with an RR-2.5 FLU designation. East of the site is the Vavrus Ranch, which supports cattle grazing and has a City of Palm Beach Gardens RR-10 FLU designation. To the west is the J.W. Corbett Wildlife Management Area, with a designation of CON.</p>	<p>Although the area to the north (Unit 11, part of the Hungryland Slough Natural Area) has an RR-10 FLU, it is utilized for conservation purposes and will not be developed. Any compatibility concerns with the rural residential land uses to the south could be addressed through the zoning/site plan approval process. Similarly, because of the size of the subject site, any compatibility concerns with the parcel to the east could be mitigated through the development approval process. However, this property to the east is part of a joint planning effort providing for its development with complementary uses to those proposed for the subject property. Finally, the subject site is separated from the conservation property to the west by Seminole Pratt Whitney Road, and in any case could be adequately buffered to avoid any compatibility concerns with this property. <i>Thus, any compatibility concerns can be addressed through the zoning/DRI approval process.</i></p>
<p>Piecemeal Development: Future Land Use Element Policy 2.2-f states that the County shall not approve amendments that encourage piecemeal development or create residual parcels.</p>	<p>The proposed amendment would allow for master planning and an integrated mix of uses. Further, the County has entered in a joint planning effort providing for the development of the property to the east with uses complementary to those proposed for the subject site. Finally, this proposal would not create any residual parcels. <i>Therefore, this proposal is consistent with this policy.</i></p>
<p>Encroachment of Incompatible Future Land Uses: Future Land Use Element Policy 2.2.1-b states that residential areas shall be protected from encroachment of incompatible future land uses and adverse impacts of adjacent land uses.</p>	<p>This proposal will not encroach into any residentially designated areas. The RR-10 area to the north is used for conservation and will not be developed residentially. This proposal would provide a clear separation between the partially non-residential uses proposed for the subject site and the rural residential designation to the south. The property to the east is in the planning stages to develop with multiple uses in concert with those proposed for the subject site. However, if this does not occur, a clear separation can be provided between the subject site and the RR-10 designation to the east. <i>Therefore, the proposal is consistent with this policy.</i></p>
<p>Creation of business centers close to transportation centers: Economic Element Policy 1.2-c states: "The County shall support the creation of business centers close to transportation centers which stimulate intermodal transport and transit. In addition, the Economic Development Coordinator's Office shall coordinate activities with other appropriate agencies and provide incentives for the creation of business/industrial complexes at interchanges along major transportation corridors, consistent with industry-clustering strategies." (3-EC)</p>	<p>This proposal is consistent with this policy in that the location of this site is approximately 3 miles from a potential interchange with the Beeline Highway (via the proposed extension of Seminole Pratt Whitney Road to the north), a major transportation corridor providing connection not only to Florida's Turnpike and Interstate 95, but also to the Port of Palm Beach and the North County Airport, thus encouraging intermodal transport options. Also, there is a railroad right-of-way (ROW) that runs along the Beeline Highway. <i>Thus, the proposed amendment is consistent with this policy.</i></p>

Factor of Consideration	Planning Staff Assessment
<p>Western Northlake Corridor Land Use Study (WNCLUS) Area: The subject site is located within the boundaries of the WNCLUS, a neighborhood plan developed in 1999 as a combined effort by Palm Beach County, the City of Palm Beach Gardens and the City of West Palm Beach to determine appropriate land uses within the Northlake Boulevard area.</p>	<p>Because the proposed development on the subject site is part of a Development of Regional Impact (DRI) application, it is exempt from the recommendations of the WNCLUS under the provisions an interlocal agreement associated with the Study.</p>
<p>Services and Infrastructure: County Directives require that adequate services and infrastructure must be in place before development occurs. The Palm Beach County Water Utilities Department (PBCWUD) intends to provide potable water and wastewater service to this site upon approval and development.</p>	<p>Given the proposed designation of this site as a Limited Urban Service Area (LUSA), water and wastewater lines will be extended to this site. The six roadway segments where project traffic is significant and which are projected to exceed their capacity in the year 2030, as a result of this proposal, are to be designated as CRALLS and are included in the expedited review process. Also, with the concurrent text amendments, FLUE Policy 3.5-d is proposed to be amended to exempt the Scientific Community Overlay from the requirements of this policy. <i>As a result, there are no significant infrastructure or service issues associated with this proposal.</i></p>
<p>Conformance with the ULDC: The applicant has applied to change the zoning district for the property from SA and AR to PIPD, which is contingent upon the approval to change the future land use designation to EDC/2.</p>	<p>The project will be required to comply with the PIPD zoning district, the requirements of which may be slightly modified as part of proposed text amendments to the ULDC under consideration related to the proposed project. Any commercial pod within the PIPD will be required to comply with the property development regulations (PDRs) of the MUPD and MXPD zoning districts, while any residential pod will be required to comply with the PDRs of the PUD zoning district.</p>

D. PUBLIC AND MUNICIPAL REVIEW

1. **Intergovernmental Plan Amendment Review Committee (IPARC):** Notification of this amendment was sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review. The IPARC functions as a clearing-house for plan amendments, of which Palm Beach County is a participating member. A formal IPARC notice (requesting comments) was sent on May 14, 2004. To date, no objections to this amendment have been received through the IPARC process. In addition, the subject site is within 1 mile of the City of Palm Beach Gardens and inside the boundaries of the Western Northlake Corridor Land Use Study (WNCLUS). An interlocal agreement adopted as a result of this Study between the County, the City of Palm Beach Gardens and the City of West Palm Beach requires that the parties notify one another of potential changes in future land use designation of any site within the Study area. Notice of this petition was provided to the City of Palm Beach Gardens and the City of West Palm Beach on May 11, 2004. As of the writing of this report, neither of these cities has provided comments.

2. **Other Notice:** Public notice by letter, was mailed to the owners of properties within 500' of the perimeter of the site on May 11, 2004. In addition, on May 11, 2004, several private individuals/interested parties were notified by mail including representatives from the following organizations or companies: Loxahatchee Groves Landowners Association; The Acreage Landowners Association; Indian Trail Improvement District; 1,000 Friends of Florida; Environmental Law & Land Use Law Center; Palm Beach County Department of Airports; J.W. Corbett Wildlife Preserve; Palm Beach Park of Commerce; Carleton Oaks Homeowners Association, Inc.; Caloosa Property Owners Association, Inc.; Shelby Homes at Osprey Isles, LLC; Pratt & Whitney; Martin County; PGA National Golf Club; and the Village of Royal Palm Beach. Staff has received two letters regarding this request. Martha Musgrove wrote the express concerns about water storage issues associated with the proposed project. 1,000 Friends of Florida also wrote to express concerns about the proposed location, environmental issues associated with the request and the design of the proposed site. These letters are included in Exhibit 5 of this report. In addition, there have been several phone calls of inquiry received by Staff.

E. ASSESSMENT AND CONCLUSIONS

This is an amendment proposing to change a 1,919.23 acre site from Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center with underlying 2 units per acre (EDC/2), and remove the site from the Rural Tier. The applicant has justified a land use change to EDC/2 on the subject site based on the following factors: First, the site's proximity to other industrial areas and good access to transportation facilities – such as the North County Airport, the Beeline Highway, Florida's Turnpike, Interstate 95 and the Port of Palm Beach – make it a good location for this use for which a need has been demonstrated. Second, its location gives it the potential to provide an employment base for the surrounding residential area, which studies related to the Central Western Communities (CWC) Sector Plan identified as in need of such an employment base. Finally, the applicant demonstrated that there were no available sites in the urban/suburban area of the County large enough to support this use.

The applicant has also justified the removal of the site from the Rural Tier, contingent upon approval of proposed text amendments to the Comprehensive Plan being considered concurrently with this application. The proposed changes would create the Scientific Community Overlay (SCO) for this site and allow tier redesignation or removal of a property

from an assigned tier upon the creation of the SCO. The applicant has justified the removal of the site from the Rural Tier based on the lack of available, sufficient land to accommodate growth within the long range planning horizon, as provided for in Future Land Use Element (FLUE) Policy 1.1-b.

The applicant also submitted a market study that demonstrated a need for industrial research and development space in a 7 mile trade radius from the site.

Any compatibility concerns related to this proposal can be adequately addressed through the zoning/site plan approval process. The residentially designated area to the north (Unit 11, part of the Hungryland Slough Natural Area) is used for conservation purposes and will not be developed. The areas with rural residential designations to the south and east can be adequately buffered from the development area of the subject site to alleviate any land use compatibility issues. Also, the parcel to the east is currently in the planning stages to develop with uses complementary to those proposed on the subject site.

The proposal does not meet any of the indicators of urban sprawl, as the applicant has shown that no suitable sites are available further east for the research and development use, while the housing component will help provide a better jobs/housing balance in the area. Also, the mixing of uses that would be required on the site will allow for the efficient provision of public services, as well as the creation of a sustainable community. The proposal also would not constitute piecemeal development, or encroach into a residentially designated area.

Overall, the site is an appropriate location for research and development uses that are expected to substantially improve the County’s economy, provide good-paying jobs for County residents and enhance educational opportunities.

Given the findings and conclusions presented above, the Planning Division recommends approval of the applicant’s request with the following 2 conditions:

1. Development on the site shall be limited as follows:

Use	Intensity/Density	
	Min.	Max.
Research and Development	<u>8,000,000 sq. ft.</u>	10,500,000 sq. ft.
Retail	<u>330,000 sq. ft.</u>	440,000 sq. ft.
Utility ¹	--	392,040 sq. ft., not to exceed 20 acres ³
Educational	<u>1,587,762 sq. ft.</u>	2,117,016 sq. ft., not to exceed 2500 elementary/secondary students and 2000 college/university students ³
Recreation/Community Facility ²	<u>100,000 sq. ft.</u>	487,872 sq. ft. ³
Clinic/hospital	--	529,254 sq. ft., not to exceed 300 beds ³
Residential	<u>2000 units</u>	2000 units, not including any units requested from TDR or <u>and</u> Workforce Housing programs ^{4,5}

1. Includes any building space which may be required to provide utilities, such as potable water, wastewater, electric, telephone, cable television and other utility services.
2. Could include a range of community facility uses, including, but not limited to, the following: community centers, fire stations, sheriff substations, libraries and recreational structures.
3. The maximum square footages for these uses were derived by using the acreage allocated to them on the site master plan, then applying the maximum floor area ratio allowed in the appropriate pod under either the Comprehensive Plan or the ULDC (whichever is more restrictive).
4. Additional units should be added if an adequate number of residential units is not available to provide a sustainable mix of uses internally to this project and/or in close proximity to the project.
5. If the project utilizes either the TDR and/or Workforce Housing Program, the increased density shall be in accordance with the land use conversion matrix contained in DRI Traffic Condition # 67, dated October 5, 2004.
6. To ensure the basic character of the project is not altered, land uses may be exchanged based on the land use conversion matrix contained in DRI Traffic Condition # 67, dated October 5, 2004; however, no land use may exceed the maximum in the table above and no land use may fall below the minimum as specified in the table above.

2. If the Scripps Research Institute does not move forward on the Mecca Site, County staff shall bring to the Board of County Commissioners (BCC) for initiation an amendment to consider returning the property to the Rural Residential, 1 unit per 10 acres (RR-10) designation or another appropriate land use designation.

F. ALTERNATIVE ACTIONS

The following courses of action are available to the Board:

1. Recommendation of ***approval, subject to conditions;***
2. Recommendation of ***approval;*** or
3. Recommendation of ***denial***

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II. EXHIBITS

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EXHIBIT 1

Amendment No.: Mecca Farms EDC (LGA 2004-00045)
FLUA Page Nos.: 22 and 28
Amendment: From Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center with underlying Low Residential, 2 units per acre (EDC/2) and removal from the Rural Tier.
Location: East of the J.W. Corbett Wildlife Area and approximately 1 mile north of Northlake Boulevard
Size: Approximately 1,919.23 acres
Property Nos.: 00-41-42-05-00-000-7020; 3000; 7010; and 00-41-42-06-00-000-5010
Legal Description: See attached
Conditions: See page 1

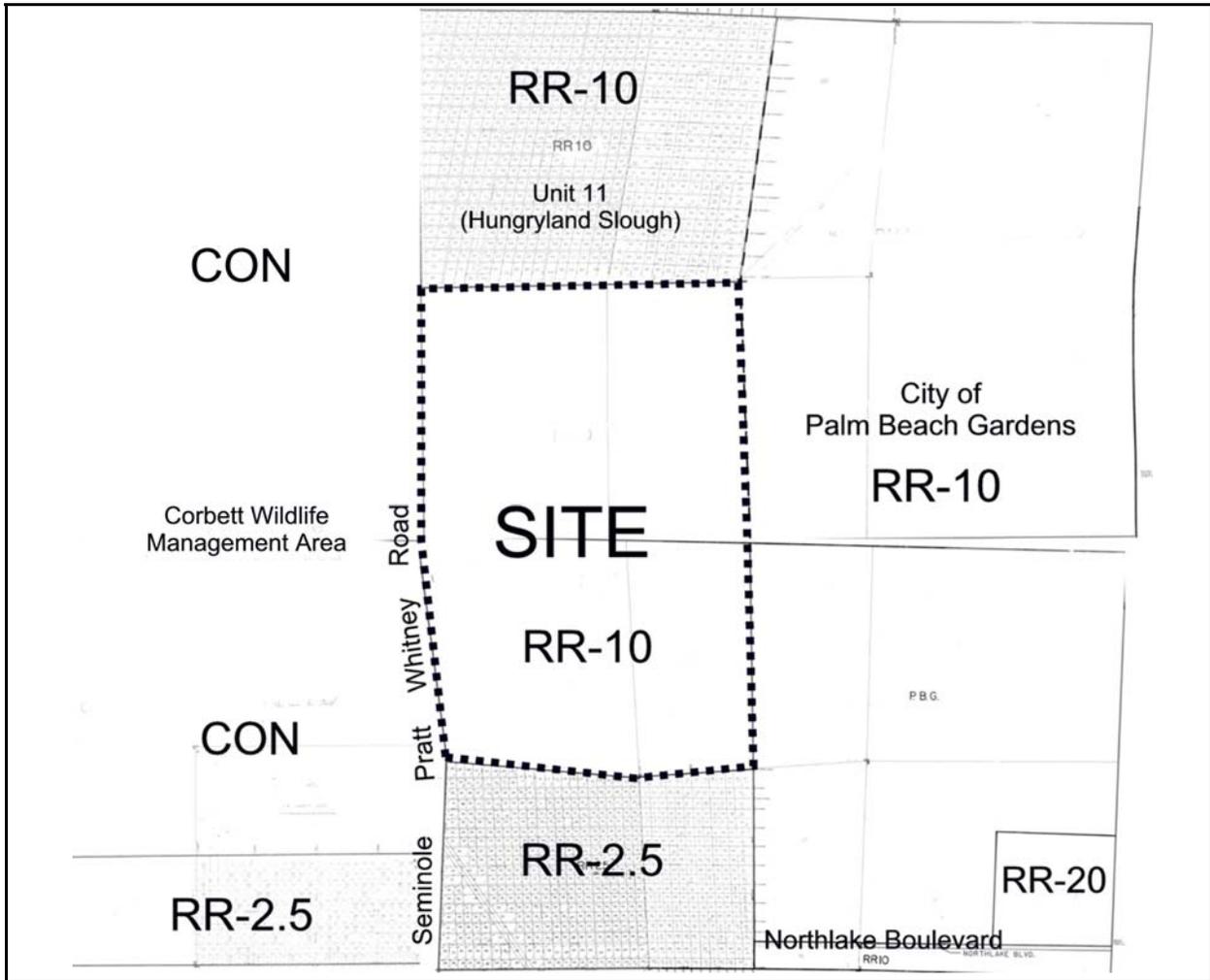


EXHIBIT 2

SUPPORT DATA AND ANALYSIS

Rule 9J-5, F. A. C., requires a land use analysis for each plan amendment, and that land use determinations are based upon this analysis. The analysis of the proposed Future Land Use Atlas amendment addresses, among other items, the following factors, each of which are addressed in detail on the following pages.

A. Consistency with Justification/Need Requirements:	Justification Statement and Demonstrated Need requirements in the Introduction and Administration Element of the 1989 Comprehensive Plan. Justification must be based on one or more of the following factors: <ul style="list-style-type: none">• Changed projections. Changed projections in the Comprehensive Plan, including but not limited to amendments that would ensure provision of public facilities;• Changed assumptions. Changed assumptions in the Comprehensive Plan, including but not limited to the fact that an area's growth has altered the character such that the proposed development is now reasonable and consistent with land use characteristics;• Data errors. Data errors, including errors in mapping, vegetative types and natural features in the Comprehensive Plan;• New issues. New issues that have arisen since adoption of the Comprehensive Plan;• Additional Detail or Comprehensiveness. Recognition of a need for additional detail or comprehensiveness in the Comprehensive Plan; or• Data updates. Data updates.
B. Consistency, County Plans:	Palm Beach County 1989 Comprehensive Plan; and other County Plans and Programs;
C. Consistency, State Statutes:	Urban Sprawl Rule, Administrative Rule 9J-5, Sections 163.3177 F.S., and the State Comprehensive Plan, Section 187.201, F.S.;
D. Compatibility:	Adjacent and nearby land uses, both existing and planned;
E. Service Impacts:	Impacts of the proposed amendment on public facilities and services.

A. CONSISTENCY WITH THE JUSTIFICATION/NEED REQUIREMENTS

1. Review of Justification Statement

The proposed amendment is based on the factors of **Changed Assumptions** and **New Issues**. (See Exhibit 3 for full statement).

Changed Assumptions:

- a. **Opportunity for this type of cluster industry was not anticipated in the Comprehensive Plan:** The application states that Economic Element Objective 1.2 of the Comprehensive Plan encourages the growth of cluster industries. The applicant argues that the Comprehensive Plan did not anticipate the opportunity for the particular type of cluster industry proposed – biotechnology and research and development – and therefore did not provide for its location in the County.

Planning Staff Analysis/Comment: Economic Element Objective 1.2 does indeed encourage the expansion of cluster industries, which are further defined by Objective 1.1 as: “. . . communications and information technology, medical products, agriculture and food processing, business and financial services, aerospace and engineering, tourism, recreation and entertainment, and other emerging cluster industries which complement changing economic conditions, and other high paying job sectors, and small businesses...” (2-EC). Although research and development uses, such as those proposed for the subject site, are not specifically mentioned in Objective 1.1, they are included under the definition of cluster industries, and the Comprehensive Plan already encourages these industries, although the plan did not anticipate such uses at the scale and magnitude proposed in this application.

More importantly, however, this argument deals with need for a particular type of use, and does not address changed assumptions related to the subject site, and why it is an appropriate location for such uses. *Thus, this cannot serve as justification to change the FLU designation on this site.*

- b. **Location is appropriate given proximity to industrial parks, major transportation facilities and The Acreage:** The applicant argues that the site is a prime location for development of an employment center. First, it is near other industrial areas, such as the Pratt & Whitney facility, the Palm Beach Park of Commerce and an area set aside for future development at the North County Airport. Further, it is located near The Acreage, just to the south. Finally, its location provides good access to transportation routes, such as the Beeline Highway, PGA Boulevard and Seminole Pratt Whitney Road (extended).

Planning Staff Analysis/Comment: The site’s proximity to other industrial areas – such as the Palm Beach Park of Commerce and the Pratt & Whitney facility – is not alone justification to change its FLU designation to EDC/2. These areas were designated for industrial uses when the Comprehensive Plan was adopted in 1989, which is when the subject site received its RR-10 FLU designation. Also, these industrial areas have no direct impact on the suitability of the subject site for the proposed use under EDC/2.

However, given the demonstrated need for such a facility in Palm Beach County (see Demonstration of Need section of this report), the co-location next to other

industrial areas is beneficial to both the existing industrial areas and the proposed employment center. In addition, the subject property's proximity and easy access to major transportation facilities also contributes to the appropriateness of this site for the demonstrated need. The North County General Aviation Facility ("North County Airport") is approximately 1.5 miles from the subject site. This could become an important transportation option for both employees of and visitors to the research and development companies that will locate on the subject site. Also important is the site's proximity to the Beeline Highway, which in the future will be accessed via the planned extension of Seminole Pratt Whitney Road approximately three miles north of the subject site. The Beeline Highway provides easy access to Florida's Turnpike, Interstate 95, the Port of Palm Beach and the North County Airport, as well as a corridor to the west coast of Florida. These transportation considerations make the subject site a suitable location for the proposed EDC/2 designation.

The site's proximity to the Central Western Communities (CWC) and other surrounding communities to the north and east of the subject site can also be considered a justification for the proposed change in future land use. The need to provide employment opportunities for the CWC and balance land uses within the area has been identified through the Central Western Communities (CWC) Sector Plan process. Although the subject site is no longer part of the Sector Plan area, a use on this property with the potential for substantial employment generation can help meet the need for employment for CWC residents and provide employment opportunities for those communities located north and east of the subject site.

Thus, due to the site's proximity to other industrial areas, major transportation facilities and surrounding residential areas, the applicant has justified a land use change to EDC/2 based on the factor of changed assumptions.

- c. **The planned development to the east as a complement to development on the subject site:** The applicant states, "...the Vavrus Ranch property is currently in a joint planning agreement with Palm Beach County to develop that property with complementary uses to the proposed Research Park. This combined planning effort will ultimately provide residential units for employees of the Research Park and at the same time provide an employment base for the future residents on the Vavrus Ranch property, The Acreage and other surrounding uses."

Planning Staff Analysis/Comment: The joint planning effort between Palm Beach County and the City of Palm Beach Gardens for the development of the northern part of the Vavrus Ranch to the east with uses complementary to those proposed for the subject site will contribute to efforts to create a sustainable community in this area, but cannot serve as justification for a change in future land use on the subject property. The development of the Vavrus Ranch with the proposed uses is unlikely to occur if the research and development uses proposed on the subject site are not approved. Therefore, using the potential development of the Vavrus property to justify changing the FLU on the Mecca property is a circular argument. The proposed EDC/2 designation for the subject property must be evaluated without the assumption of the development and change in FLU designation of the Vavrus Ranch property. *Thus, this argument cannot serve as justification to change the FLU designation on the subject site.*

- d. **The lack of other developable land large enough to accommodate the proposed type of development:** The applicant states that: “This property was chosen because of the lack of developable land large enough to house the expected 10,500,000 square feet of biotechnology and research & development space being proposed on this property.”

Planning Staff Analysis/Comment: The applicant has demonstrated a need for the proposed research and development uses proposed for the subject property, and has shown that it will help the County to meet its economic goals, as set out in the Comprehensive Plan. Given the potential alternative locations as identified in Exhibit 4, this was identified as the most appropriate location for the proposed use. The suitability of the subject site for the proposed use is demonstrated by the lack of other developable land large enough to accommodate the proposed multiple-use research park facility and allow for economic clustering of research and development companies and the creation of a functionally integrated, sustainable community. Also, as previously stated, there are other factors based on location that make this site desirable for the proposed use, such as proximity to other industrial areas and transportation facilities. Therefore, the need for this use and the appropriateness of this site to accommodate this use is a changed assumption for the subject site. *Thus, the applicant has justified a land use change to EDC/2 based on the factor of changed assumptions.*

New Issues:

- e. **Opportunity for economic development:** The applicant argues that the decision of The Scripps Research Institute (TSRI) to locate in Palm Beach County, and that its development will yield substantial economic benefits to the community and to the state justifies a land use change on this site. The applicant goes on to state that “... the Comprehensive Plan did not anticipate the establishment of such a unique national biotechnology/biomedical research and development establishment in Palm Beach County.”

Planning Staff Analysis/Comment: Staff agrees that the development of biotechnology/biomedical research and development in Palm Beach County is a unique economic opportunity, and several proposed changes to the Comprehensive Plan are designed, in part, to re-position the County and its policies to take advantage of this opportunity. However, this economic opportunity alone does not justify a land use change on this particular site. *Thus, this cannot be used as justification for a land use change.*

- f. **Development at this location could spur development at nearby industrial parks:** The applicant argues that this site is an ideal location for research and development uses, and for the EDC FLU designation, because it could help to spur development at nearby industrial parks.

Planning Staff Analysis/Comment: While it is possible that development of this site under the EDC FLU designation could spur development at other industrial parks in the area (i.e. the Pratt & Whitney facility and the Palm Beach Park of Commerce), the applicant does not provide any data, analysis or other evidence that this would be likely to occur. Therefore, because the applicant has failed to substantiate this contention, *this argument does serve to justify a land use change.*

- g. Uses such as research and development are a good replacement for agricultural lands:** The applicant states: “Large tracts of agricultural lands are being developed and converted to residential, commercial, and industrial uses, thus resulting in the agricultural industry leaving Palm Beach County. This property is a good example of the future of agriculture lands, as this property could be developed as low-density residential, thus not producing agricultural related jobs in Palm Beach County. The biotechnology/biomedical research & development industry is a good replacement for the declining agriculture industry and this property is an ideal location.”

Planning Staff Analysis/Comment: While it is true that a substantial amount of agricultural lands have been converted to other uses in recent years, this is not a trend that should necessarily be encouraged. The County’s Comprehensive Plan recognizes agriculture as one of the County’s most important industries, and contains several provisions for protecting the agricultural industry and agricultural lands. It is sometimes appropriate to replace an agricultural land use with another, but the replacement of agricultural lands should not be a goal in itself.

Further, the subject site is currently designated for rural residential uses, which does not dictate that this property be used exclusively for agricultural purposes. The County has other FLU designations (Agricultural Production, Special Agriculture and Agricultural Reserve) for areas with the intended focus on agriculture. Therefore, this amendment petition seeks to change a residential designation, not an agricultural designation. *Thus, this argument does serve as justification to change the future land use designation on this site.*

2. Justification for removal of the site from the Rural Tier

Policy 1.1-b of the Future Land Use Element provides criteria for the designation and redesignation of properties to tiers in the Managed Growth Tier System. However, a proposed text amendment, being considered concurrently with this application, would modify this language. Also proposed through text amendment to the Comprehensive Plan is the creation of the Scientific Community Overlay, which would cover the subject property. Policy 1.1-b is shown below, with proposed changes underlined:

“In addition to the criteria for amending a future land use designation, the County shall apply the following criteria to allow for the redesignation of a Tier to respond to changing conditions, or to purposely allow pre-designation of an area, when appropriate.

1. The availability of sufficient land to accommodate growth within the long range planning horizon, considering existing development approvals;
2. The need to balance future land uses, considering the impact of continued development on an area and/or its demographics, as identified through a Specific Area Plan within a CWC Sector Plan or through the Community Planning process;
3. The extent to which deficiencies in the Revitalization and Redevelopment Overlay have been addressed;
4. The impact of the pre-designation on the availability of land within the Rural and Exurban Tiers to ensure choices in the residential market place and continuation of these life-style preferences; and,
5. The ability of public facilities and services to be extended in an orderly and economic manner.

Notwithstanding the above provisions, the County shall not approve land use changes which result in the redesignation of a property to another Tier or removal of a property from an assigned Tier prior to the completion of the first Evaluation and Appraisal Report subsequent to adoption of this policy (in 1999) except through use of the Optional Sector Plan process or the creation of the Scientific Community Overlay" (8-FLUE).

The applicant cites two justifications for the removal of the site from the Rural Tier. First, the proposed creation of the Scientific Community Overlay (SCO) on the subject property, which would allow the property to be redesignated to another tier or removed from the Rural Tier prior to the completion of the first Evaluation and Appraisal Report (EAR) subsequent to the adoption of the Managed Growth Tier System (this EAR has not yet been completed). The applicant also states that the removal of the subject site from the Rural Tier will accommodate economic clustering of research and development space, because an industrial future land use (FLU) designation (such as the requested Economic Development Center [EDC]) is needed to do this, and industrial FLU designations are not permitted in the Rural Tier.

Planning Staff Analysis/Comment: The applicant is correct that the proposed text changes to the Comprehensive Plan, if approved, would allow the subject site to be removed from the Rural Tier prior to the completion of the EAR that is currently being produced. The text changes designate the property as the SCO, and make the SCO eligible for tier redesignation or removal prior to the completion of the EAR.

The applicant also correctly points out that industrial FLU designations are not permitted in the Rural Tier, and that an industrial FLU designation – which includes the requested FLU of EDC – is needed to accommodate the research and development uses proposed for the property. The applicant has demonstrated a need for this type of use (see Demonstration of Need section of this report) and shown that sufficient land in the Urban/Suburban Tier is not available. This factor relates to the first criterion of Future Land Use Element (FLUE) Policy 1.1-b above.

Criterion 5 of FLUE Policy 1.1-b also applies to this request for removal from the Rural Tier. Although the proposed development will require a substantial initial public investment in infrastructure, the proposed text changes accompanying this plan, if approved, will require a functional and integrated mix of uses that will encourage provision of many public facilities and services on-site, and the maximization of their use. This will reduce the cost of providing services in the long term. The multiple-use development pattern and presence of community facilities on-site will also encourage the internalization of automobile trips, thus reducing strain on the capacity of the roadways external to the project in the long term.

Therefore, based on the above analysis and contingent upon approval of the proposed text changes related to the Scientific Community Overlay, the applicant has justified the proposed removal of the site from the Rural Tier.

3. Review of the Applicant's Demonstration of Need

This proposed amendment is to change the subject site's future land use (FLU) designation from Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center with underlying 2 units per acre (EDC/2).

The market study submitted demonstrated a need for the proposed economic development center/industrial research and development space in a 7 mile trade radius. The market study results differed from the findings of the Commercial Needs Assessment Study (CNAS), which found an oversupply of industrial land in Metropolitan Planning Organization (MPO) Sector 21 through 2015. The market study examined a larger area and focused on the biotechnological cluster industry.

Planning Staff Analysis/Comment: The applicant's market study does show a need for the proposed economic development center/industrial research and development space in a seven mile trade radius before the year 2020. Additionally, although higher in some submarkets, industrial vacancy rates throughout the County are approximately 5% and declining. Existing uses in the area include distribution centers, airplane hangars and warehouse/storage.

The results of the CNAS – showing an oversupply of industrial land through 2015 in MPO Sector 21, are not applicable, since the study did not specifically address the biotechnological cluster industry. In addition, EDC will likely service a larger area than the MPO sector specified by the CNAS. *Therefore, the applicant has met the demonstration of need requirement.*

B. CONSISTENCY WITH COUNTY PLANS AND PROGRAMS

Policies that pertain to the provision of services and/or development of the site itself are addressed, where appropriate, in following sections of this report. Other more general policies and growth management directives that have a relationship to the petition are addressed below.

1. Consistency with the 1989 Comprehensive Plan

- **Introduction and Administration Element Growth Directive:** encourages redirected “growth to the East where services and facilities can be provided and encourage the revitalization/redevelopment of the coastal communities” (1 -IA). Such redirection of growth also supports the *County Land Use Element Infill Directive* in the Future Land Use Element that encourages “infill development in urban areas to increase efficient use of land, and existing public facilities and services.” (5-FLUE).

Planning Staff Analysis/Comment: The proposed development on this site is expected to help the County meet both current economic goals, and economic goals in proposed Comprehensive Plan text changes being considered concurrently with this application. Because of the limited amount of available, developable land, a project of this scale, including the anticipated spin off industries, could not be accommodated further East (See Exhibit 4).

Also, while this development will require the extension and upgrading of several public facilities and services, the sustainable, multiple use development pattern for the site allowed for by master planning and which would be mandated by the proposed Scientific Community Overlay (SCO) would make the provision of public facilities and services more efficient in the long term. *Thus, the proposed amendment is consistent with this Directive.*

- **Future Land Use Element Policy 2.2-f:** “The County shall not approve site specific Future Land Use Atlas amendments which encourage piecemeal development or create residual parcels.” (45-FLUE).

Planning Staff Analysis/Comment: The proposed amendment would not encourage piecemeal development, as this large parcel will allow for the development of a master plan, and an integrated, functional mix of uses would be mandated by the proposed Scientific Community Overlay (SCO). Further, the County has entered into a joint planning effort with the City of Palm Beach Gardens for the development of the adjacent property to the east with uses complementary to – and to be integrated with – those proposed for the subject site.

The proposal also would not create any residual parcels, as the uses to the north, south and west are likely determined, and the land to the east will have enhanced development options. *Thus, the proposed amendment is consistent with this policy.*

- **Future Land Use Element Policy 2.2.1-b:** “Areas designated for Residential use shall be protected from encroachment of incompatible future land uses and regulations shall be maintained to protect residential areas from adverse impacts of adjacent land uses. Non-residential future land uses shall be permitted only when compatible with residential areas, and when the use furthers the Goals, Objectives, and Policies of the Plan.” (45-

FLUE).

Planning Staff Analysis/Comment: The area to the north designated RR-10 will not be developed residentially, as the County owns or controls much of it for conservation purposes. The EDC uses would not encroach into the City Palm Beach Gardens RR-10 designation to the east, especially given the proposed joint planning effort between the County and the City of Palm Beach Gardens to develop it is with uses complementary to those proposed for the subject site. Finally, there will be a clear separation between the proposed uses on the subject site and the RR-2.5 designation to the south. Further, the size of the site and zoning regulations will allow a significant separation between the surrounding rural residential and conservation uses and the development area of the subject site. *Thus, the proposed amendment is consistent with this policy.*

- **Economic Element Policy 1.2-c:** “The County shall support the creation of business centers close to transportation centers which stimulate intermodal transport and transit. In addition, the Economic Development Coordinator’s Office shall coordinate activities with other appropriate agencies and provide incentives for the creation of business/industrial complexes at interchanges along major transportation corridors, consistent with industry-clustering strategies.” (3-EC).

Planning Staff Analysis/Comment: The site has several locational advantages relevant to this policy. First, it is located approximately 3 miles from a potential interchange with the Beeline Highway (via the proposed extension of Seminole Pratt Whitney Road to the north), a major transportation corridor providing connection not only to Florida’s Turnpike and Interstate 95, but also to the Port of Palm Beach and the North County Airport, thus encouraging intermodal transport options. Also, there is a railroad right-of-way (ROW) that runs along the Beeline Highway. This ROW could be useful to residents and companies on the site not only for heavy rail transport, but possibly in the future for such things as people mover or light rail transit, or as a bicycle trail. Although no plans for these facilities exist, it is good planning to provide for these options should they be desired in the future. The large, employment-generating use proposed for the subject site would likely maximize the use and efficacy of such facilities. *Thus, the proposed amendment is consistent with this policy.*

2. Consistency with Applicable Neighborhood Plans, Overlays, and Studies

The subject site is located within the boundaries of the Western Northlake Corridor Land Use Study (WNCLUS), which was completed in 1999 as a joint effort between the County, the City of Palm Beach Gardens and the City of West Palm Beach to determine appropriate land uses within the Northlake Boulevard area which would preserve and enhance the rural character of the area, while also recognizing and planning for limited urban development. However, in accordance with an interlocal agreement associated the Study, the subject site is exempt from the recommendations of the WNCLUS because it is currently part of a Development of Regional Impact (DRI) application.

The Scientific Community Overlay (SCO) is being proposed for the subject site as part of several Comprehensive Plan text amendments being considered concurrently with this application. This Overlay, as proposed, would allow the property to be removed from the Rural Tier, consistent with the request for Tier change in this application. In addition, in order to provide necessary services to the site, a Limited Urban Service Area (LUSA) designation is

proposed for this site. The SCO would be subject to the rules and property development regulations of the Urban/Suburban Tier, and the SCO will consist of the Economic Development Center (EDC) and Low Residential, 2 units per acre (LR-2) future land use (FLU) designations. The proposed designation of EDC/2 sought by this application for the subject property is consistent with these designations that would be allowed by the SCO. *Thus, the proposed amendment is consistent with the proposed Scientific Community Overlay.*

C. CONSISTENCY WITH THE URBAN SPRAWL RULE

Florida's Department of Community Affairs evaluates local land use amendments for consistency with Administrative Rule 9J-5, which sets out criteria for determining when a proposed plan amendment contributes to urban sprawl, in order to comply with Sections 163.3177 F. S., and the State Comprehensive Plan, Section 187.201, F.S. An evaluation of each of the thirteen review criteria is provided below.

9J-5.006.5.1: *Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.*

The proposed Comprehensive Plan land use amendment provides for a multiple use development at a significant intensity while minimizing the external effect of the project by designing a balance of land uses within the project, which provides for employment, housing, civic needs, and commercial needs for both residents and employees of the research and development companies expected to locate there. At the same time, these land uses have been clustered on the property to provide significant environmental enhancements adjacent to existing environmentally sensitive and conservation properties to the north and west of the property.

The Scientific Community Overlay (SCO) – proposed as part of several text amendments to the Comprehensive Plan being considered concurrently with this application – allows for the Economic Development Center with underlying 2 units per acre (EDC/2) future land use designation to include commercial and residential elements to serve the future workforce. Under the PIPD Policy 2.2.4-b of the Comprehensive Plan (as amended by proposed changes), a Planned Industrial Park Development allows for residential if recreation and a balance mix of land uses is provided to meet the needs of the projected work force and residential population. The EDC land use will allow for a variety of land uses associated with research & development, thus creating the opportunity for a large workforce in this area. Specifically, the Research Park is proposing 440,000 square feet of commercial space and approximately 2000 residential units as part of the development plan. The commercial square footage is projected to service those residents living and working in the Research Park, while the residential uses are anticipated to provide housing to accommodate the jobs to be established in the Research Park. The need for the residential units proposed as part of this project is explained below. It is assumed under the joint planning effort that a larger element of commercial and residential uses will be provided as part of the development of the Vavrus Ranch property. Those commercial areas will service the community needs for the Research Park, the Vavrus Ranch and the surrounding communities.

The size of the subject site allows for economic clustering of many biotechnology and research and development companies in the same area. Economic clustering allows for these companies to take advantage of a common labor pool or to gain convenient access to highly specialized services that are present to service the needs of an “anchor” business (i.e., TSRI). The Research Park is designed to service the workforce created by these economic cluster

companies and TSRI with a variety of commercial and residential needs. The jobs that will be created by the Research Park will also be available to the residents currently located in The Acreage, which is an area of Palm Beach County immediately adjacent to the property that does not have a significant employment base. Although this development will draw employees from all over the region, there is a significant need for an employment base in this area of the County.

Further, the following analysis was conducted to assess the need for additional housing related to this proposed development, as well as to show summarize the need for employment in the area which will provide a better balance of jobs and housing: The projected number of long-term employees in the Research Park is estimated at 18,896 workers. Of this total, 13,224 workers are anticipated within the very-low to moderate-income groups. Of the 13,224 workers referenced above, the expected number of very-low to moderate-income workers will generate demand for 4,561 residential units.

Assuming a ratio of 0.34 units/employee (derived by: $4,561/13,224$), the additional housing demand generated by the 5,672 high-income workers (with incomes in excess of 120% of the countywide median) is estimated at 1,928 units. Adding demand created by high-income employees (1,928 units) to demand created by very-low to moderate-income employees (4,561 units) results in a total housing demand of 6,489 units for the Research Park employees. Therefore, the demand/need for housing generated by projected employment justifies the allocation of 2,000 units on-site.

Some of the current residents and employees in the area may elect to work in the nearby Research Park. Therefore, some of the additional 6,489 units of housing generated by the Research Park employees may be partly served by the existing rural residential land use. However, many of the current residents and employees in the area may not have the required specialized job skills unique to Research and Development. As a result, the need for additional housing in the area is essential to provide for a complete balance of jobs and housing.

To summarize, the current development situation in the central western area of Palm Beach County surrounding the subject site is one that essentially contains rural residential land use. The labor force associated with the residents in this area currently work outside the area as the employment opportunities within the area are extremely constrained, with only limited commercial retail nodes offering predominantly retail employment.

The research and development, university, high school, hospital, hotel and limited commercial space planned for the Research Park is estimated/projected to create 18,896 jobs by the projected build-out date of 2030. Hence, this Economic Development Center (EDC) will go a long way toward rectifying an existing imbalance in the area between jobs and housing. As indicated above, need for the additional 2000 units proposed for the Research Park is demonstrated. More importantly, however, a substantial number of jobs are being brought to an area that, to date, has very limited employment opportunities. Over the 25 years to Research Park build-out, the additional housing in the area will help ensure a better balance of jobs and housing.

Thus, this amendment does not promote for development substantial areas of the County to develop as low-intensity, or single-use development or uses in excess of demonstrated need, as this proposal is intended to contain medium to high net densities, incorporates a mix of uses, will be a multiple use development and a need for the amount and type of proposed units has been demonstrated. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.2: Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

The subject property is surrounded by existing conservation lands on the north (Hungryland Slough Natural Area) and west (J.W. Corbett Wildlife Management Area). Low-density residential use exists to the south of the subject site (The Acreage). The Acreage consists of 18,000 lots generally 1.25 acres in size. The pattern of this development in the Acreage led to its assignment to the Exurban Tier, rather than the Rural Tier.

The property to the east of the subject site (Vavrus Ranch) is within the jurisdiction of the City of Palm Beach Gardens and this currently undeveloped agricultural and environmental land is being planned for development with similar and complementary uses to those proposed for the Research Park. Given the extent of the environmental land on the Vavrus site, it contains too many constraints for the planned integrated uses needed in the Research Park. However, efforts to jointly plan for both developments are underway with representatives from the City of Palm Beach Gardens and the Business Development Board of Palm Beach County, Inc., the contract purchaser of a portion of the Vavrus property. This joint planning effort will continue, as the details of the adjacent project are refined. A Development of Regional Impact (DRI) application has been submitted for the said portion of the Vavrus property, and shows a master plan which is intended to be integrated with the master plan for the subject site. Further to the east and abutting the Vavrus property is the North County General Aviation Airport and environmental lands held in public ownership. Finally, to the east of those properties is the Urban Service Area Boundary (USAB) and existing developments of Palm Beach Gardens. Therefore, this amendment does not promote leapfrog development, since there was no viable property available to support these types of land use further east. (See Exhibit 4) The subject site is not at a substantial distance from existing urban development and is in close proximity to major transportation facilities for easy access.

This application request is for both an EDC/2 land use designation and removal from the Rural Tier. Further, the County is processing several proposed text amendments to the Comprehensive Plan related to this property, which are being considered concurrently with this application. One proposed change will designate this property as a Limited Urban Service Area (LUSA), which is a geographic area outside the Urban Service Area that may receive urban levels of service. LUSA designations already exist to the north and northwest of this property, where the Palm Beach Park of Commerce and Pratt & Whitney have provided an employment base since the 1960s. The concurrent proposed text amendment creates the Scientific Community Overlay (SCO) for the property, and allows the rules and property development regulations of the Urban/Suburban Tier to be applied within it. The SCO is also designed to require a functional mix of uses on the site, thus allowing the proposed research park to develop into a sustainable community.

In choosing this site for the Research Park, other sites were considered, such as Abacoa and the Vavrus Ranch property. Of the few vacant sites available in Northern Palm Beach County, some of these sites were not large enough in size, as in the case of Abacoa, and some sites' useable land area was significantly limited due to the presence of environmentally sensitive lands, as in the case of the Vavrus Ranch property and the Briger property (See Exhibit 4). This proposed amendment does not promote development to occur in rural areas at substantial distances from existing urban areas, and does not leap over potential undeveloped lands, which are available and suitable for development. The subject site has been determined to be most appropriate for the proposed development. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.3: Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.

The proposed FLUA amendment will not allow development to occur in radial, strip, isolated or ribbon patterns. The shape of the subject parcel encourages a compact development, while the size facilitates master planning which will allow uses to be arranged in a compact, efficient and attractive way. Further, master planning will allow future roadways (i.e., Seminole Pratt Whitney Road, PGA Boulevard and various local streets) to be incorporated into the design of the site, rather than the development occurring in a strip or ribbon pattern along a roadway.

Urban development on the site would not be isolated, as there are other large-scale, intensive uses in the vicinity, such as the Pratt & Whitney facility, the Palm Beach Park of Commerce and the North County General Aviation Airport, as well as the proposed complementary development on the Vavrus property east of the subject site. Regional access to the area will be provided by such major roads as the Beeline Highway, Northlake Boulevard, the future extension of PGA Boulevard and the future extension of Seminole Pratt Whitney Road. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.4: As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, flood plains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The existing site is currently used as a citrus grove and for mining and excavation of sand. As stated above, the site is surrounded on the north and west by conservation lands. As part of the planning behind this future land use amendment, natural areas and lakes will be situated in areas that are most suitable to protect the adjacent lands. The design of these natural areas will, in fact, enhance and protect surrounding publicly owned environmental properties and contribute to the larger goals of the Comprehensive Everglades Restoration Plan (CERP) Project. Early coordination meetings with the South Florida Water Management District (SFWMD) resulted in a determination that these natural areas can help further the goals of the Comprehensive Everglades Restoration Program (CERP), which includes the restoration of the Loxahatchee River Watershed. The North Palm Beach County CERP plan has identified the need to have an interconnection between the L-8 Basin and the C-18 Basin. Specifically, the Research Park Natural Area includes a provision for future use by SFWMD for this L-8/C-18 Basin interconnect. This basin interconnect, when implemented by SFWMD and the U.S. Army Corps of Engineers, can provide a means to deliver water from the L-8 Basin to the Loxahatchee Slough and River system during the dry season, and, deliver excess water from the Loxahatchee Slough (C-18 Canal) to the L-8 Basin for storage during the wet season. Because these enhancements will be made as part of the proposed project for the subject property, approval of this amendment will help meet significant regional environmental objectives.

Under this amendment the more intense land uses will occur on the east side of the property and adequate buffers will be installed to protect the surrounding properties from this development. The required lakes on the property will incorporate the existing excavation areas. Additionally, the site is located in an area that is not considered to be environmentally sensitive. The property, which currently is an active citrus grove and excavation project, contains no environmental lands. As a result of the required lakes and retention areas needed for development of this property, several hundred acres of new natural areas will be created.

Therefore, the net effect of this amendment and the future development of this property will not only protect, but enhance the environment on site and adjacent to it. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.5: Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique, and prime farmlands and soils.

As previously stated, while the site has been utilized as a citrus grove, it currently has existing approval in place permitting excavation of the site, which over time, would eliminate the agricultural activity. To the north, west and south there is no agricultural activity, these properties being either environmentally protected or rural residential. To the east, the Vavrus property has a limited amount of agricultural activity consisting of a small area of row crops and some cattle grazing. However, this property is also in the planning process of converting to a complementary community to the Research Park. There is no other significant agricultural activity within several miles of the property. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.6: Fails to maximize use of existing public facilities and services.

As part of the initial planning of the project, Palm Beach County had its engineering consultants evaluate all options for the provision of public facilities and services. Based upon this analysis, the most efficient options were chosen. The utility lines that service this property will be appropriately sized to service the identified needs of the project. Other services, such as police, fire, libraries, parks, etc. will be appropriately adjusted or sized to service not only the Research Park but also the existing adjacent residential area needs. Adequate land area for such facilities will be accommodated within the boundaries of the Research Park. Coordination of facilities is also being undertaken through a joint planning process with the City of Palm Beach Gardens. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.7: Fails to maximize use of future public facilities and services.

As stated in the previous response to 9J-5.006.5.6, Palm Beach County has evaluated both its existing and future facilities and the needs to extend or improve such. The Research Park will be developed pursuant to a phasing plan for a twenty-five year period, which will permit the extension and improvement of facilities to occur in a timely and orderly manner when needed. Further, the site's planned compact, multiple-use development pattern – which will include community facilities on-site – will make the provision of public services more efficient than if development were to occur in a low-density, single-use fashion in the future. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.8: Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, wastewater, storm water management, law enforcement, education, health care, fire and emergency response, and general government.

The proposed land use pattern of the Research Park represents compact, sustainable development, which will result in a more efficient provision of services, particularly in the long-term. The Research Park includes a Phasing Schedule contained with the DRI Application for Development Approval (ADA) being submitted for review to the Regional Planning Council, which measures the intensities and densities of each phase and includes phasing of necessary facilities to service the development in a timely and efficient manner. The phasing has been

designed to allow the construction of infrastructure such as roads, utilities, and drainage to occur in a logical and coordinated pattern, maximizing efficiency and cost control. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.9: Fails to provide a clear separation between rural and urban uses.

This land use amendment will continue to maintain a clear separation between rural and urban uses. The conservation lands to the north and west on adjacent properties will be enhanced through the construction of a natural area between these lands and the development area of the project. This multipurpose conservation area will include both wetlands and uplands. The property to the south is already developed at 1 unit per 1.25 acres residential, which has been assigned to the Exurban Tier, rather than the Rural Tier. The water management system of the project has been designed to provide a significant lake and surrounding upland area between the developed portion of the project and the existing residences to the south. On the property to the east (City of Palm Beach Gardens), which will include the future extension of PGA Boulevard, a similar urban development pattern to this site currently is being planned. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.10: Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

This amendment does not discourage or inhibit infill development or the redevelopment of existing neighborhoods and communities. There are no other viable sites of sufficient size to accommodate these types of land uses at the intensity proposed for this site (See Exhibit 4); therefore, this particular amendment is not hindering infill development or redevelopment of any parcels further east. The only existing residential community adjacent to the site is The Acreage, which consists of 18,000 single-family lots each approximately 1.25 acres in size. The Acreage is currently 83% built-out and the remaining vacant lots are rapidly developing with homes. The future development under this amendment will expand the employment base in this area, which will serve as a stimulus to the infill of the vacant properties in The Acreage and the further improvement of existing homes and neighborhoods as the desirability of homes in proximity to employment in the Research Park increases. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.11: Fails to encourage an attractive and functional mix of uses.

The proposed request for the EDC/2 land use will require an attractive and functional mix of uses, while maintaining consistency with the Comprehensive Plan. In addition to the uses associated with research & development and science & technology, both the proposed EDC/2 land use request and the proposed Scientific Community Overlay text amendment will allow a variety of land uses, including employment, commercial retail and service, civic, recreation and residential areas. Under the proposed EDC/2 land use, the property will be rezoned to the Planned Industrial Park Development (PIPD), which will also accommodate a variety of land uses in addition to those associated with industrial and manufacturing. As mentioned above, the size of the site allows for master planning, which will also help ensure an attractive and functional mix of uses on-site. The Research Park has been designed with care to locate complementary uses in close proximity, such as the siting of the TSRI, Town Center with residential housing, and college campus within a pedestrian friendly walking distance. The balance of residential and non-residential uses has been tested with both traffic and economic models to achieve internalization of uses and trips and sustainability. Additionally, the new nonresidential uses will provide services and uses to the adjacent existing residential area, The Acreage. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.12: Results in poor accessibility among linked or related land uses.

This proposed amendment will not result in poor accessibility among linked or related land uses. With the future extensions of Seminole Pratt-Whitney Road to the north and PGA Boulevard to the east, access to the site will be enhanced, while existing roads will also be improved. The site's close proximity to the Beeline Highway provides excellent access to a regional transportation corridor, and a good connection to both Florida's Turnpike and Interstate 95. Additionally, the property to the east (Vavrus) will be developed through joint planning efforts by Palm Beach County and the City of Palm Beach Gardens to enhance and achieve a balance of land uses and sustainability for both projects. Interconnecting roadways are planned and incorporated into the master development plan for this project, and are coordinated with the adjacent property's roadway system. Mass transit connections are also proposed as part of this development. Within the Research Park, various types of pedestrian connections have been planned, including traditional sidewalks and multi purpose "pedways" connecting the varied residential and non-residential uses. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

9J-5.006.5.13: Results in the loss of significant amounts of functional open space.

This amendment will not result in the loss of significant amount of open space. The existing site is currently used as a citrus grove and for mining and excavation of sand. The gated citrus grove and excavation project on the site provides no functional open space. As a result of this amendment, the property will be developed under the property development regulations of the Unified Land Development Code (ULDC), thus resulting in required open space areas. The proposed request and development plan show significant amounts of functional open space and recreation areas. The Research Park has incorporated a greenway mall that extends from the north end of the Research Park down to the TSRI facility in the south. This area will provide additional walking and biking trails for employees and residents. There is a significant amount of open space associated with the natural area and the required water management system, and the DRI Application for Development Approval (ADA) submitted for the proposed development indicates that 30 acres will be set aside for recreation and open space uses. The project's civic sites have been created to incorporate public facilities, including parks and schools and, where possible, multiple use areas. The property currently has no functional open space, and approval of this amendment will result in the creation of substantial amounts of functional open space. *Therefore, the proposed amendment does not meet this indicator of urban sprawl.*

Thus, based on the above analysis, the proposed amendment is not considered urban sprawl.

D. COMPATIBILITY

1. Subject Site, existing land use and zoning.

Existing Use:	Citrus grove and sand excavation
Existing Zoning:	Special Agricultural (SA) on approximately 1631 acres, with a Class A Conditional Use for Type III Excavation on a 225 acre portion of that & Agricultural Residential (AR) on the remainder of the property
Potential Zoning:	Planned Industrial Park Development (PIPD)

2. Surrounding Uses, Future Land Use Designations, and Zoning Approvals

Overall, the area around the site is exurban and rural in character, and contains mostly large, undeveloped conservation lands, environmentally sensitive lands and exurban residential development. To the north of the site is Unit 11, which is part of the Hungryland Slough Natural Area, with a future land use (FLU) designation of Rural Residential, 1 unit per 10 acres (RR-10). Palm Beach County owns or controls approximately 85% of this area for conservation purposes. To the south of the subject site is The Acreage, an exurban residential community with an average lot size of approximately 1.25 acres. The FLU designation in The Acreage is Rural Residential, 1 unit per 2.5 acres (RR-2.5), and it is approximately 70% built out. To the east – inside the City of Palm Beach Gardens – is the Vavrus Ranch, which includes some environmentally sensitive land and is currently used for cattle grazing. This property currently has an RR-10 designation. However, Palm Beach County and the City of Palm Beach Gardens are undergoing a joint planning effort whereby the northern part of the Vavrus Ranch would be developed with uses complementary to those proposed for the subject site. Finally, to the west – across Seminole Pratt Whitney Road – is the J.W. Corbett Wildlife Management Area, a state-owned fish and wildlife preserve with a Conservation (CON) FLU designation.

	Subdivision/Use	Existing Use	FLU	Zoning	Density/Sq.ft.
North	Hungryland Slough (includes Unit 11)	Conservation	RR-10 (part) and CON (part)	AR	N/A
South	The Acreage	Exurban Residential	RR-2.5	AR	1 unit / 1.25 acres
East	Vavrus Ranch	Agricultural (cattle grazing)	RR-10 (City of Palm Beach Gardens)	PDA (City of Palm Beach Gardens)	N/A
West	J.W. Corbett Wildlife Management Area	Conservation	CON	AP (part) and PC (part)	N/A

3. Compatibility Directive, Future Land Use Element, page 6-FLUE: This directive requires that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated. The applicant contends that the existing citrus grove and sand excavation operations on the property are incompatible with the conservation uses to the north and west, and that the sand excavation is inconsistent with the rural residential uses to the south and the agricultural use to the east. The incorporation of buffers through development of the proposed Economic Development Center with underlying 2 units per acre (EDC/2) future land use (FLU) designation, the applicant states, would alleviate any compatibility concerns with surrounding uses. The applicant also states that the proposed EDC/2 designation is not consistent with the FLU designations to the north, south, east and west. However, the application argues that buffering can mitigate these compatibility concerns with adjacent FLU designations to the north, south and west. Further, the applicant points out that the

Vavrus Ranch property to the east is planned for a complementary development to that proposed for the subject site and a concomitant change in FLU designation, which would eliminate any compatibility concerns with that property.

Planning Staff Analysis/Comment: Compatibility is defined in Rule 9J-5.003, FAC, as a condition in which land uses can co-exist in relative proximity to each other in a stable fashion over time such that no use is negatively impacted directly or indirectly by the other use. The subject site is bordered on the north by the area known as Unit 11, part of the Hungryland Slough Natural Area. Although this site has an RR-10 FLU designation, it is County owned land uses for conservation purposes and will not be developed. The proposed development on the subject property, with appropriate safeguards, will not adversely impact these conservation lands. To the south of the subject site is The Acreage, a large exurban residential area with an RR-2.5 designation. Compatibility concerns of the proposed development with The Acreage will be addressed through substantial buffering between the development portion of the site and the residences to the south through the site plan/zoning approval process, and through the master plan required by the Development of Regional Impact (DRI) approval process. Regarding compatibility to the east (which currently supports cattle grazing and has a City of Palm Beach Gardens FLU designation of RR-10), adequate buffering could be provided through the development approval process to mitigate any negative impacts on this property. Further, this property (known as the Vavrus Ranch) is subject to a joint planning effort between Palm Beach County and the City of Palm Beach Gardens to develop it with multiple uses to complement the proposed development on the subject property. In order to do this, of course, the FLU designation on the Vavrus Ranch property would be changed to a designation that is compatible with the subject site's proposed EDC/2 designation. Therefore, contingent upon this scenario the property to the east will be considered compatible with the subject site's proposed development. Finally, to the west across Seminole Pratt Whitney Road is the J.W. Corbett Wildlife Management Area, which has a future land use designation of Conservation (CON). Compatibility of development of the subject site with this area is not a concern for two reasons: first, Seminole Pratt Whitney Road, as proposed to be paved on the west side of the subject site, is a substantial barrier between the two uses; and second, the size of the subject property will allow for buffering to mitigate any compatibility issues. Also, among the proposed text amendments to the Comprehensive Plan proceeding concurrently with this land use amendment is a policy requiring that Design Standards be developed for the Scientific Community Overlay (SCO) – which would cover the subject site – and require that compliance with these Design Standards be a condition of approval on any development order issued in the SCO. The policy would require, in part, that the Design Standards address compatibility with, and minimization of impacts on, land uses adjacent to the SCO. Thus, the proposed amendment is consistent with the compatibility directive.

E. SERVICE IMPACTS

The following section examines the impacts of the proposed amendment on public facilities.

- Findings from the Traffic Study:** The Traffic Study was prepared by Pinder Troutman Consulting, Inc., West Palm Beach Beach, Florida. The maximum traffic generation for the subject property under the existing RR-10 designation is 1,920 trips per day (tpd). The generation for the subject property under the proposed uses under the EDC/2 designation is 103,180 tpd. The proposed EDC/2 designation increases the daily traffic

generation by 101,260 tpd.

The traffic analysis was done for the conditional density and intensity (as shown on page 1 of the staff report). To analyze the long-range traffic impacts, MPO's 2025 volumes were not used because some of the roadway segments are to be newly built and the model will not be able to project volumes for segments that are not there in the 2025 map. The methodology used in this study for projecting the 2030 volumes has been approved by the Engineering Dept., FDOT and TCRPC.

Based upon the 2030 volume projections and the distribution of trips that would be generated due to the requested land use change from RR-10 to EDC/2 for the 1919.23 Acre parcel located one half mile north of Northlake Blvd. on the east side of Seminole Pratt Whitney, the following roadway segments will be significantly impacted (above 3% of capacity) and will not operate at the adopted Level of Service.

- PGA Boulevard from Seminole Pratt Whitney to site
- PGA Boulevard from Beeline to Ryder Cup
- Northlake Boulevard from 140th Ave. to Coconut Blvd.
- Seminole Pratt Whitney Road from Beeline to PGA Blvd.
- Seminole Pratt Whitney Road from PGA Blvd. to Northlake Blvd.
- Seminole Pratt Whitney Road from Northlake Blvd. to Orange Blvd.

2. **Traffic Impacts, Future Land Use Element Policy 3.5-d:** "The County shall not approve a change to the Future Land Use Atlas which results in an increase in density or intensity of development generating additional traffic that significantly impacts any roadway segment projected to fail to operate at the adopted level of service standard based upon the adopted Long Range Transportation Plan." (73-FLUE)

Planning Staff Analysis/Comment: As shown above, the applicant's traffic analysis indicates that six roadway segments have significant project traffic and are projected to exceed their capacity in the year 2030. However, all these segments are to be designated as CRALLS and are included in the Scripps expedited review process. Also, with the concurrent text amendments, FLUE Policy 3.5-d is proposed to be amended to exempt the Scientific Community Overlay from the requirements of this policy. *As a result, this amendment would not be inconsistent with the traffic requirements of the Comprehensive Plan for land use amendments.*

3. **Access - Transportation Element Policy 1.3-g:** "New access along existing arterial and collectors shall be controlled and limited in order to increase safety margins, traffic capacity, and traffic flow; shall be consistent with existing State and County standards; shall allow for the integration of multimodal considerations, where applicable; and shall consider impacts on adjacent neighborhoods." (38-TE).

Planning Staff Analysis/Comment: Direct access to this site would be from the existing Seminole Pratt Whitney Road and the future extension of PGA Boulevard. As proposed, the extension of PGA Boulevard would be integrated into the site, and would be designed with a master plan of the site considered. The County would also ensure that direct access to Seminole Pratt Whitney Road from the site is limited. Also, because the size of the subject site and the fact that PGA Boulevard has yet to be built, master planning will allow the site and roadways to be designed with multi-modal considerations, including mass transit facilities pedestrian circulation systems. *Thus, the proposed amendment is consistent with this policy.*

4. **Mass Transit Impact:** The applicant indicates that there is currently no mass transit service to the subject site, and that the nearest bus route is Palm Tran route 32 to VA Hospital. The applicant states that there are no direct connections to Tri Rail from the site.

Planning Staff Analysis/Comment: Palm Tran expressed an interest in operating two routes to the site in the future, one via Northlake Boulevard and Seminole Pratt Whitney Road, and the other via the proposed extension of PGA Boulevard. Palm Tran also indicates an interest in the design of the proposed Intermodal Center on the site, which needs to ensure access for Palm Tran buses consistent with its Transit Design Manual, and to ensure that facilities are accessible under the provisions of the Americans with Disabilities Act. Finally, Palm Tran stated that they desire what it terms “normal infrastructure (shelters, benches, pull-outs, etc) and on premise access (turning movements, recover/layover locations, etc).”

Additionally, the Florida Department of Transportation (FDOT) commented the following transit related issues should be addressed: first, clearly defined transit goals for coordinating transit service and infrastructure with development activity; and second, how transit goals will aid in demonstrating the trip internalization objectives of the Development of Regional Impact (DRI) application

5. **Other Transportation Impacts:** The site is also located near the North County Airport and several Florida Intrastate Highway System (FIHS) facilities.

Planning Staff Analysis/Comment: Staff from the Department of Airports notes that Palm Beach County’s North County Airport is near the subject site, and it designated as a reliever to Palm Beach International Airport (PBI) to provide airport users an alternative. Also, it is possible that the type and frequency of aircraft activity at this airport will change as a result of the proposed development and PBI becomes constrained. Therefore, the Department of Airports is currently selecting a consultant to update the Airport Master Plan.

Also, the Department of Airports encourages conditions of approval on the developer or developers of the subject site requiring disclosure to buyers that an airport is nearby, and that air craft over flight will occur. Further, structures should be designed and constructed with the anticipation that aircraft over flight will occur with resultant noise. In addition, state statues and/or local ordinances are in place which address acceptable land uses near airports and the permissible height of structures located in the vicinity of airports. Chapter 333, Florida Statutes prohibits educational facilities from being located less than 5 nautical miles from an airport runway. The Palm Beach County Airport Zoning Ordinance provides guidance relative to acceptable land uses in the vicinity of the Airport.

Finally, the Department of Airports states that: “... the 8,164 daily trips that are vested for North County Airport are divided between 500-based aircraft (3,000 trips) and the 100-acre industrial park (5,1643 trips). While the 100-acre industrial park has not yet been developed we anticipate significant demand in the very near future and expect to use 100% of the vested trips.”

The Florida Department of Transportation (FDOT) commented regarding the interrelationship of this project with the Palm Beach Gardens Science and Technology Community project. FDOT stated, since this proposal relies on the adjacent Garden’s

project to address some of its impacts, the County should coordinate a joint land use amendment submittal so that the interrelated nature of the two projects can be fully understood and evaluated. FDOT also commented that land use compatibility in the North County Airport's five mile land use restriction zone and transportation demand management (TDM) strategies should be addressed.

6. **Potable Water & Wastewater Impacts:** The applicant indicates that the Palm Beach County Water Utilities Department (PBCWUD) would be the potable water and wastewater provider. The applicant indicates in this application, in accordance with the impacts assessed in the Development of Regional Impact (DRI) that proposed maximum demand for potable water would be 6,100,000 gallons per day, and that the proposed maximum demand for wastewater service would be 3,176,000 gallons per day. However, the water and wastewater calculations using the calculations required by the Future Land Use Atlas amendment application estimates that demand for potable water would be 2,065,276 gallons per day and that demand for wastewater service would be 1,921,876 gallons per day.

Planning Staff Analysis/Comment: PBCWUD states that it would be the water/wastewater service provider for this site, and that capacities are available to serve the proposed development. Also, PBCWUD indicates that the current location of the nearest potable water main is at the intersection of State Road 7 / US 441 and Belvedere Road, and that the nearest sewer main is at the intersection of Florida's Turnpike and Roebuck Road.

7. **Health Impacts:** Because a use under the proposed EDC/2 FLU designation would be required to connect to potable water and wastewater lines, there should be no negative health impacts associated with this request.

Planning Staff Analysis/Comment: The County's Health Department has no comment regarding the proposed development.

8. **Fire-Rescue Impact:** The applicant stated that the closest station is Palm Beach County Fire Rescue Station #22, which is located at 5060 Seminole Pratt Whitney Road, 6.75 miles away from the subject site and with an anticipated response time of 10 - 12 minutes.

Planning Staff Analysis/Comment: Fire-Rescue staff states that in fiscal year 2003, Station #22 had an average response time of 9 minutes, 20 seconds to 656 calls. Also, a new facility is currently proposed at Beeline Highway and Seminole Pratt Whitney Road, which would be 4.75 miles from the subject site. However, staff states that the proposed project and surrounding development would require additional Fire-Rescue facilities to be constructed to service the area. Also, the applicant intends to set aside land on the site for a new fire station.

9. **Environmental Impacts - Wellfield Protection:** This site is in not located in a Wellfield Zone.

Planning Staff Analysis/Comment: The County's Department of Environmental Resources Management Division (ERM) has been notified of the proposed amendment and has not identified any wellfield issues on the site.

10. **Conservation Policy 2.1-d - 25% Set Aside:** "The County shall require that all developments set aside as preserve areas a minimum of 25 percent of the total upland native plant communities on-site or 25 percent of each native plant community that occurs on-site."

Planning Staff Analysis/Comment ERM has not indicated any preserve areas or set-asides that would be required for the site.

11. **Drainage Impacts:** The applicant indicated that the South Florida Water Management District (SFWMD) is the drainage provider for the site, and that the nearest drainage facility is the C-18 Canal.

Planning Staff Analysis/Comment: The SFWMD has been notified of the proposed amendment, and has indicated that an Environmental Resource Permit (ERP) application for conceptual approval is currently under review. No other comments related to drainage were received.

12. **Parks and Recreation Impacts:** The proposed amendment will impact parks and recreation due to the fact that significantly more residential units would be permitted on the subject property under this proposal (191 under the site's current designation versus 2000 under the amendment proposal). The applicant indicates that proposed amendment would increase demand for regional park space by 16.2 acres, demand for beach park area by 1.7 acres and demand for district park area by 6.6 acres.

Planning Staff Analysis/Comment: Staff from Parks and Recreation Department has no comment on the proposed amendment.

13. **School System Impacts:** The proposed amendment will have an impact on the school system due to the fact that significantly more residential units would be permitted on the subject property under this proposal (191 under the site's current designation versus 2000 under the amendment proposal). The applicant indicates that the elementary school that would serve the site is 13 miles away, the middle school is 14 miles away and the high school is 12 miles away.

Planning Staff Analysis/Comment: Staff from the Palm Beach County School District Planning Department comments that the proposed development with up to 2000 dwelling units may generate up to 300 elementary school students, 120 middle school students and 160 high school students. School District staff also states that while a Public School Concurrency Determination is not required as a part of the land use amendment process, it will be required in conjunction with any rezoning/site plan applications. Further, the applicant intends to set aside land within the proposed development for a high school.

14. **Library Impacts:** The proposed amendment will have an impact on library facilities due to the fact that significantly more residential units would be permitted on the subject property under this proposal (191 under the site's current designation versus 2000 under the amendment proposal). The applicant indicates that the library branch that would serve the project is currently approximately 15 miles away, but that there is a future library branch planned that would be approximately 5.3 miles away.

Planning Staff Analysis/Comment: Staff from the Library system provided the following comments concerning this proposed amendment: "It appears that the biotechnology research park includes residential units and educational uses that will result in approximately 6800 new residents. The impact of Scripps, however, will certainly extend beyond this parcel, and we cannot respond appropriately just by looking at the impact of this particular land use change. Also to be considered is the effect on residential development throughout the surrounding area where workers will reside." Library system staff also indicates that a new Acreage Branch Library is in the planning stage, and will be located on Seminole Pratt Whitney Road in the area of Callery Judge

Grove. The subject site will be within the service area of this new facility, and it is expected to be completed in Fiscal Year 2006. Finally, Library staff notes that this project may lower library levels of service.

15. **Historic Resources Impacts:** The applicant has indicated that there are no historic or architecturally significant resources identified on or within 500 feet of the subject site.

Planning Staff Analysis/Comment: Planning Division staff has confirmed that there are no historic or architecturally significant resources identified on or within 500 feet of the subject site.

16. **Overall Impacts, Future Land Use Element Policy 2.1-f:** “The future land use designations, and corresponding density and intensity assignments, shall not exceed the natural or manmade constraints of an area, considering assessment of soil types, wetlands, flood plains, wellfield zones, aquifer recharge areas, committed residential development, the transportation network, and available facilities and services. Assignments shall not be made that underutilize the existing or planned capacities of urban services.” (40-FLUE).

Planning Staff Analysis/Comment: The subject site is not within a Wellfield Protection Zone, nor are there any other natural or manmade constraints that would prevent the proposed development. The site is currently proposed to be designated as a Limited Urban Service Area (LUSA), which would support the extension of urban services – including water and wastewater service – to the site, in part because the proposed development helps meet both current and proposed County economic goals, and will help create a better jobs/housing balance in the area. The Palm Beach County Water Utilities Department (PBCWUD) has indicated that it has capacity to serve the proposed development upon the extension of lines to the site.

17. **Other Impacts - Unified Land Development Code:** The applicant is pursuing a Planned Industrial Park Development (PIPD) zoning designation for this site concurrently with this land use amendment application.

Planning Staff Analysis/Comment: The Zoning Division indicates that the proposed PIPD zoning district is compatible with the proposed Economic Development Center (EDC) future land use (FLU) designation, and that a Type II excavation (with an additional request for removal of excess fill from the site) will be requested under the rezoning application. This will allow excavation activities to continue for some time while development of the site proceeds. The Zoning Division also states that the site would be developed under PIPD with a series of light industrial, commercial, residential and recreational pods, and that a commercial pod will be required to comply with the Multiple Use Planned Development (MUPD) and Mixed Use Planned Development (MXPD) property development regulations, while a residential pod would be required to comply with the Planned Unit Development (PUD) property development regulations. Also, the size and configuration of the parcel will allow the site to develop consistent with the applicable Unified Land Development Code (ULDC) regulations, and that development of each pod/parcel will be subject to the Master Plan and design guidelines approved by the Board of County Commissioners (BCC) through the Development of Regional Impact (DRI) Application for Development Approval (ADA) process.

Public Facilities Impacts Table

Public Facility	Demand – Existing FLU RR-10 (potential 191 d.u.)	Demand – FLU-EDC/2 (14,438,758 square feet non-residential uses & 2000 dwelling units)	Demand Change	LOS Standard	Meets LOS?
Traffic	1,910 trips per day (tpd)	103,180 tpd	Increase of 101,260 tpd	See Traffic Analysis Contingent upon approval of the Scientific Community Overlay, this site would be exempt from the LOS standard.	Yes, if the Scientific Community Overlay and exemption from FLUE Policy 3.5-d are approved
Mass Transit	No additional requirements	Ensure of access for buses, ADA access and normal infrastructure for transit operations.	Yes	Countywide headways of 60 min. with shorter headways in urban areas.	Yes
Potable Water (Palm Beach County Water Utilities Department)	None (The site is currently a citrus grove and sand excavation operation. Residential development under RR-10 could be served by on-site wells.)	Non-residential: 14,438,758 sq. ft. X .1 = 1,443,875.8 gpd Residential: 2000 units X 2.39 persons / household X 130 gallons / person / day = 621,400 Total Non-residential and residential = 2,065,275.8 gpd	Increase of 2,065,275.8 gpd	.10 Gallon per Square Feet/ Day for non-residential and 130 gallons / person / day for residential	Yes
Wastewater (Palm Beach County Water Utilities Department)	None (The site is currently a citrus grove and sand excavation operation. Residential development under RR-10 could be served by on-site septic systems.)	Non-residential: 14,438,758 sq. ft. X .1 = 1,443,875.8 gpd Residential: 2000 units X 2.39 persons / household X 100 gallons / person / day = 478,000 Total Non-residential and residential = 1,921,875.8 gpd	Increase of 1,921,875.8 gpd	.10 Gallon per Square Feet/ Day for non-residential and 100 gallons / person / day for residential	Yes
Drainage (SFWMD – C-18 Canal)	An application for an Environmental Resource Permit (ERP) is currently under review by the South Florida Water Management District (SFWMD).			Conveyance of all off-site discharge to a point of legal positive outfall	Yes

Public Facility	Demand – Existing FLU RR-10 (potential 191 d.u.)	Demand – FLU-EDC/2 (14,438,758 square feet non-residential uses & 2000 dwelling units)	Demand Change	LOS Standard	Meets LOS?
Solid Waste	Solid Waste Authority uses a per capita LOS standard and does not differentiate by use.		N/A	7.13 lb/person/day	Yes
Fire/Rescue	Average response time for station #22 to its entire service area: 9 min., 20 seconds.	Palm Beach County Station #22 located at 5060 Seminole Pratt Whitney Road, 6.75 miles away. However, a new facility is planned at Beeline Highway and Seminole Pratt Whitney Road, 4.75 miles from the subject site.	Fire Rescue Staff indicated new Fire-Rescue facilities would be required to serve proposed development on the site and the surrounding area.	Countywide average response time: 7.5 min.	Yes
Wellfield Protection	Not located in a wellfield zone.		N/A	N/A	N/A
Historic Resources	No known historical resources have been identified on site.		N/A	N/A	N/A
Recreation/ Open Space	Increase of 4780 people		See attached Recreation and Open Space Calculations Table (p. 43)		Yes
Library Facilities	Increase of 4780 people		See attached Library Calculations Table (p. 43)		Yes
Public Education	Increase of 4780 people		See attached Public Education Facilities Table (p. 43)		Yes

Recreation/Open Space Facilities and Calculations

Park Type	Name		
Regional Parks	Riverbend Park		
Beach Parks	N/A		
District Parks	Jupiter Farms District C & Carlin Park		

Park Type	Level of Service Standard	Population Change	Change in Demand
Regional Parks	.00339 acres per person	4780	16.2 acres
Beach Parks	.00035 acres per person	4780	1.7 acres
District Parks	.00138 acres per person	4780	6.6 acres

Library Facility and Calculations

Library Name	North County Regional Library		
Address	11303 Campus Drive		
City/State/Zip	Palm Beach Gardens, Florida 33410		
Distance	Approximately 15 miles		

Component	Level of Service Standard	Population Change	Change in Demand
Collection of Library materials	2 holdings per person	4780	9560 holdings
Periodical collection	5 subscriptions per 1,000 persons	4780	23.9 subscriptions
Information technology	\$1.00 per person	4780	\$4780.00
Professional librarian staff	1 FTE per 7500 persons	4780	0.64 FTE
All other staff	3.35 FTE per professional librarian FTE	4780	2.14 FTE
Library facilities	0.34 square feet per person	4780	1625.2 square feet

Public Education Facilities

	Elementary	Middle	High
Name	Grove Park Elementary	H.L. Watkins Middle	Palm Beach Gardens High
Address	8330 North Military Trail	9480 McArthur Boulevard	4245 Holly Drive
City/State/Zip	Lake Park, Florida 33410	Palm Beach Gardens, Florida 33403	Palm Beach Gardens, Florida 33410
Distance	13 miles	14 miles	12 miles

EXHIBIT 3

FULL JUSTIFICATION STATEMENT

Background:

The subject property is currently in active agricultural production for citrus. The majority of the site supports a mature citrus grove. There is an existing above ground water supply impoundment in the northeastern quadrant of the site that was created as a component of the irrigation system for the agricultural activities. There is on-going excavation occurring in the southwest quadrant of the site with approximately 40 acres of lake already excavated. It is anticipated that an additional 20 acres will be excavated before the activity is terminated. This area has been incorporated into the master development plan design for the required lakes. The area that is currently being excavated will be the future location of one of the many lakes on the property. Additionally, there exists a “shop” area central to the site to support the agricultural activities, and there are caretaker-housing units on site.

A portion of the subject property currently has approval for a Class A Conditional Use Type III Excavation, known as Grove Excavation. On May 22, 1997, the Palm Beach County Board of County Commissioners approved two separate Resolutions related to Petition Z/CA 1997-017. The first, Resolution R97-769, approved the rezoning of a portion of the site (\pm 1631-acre). This Resolution approved the rezoning of the property from Agricultural Residential (AR) to Special Agricultural (SA) for commercial excavation. The second, Resolution R97-770, approved a Class A Conditional Use Type III Excavation for a 225-acre excavation area central to the overall property. This Resolution included several Conditions of Approval. The Development Review Committee approved the Final Site Plan for the Grove Excavation on March 24, 1999.

On June 19, 2002, the Board of County Commissioners approved Resolution No. R2002-1011, which approved the recommendation of Status Report No. SR1997-017. This approval amended the Conditions of Approval under Resolution No. R97-770, which ultimately approved the original Class A Conditional Use for the Grove Excavation. The approved recommendation of the Status Report included the modification of two previous conditions of approval regarding the submittal of reports to apply specific dates to the submittal of the annual Excavation Activity Monitoring Report and the biannual Maintenance and Monitoring Report of Reclaimed Areas.

On October 8, 2003, The Scripps Research Institute (TSRI) based in La Jolla, California, announced plans to open a major East Coast science center in Palm Beach County, Florida focusing on biomedical research, technology development, and drug design. Founded in 1924, TSRI, through cutting-edge research, has created in La Jolla a biotechnology cluster that includes its own research facilities, other research facilities such as the Salk Institute and the Burnham Institute, and nearly five hundred biotech companies.

Desirous of creating a similar knowledge-based economy in Florida through the creation of a unique international biomedical research institute with the economic multiplier created in such a research cluster, Governor Jeb Bush approached TSRI. After visiting and reviewing several locations throughout the State, TSRI chose Palm Beach County for its new East Coast location. Within Palm Beach County, several sites were assessed to accommodate not only the new Scripps Florida facility, but to also allow sufficient area for the expected new biotech research centers and related businesses that are expected to follow TSRI to this location. Adequate land

area was also needed for the support facilities including commercial services, educational facilities, civic uses, and residential development to accommodate the workforce.

Both the State of Florida and Palm Beach County have provided economic incentive packages to establish the initial Facility. The State of Florida will provide \$310 million of economic stimulus funds to provide operational funding over a period of seven years, subject to specific performance requirements contained in a Funding Agreement between TSRI and the State.

Palm Beach County has pledged to spend up to \$200 million to provide land, infrastructure and buildings for the new Scripps Florida facility. The County will pay \$60 million for the 1,919.23 acre Mecca Farms site, with Scripps occupying 102.03 acres. The County will use a portion of the property to enhance surrounding ecosystems, meet regional water management goals and buffer nearby residential properties. The remaining property will be made available to other biotech-related companies and support facilities, enabling the County to recover costs associated with the project.

Palm Beach County is providing an economic package that includes the land, funds toward construction of the permanent facility and related costs, and costs for temporary facilities for Scripps Florida scientists. The first phase of the permanent facility will include a 364,000 square-foot, state-of-the-art biomedical research facility to be built on the 102.03 acres Scripps Florida site. The facility will focus on basic biomedical science, drug discovery, and technology. Planning, development, and construction for the first phase of the new campus are scheduled to begin as soon as contracts are finalized. The campus is expected to open in late 2006 and will ultimately employ more than 500 people. Additionally, affiliated companies with TSRI will create an estimated 6,500 jobs over the next 10-15 years.

The Palm Beach County Biotechnology Research Park will replace all of the existing activities on the site. This property is also the subject of a Development of Regional Impact (DRI) Application for Development Approval (ADA). The approval of the development order for the DRI, as well as the future amendments to the Land Use and Zoning designations, will ultimately replace the existing land uses and activities currently on the property. Other than accommodating the existing excavated lake area in the project's surface water management and lakes system, there are no other constraints or planning considerations due to these previous activities.

Overview of Request:

This application is submitted to Palm Beach County to amend the Future Land Use designation of a 1,919.23-acre parcel in Palm Beach County and amend the property's Managed Growth Tier Systems designation. The subject property has a Future Land Use (FLU) designation of Rural Residential 10 (RR-10), which would allow up to 1 dwelling unit/10 acres, and is currently zoned Agricultural Residential (AR) in part and Special Agriculture (SA) in part. The site is also located in the Rural Tier of the Palm Beach County Managed Growth Tier System. Specifically, this request is to: amend the future land use designation on the subject site from Rural Residential 1 dwelling unit per 10 acres (RR-10) to Economic Development Center (EDC) / Low Residential 2 (LR 2) and remove it entirely from the Rural Tier.

- Comprehensive Plan Designation Change

The existing FLU designation of RR-10 limits the amount of development or uses that may be permitted on the property. Therefore, this application for a Large Scale Comprehensive Plan Amendment is submitted to modify the Future Land Use designation from Rural Residential

(RR-10) to the Economic Development Center (EDC) / Low Residential 2 (LR 2) Future Land Use designations. The Economic Development Center (“EDC”) is defined in the Comprehensive Plan in Policy 2.2.4-a.2. The recommended FLU of EDC allows the following uses: manufacturing, assembly of products, processing, office, research & development, wholesale distribution and storage of product. The underlying residential designation of LR 2 will allow for development of residential units at two (2) units per acre. This amendment to the Future Land Use designation will allow for the appropriate intensity and density for a project of this magnitude.

The FLU designation of EDC is consistent with the proposed Zoning Map Amendment that would rezone the property to the Planned Industrial Park Development (PIPD). A Planned Industrial Park is defined in the Comprehensive Plan in Policy 2.2.4-b as an economic activity center primary designed to accommodate and promote manufacturing, research, development, and support uses.

- Removal from Rural Tier

The subject property is located in the Rural Tier, according to the Tier System of the Palm Beach County Managed Growth Program. The Rural Tier is located outside the Urban Service Boundary and is intended to encourage agriculture and equestrian uses. Furthermore, the Comprehensive Plan restricts the intensity of non-residential uses in the Rural Tier. The proposed EDC land use and the uses associated with this designation would not be permitted in the Rural Tier. As a result, this application specifically requests that the subject property be removed from the Rural Tier. Policy 1.1-b of the Comprehensive Plan Future Land Use Element allows for the re-designation of a Tier to respond to changing conditions or to purposely allow re-designation of an area, when appropriate. In Palm Beach County, there is a limited amount of developable land large enough to house the 10,500,000 square feet of space for biotechnology/biomedical research & development that is anticipated as part of the “research cluster” associated with the Scripps Florida facility. To accommodate the intensity of development anticipated in the “research cluster” with Scripps Florida, a large parcel of property is needed. As the majority of the large tracts of undeveloped or agricultural lands remaining in the County are located in Tiers that do not allow for the intensity of development anticipated, such as the Rural Tier, almost any large tract would need a comprehensive land use amendment to the EDC land use to allow for this development. As such, it is proposed that this particular property be removed from the Rural Tier and designated with the Scientific Community Overlay District to accommodate the intensity anticipated for this property.

The County is processing a concurrent text amendment to the Comprehensive Plan that will designate the subject property in the Scientific Community Overlay (SCO) district. The SCO will allow for functional interaction with the predominantly science and technology based uses, which will accommodate the industrial, commercial, institutional and residential needs of the project. Based on Policy 1.1-b of the Comprehensive Plan, a property’s Tier cannot be amended unless the criteria in this Policy are met. Since the subject property will be designated as a Scientific Community Overlay, the County can remove the property from the Rural Tier. Additionally, the SCO allows the County to amend the property’s Tier without an Evaluation and Appraisal Report. The County is also proposing a text amendment to Objective 3.3 of the Comprehensive Plan stating that the land within the Scientific Community Overlay be designated Limited Urban Services Areas. Once the property is designated in the Scientific Community Overlay, according to this amendment the rules and property development regulations governing densities and intensities of the Urban/Suburban Tier shall apply.

The following is a breakdown of the surrounding uses:

	Future Land Use	Zoning District	Existing Use / Intensities
North	AP (Part) / RR 10 (Part)	AR	Conservation – Hungryland Slough Natural Area (includes Unit 11)
South	RR 2.5	AR	Residential – The Acreage / (1 unit / 1.25 acres*)
East	RR 10	PDA (City of Palm Beach Gardens)	Vacant / Agricultural / (1 unit / 10 acres)
West	CON	AP (Part) / PC (Part)	Conservation – J.W. Corbett Wildlife Management Area

*Although the FLU designation is RR-2.5, the existing land use pattern on the ground more closely reflects an average of 1.25-acre lots.

Specifically, the change is being requested to provide for the development of the Palm Beach County Biotechnology Research Park (Research Park). Palm Beach County, a political subdivision of the State of Florida, is the contract purchaser of a 1919.23-acre tract of land that is located ½ mile north of Northlake Boulevard on the east side of Seminole Pratt-Whitney Road. As discussed above, this property has traditionally been used as a citrus grove and for sand mining and excavation production purposes.

The applicant's intent is to develop the property as a multiple use development, currently referred to as, The Palm Beach County Biotechnology Research Park (Research Park). This project will primarily consist of land uses related to science & technology, biotechnology, biomedical, and other related research & development industries, and manufacturing. Additionally, there will be associated support and complementary land uses, including a satellite university campus; institutional uses; a residential component with a variety of housing types primarily for workforce housing; neighborhood and community commercial centers with restaurants, convenience retail and personal service uses; and community facilities, including parks, recreation and opportunities for secondary and post-secondary education.

The subject property is surrounded by existing conservation lands on the north (Hungryland Slough Natural Area) and west (J.W. Corbett Wildlife Management Area). Low-density residential use exists to the south of the subject site (The Acreage). The property to the east of the subject site (Vavrus Ranch) is within the jurisdiction of the City of Palm Beach Gardens and is currently undeveloped agricultural lands. It is being considered for development with similar and complementary uses to what is proposed for the Research Park. Efforts to jointly plan for both developments are underway with representatives from the City of Palm Beach Gardens and the Business Development Board of Palm Beach County, Inc., the contract purchaser of a portion of the Vavrus property. This effort will continue to occur as the details of this project and the adjacent one is refined. It is intended that the program for the Vavrus parcel will include land area dedicated for a variety of residential housing units; a significant town center that would provide community commercial services such as a grocery store, movie theatre, etc.; commercial opportunities for science & technology and research & development; related support uses, such as accountants, law firms, etc.; and additional development areas for science & technology and research & development businesses. The mix of uses listed above for the Vavrus property, as well as those on the Mecca property, contributes to the overall intent, which is to create a sustainable community in this area of the County.

The impact of the project on the surrounding area, including the conservation lands to the north and west, and the low density residential to the south, has been strongly considered as part of the programming and design of the master plan. The J.W. Corbett Wildlife Management area to the west is currently owned by the Florida Fish and Wildlife Conservation Commission and held under conservation. Palm Beach County currently owns a majority of, and is currently purchasing the remaining conservation lands of the Hungryland Slough Natural Area. The Master Development Plan contains proposed natural areas on both the west and north boundaries of the site. The extension of Seminole Pratt-Whitney Road will occur also on the west boundary of the site but east of the proposed natural area. The two natural areas are multi-purpose and have been labeled the BRP Natural Area(s). The multiple purposes for this area include: natural area buffers, habitat replacement and wetland vegetation replacement for the project, final outfall (cleansing) marsh for the project, and to provide opportunity for a future L-8/C-18 Basin interconnect.

Early coordination meetings with the South Florida Water Management District (SFWMD) resulted in a determination that the BRP Natural Area can help further the goals of the Comprehensive Everglades Restoration Program (CERP), which includes the restoration of the Loxahatchee River Watershed. The North Palm Beach County CERP plan has identified the need to have an interconnection between the L-8 Basin and the C-18 Basin which has been referred to as a "flow way". The BRP Natural Area includes a provision for future use by SFWMD for this L-8/C-18 Basin interconnect. This basin interconnect, when implemented by SFWMD and the U.S. Army Corps of Engineers, can provide a means to deliver water from the L-8 Basin to the Loxahatchee Slough and River system during the dry season, and, deliver excess water from the Loxahatchee Slough (C-18 Canal) to the L-8 Basin for storage during the wet season.

In addition to the BRP Natural Area, additional water management/lake areas are provided to accommodate drainage from the project itself and shall consist of lakes and littoral areas. There are multiple benefits to having the BRP Natural Area and the water management/lakes. These areas enhance wildlife, provide recreational wetlands and uplands, and provide future tenants the opportunity to construct buildings with views overlooking the water. These lake areas also provide the opportunity for tenants to construct multiple buildings on one property with a campus-like setting, while providing employees outdoor break areas with views of the water and open space. The BRP Natural Area will provide an adequate buffer for the conservation lands to the north and west, while the water management/lake areas will provide an adequate buffer The Acreage to the south.

It is estimated that an additional 250 acres of water management/retention may be needed to accommodate drainage from the project itself and that this shall consist of lakes, constructed wetlands and enhanced wildlife corridors. Furthermore, the developments of this property will have a positive impact on the environment, as opposed to the agricultural excavation use that exists on the property

Changed Assumptions:

Since the adoption of the Comprehensive Plan, this area of the County has seen many changes. This property was chosen because of the lack of developable land large enough to house the expected 10,500,000 square feet of biotechnology and research & development space being proposed on this property.

According to the Economic Element of the Comprehensive Plan Objective 1.2, Increase Growth in Cluster Industries, Palm Beach County shall encourage the expansion of cluster industries.

Even though this Objective was written subsequent to the adoption in 1989, the Comprehensive Plan did not expect this type of cluster industry associated with biotechnology and research & development, especially one that could produce an estimated 18,000 jobs over the next thirty years.

Currently there are two industrial parks (Pratt-Whitney and the Palm Beach Park of Commerce) in the immediate area of this project. Additionally, there is an area set aside for future development at the North County General Aviation Airport. The subject property is located in the City of Palm Beach Garden's Future Annexation Area. With the surrounding industrial parks to the north and The Acreage to the south, this is a prime location for an economic development center. Access to the site will be easily obtained through the extensions of PGA Boulevard and Seminole Pratt-Whitney Road, which will be extended from the southern boundary of the site north to the Bee Line Highway. The Bee Line Highway is a major transportation corridor in this area of the County. Furthermore, the Vavrus Ranch property is currently involved in a joint planning agreement with Palm Beach County to develop that property with complementary uses to the proposed Research Park. This combined planning effort will ultimately provide residential units for the employees of the Research Park and at the same time provide an employment base for the future residents on the Vavrus Ranch property, The Acreage and other surrounding areas.

New Issues:

The arrival of The Scripps Research Institute (TSRI) in Palm Beach County could prove to be significant to South Florida's economy. The development of a leading biotechnology/biomedical research institute in this area is expected to yield substantial economic benefits to the community and the state. However, the Comprehensive Plan did not anticipate the establishment of such a unique national biotechnology/biomedical research & development establishment in Palm Beach County.

As stated previously, both the State of Florida and Palm Beach County have provided economic incentive packages to establish the Research Park and its facilities in this area of the County. The State of Florida will provide \$310 million of economic stimulus funds to provide operational funding over a period of seven years, subject to specific performance requirements contained in a Funding Agreement between TSRI and the State. Palm Beach County has pledged to spend up to \$200 million to provide land, infrastructure and buildings for the new Scripps Florida facility. The County will pay \$60 million for the 1,919.23 acre Mecca Farms site, with Scripps occupying 102.03 acres. The County will use a portion of the property to enhance surrounding ecosystems, meet regional water management goals and buffer nearby residential properties. The remaining property will be made available to other biotech-related companies and support facilities, enabling the County to recover costs associated with the project.

Large tracts of agricultural lands are being developed and converted to residential, commercial, and industrial uses, thus resulting in the agricultural industry leaving Palm Beach County. As this occurs, opportunities for other job producing industries are necessary throughout the County. This property is a good example of the future of agriculture lands, as this property could be developed as low-density residential, thus not producing agricultural related jobs in Palm Beach County. The biotechnology/biomedical research & development industry is a good replacement for the declining agriculture industry and this property is an ideal location. By designating this property as an Economic Development Center, it could serve to complement and spur development in the other industrial parks in this area while creating a functioning livable and working community in North Palm Beach County.

In preparation of the biotechnology/biomedical research and development industry coming to Palm Beach County, the County is processing concurrent text amendments to the Comprehensive Plan that will designate the subject property in the Scientific Community Overlay (SCO) district and the Limited Urban Services Areas. The subject property is currently located in the Rural Tier. This application requests that the subject property be removed from the Rural Tier to accommodate the economic clustering of the research & development space. As stated before, the majority of the large tracts of undeveloped or agricultural lands remaining in the County are located in Tiers that do not allow for the intensity of development anticipated, such as the Rural Tier. Almost all these large tracts would need a comprehensive land use amendment to the EDC land use to allow for this development. As such, it is proposed that this particular property be removed from the Rural Tier and designated with the Scientific Community Overlay District to accommodate the intensity anticipated for this property.

It is anticipated that 10,500,000 square feet of building space will be required for biotechnology/biomedical research & development uses on the subject property. The build-out time for the project is expected to extend over the next 30 years, so approval of these requests could create an estimated 18,000 new Florida jobs.

EXHIBIT 4

DEVELOPABLE LANDS MAPS

EXHIBIT 5

LETTERS IN SUPPORT OR OPPOSITION

MARTHA L. MUSGROVE
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West Palm Beach, Florida 33406
(561) 965-9409
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June 11, 2004

Land Use Advisory Board
Palm Beach County

Re: Comprehensive Plan Amendments/Mecca Farms-Scripps Development

Dear Sirs:

My name is Martha Musgrove. I am speaking as a longtime resident and taxpayer in Palm Beach County (living at 2432 Edgewater Dr., West Palm Beach, 33406) and member of Audubon Society of Florida, Everglades Audubon Society and 1000 Friends of Florida. I commend the openness of the county's process, which befits the seriousness of the issues before you.

My concern is the impact on the Loxahatchee River and local water supplies by the cluster of proposed developments referred to as Mecca Farms/Scripps, Vavrus, Callery-Judge Grove, and Indian Trail Grove. When the Center and Southern Florida Flood Control Project was built it assumed vast regions of Palm Beach County between the coast and the cities around Lake Okeechobee would remain undeveloped providing "natural water storage" and recharge. These areas are rapidly slipping away.

The county requires drainage plans but it also needs to require water-storage plans. As the state/federal Comprehensive Everglades Restoration Plan to retrofit Southeast Florida's basic drainage system makes clear, we have reached the point that we must replace the storage capacity lost when development occurs. That's the first thing I'm asking this board to recommend to the Board of County Commissioners. The question must be asked and answered: Does the project before you "make up" for lost water-storage/recharge capacity be it by constructed lakes, reservoirs, the preservation of existing wetlands, and judicious use of permeable surfaces. And, let me add that may require a campus of multi-story buildings, taller buildings surrounded by forested greenways or preserves, or even compatible, profitable agricultural uses.

Turning to the Loxahatchee River: As you know the Northwest Fork of the Loxahatchee River is a designated wild and scenic river. Severed from its watershed, it isn't now getting enough fresh water to push back the salt water killing the cypress. South Florida Water Management District It is no secret that a year ago, water-managers were looking at establishing a reservoir to double the water flow. This development appears to preclude that, unless a reservoir can be designed into the project.

What the district now proposes is to link the newly acquired rock pits, which have a storage capacity of 40,000 acre feet, via the M Canal and the M&O Canal to a flowway through the Mecca/Scripps lands discharging into the west leg of the C-18. Ladies and Gentleman, even if taxpayers ante up the money to add all those linking structures – and

there is no funding plan for this – it won't solve the Loxahatchee's problems. It isn't a Save the River plan; it's a drainage plan for the entire acreage. With it comes the risk of sending gluts of water through the C-18 into the southwest fork, destroying that portion of the river and blowing out the Jupiter Inlet.

It doesn't have to be that way, and I'm confident that the people at the district don't want it to be that way. It's just the reality, if we don't start now connecting the dots between water and land use.

You are the land-use advisory board, it's up to you to set development conditions that eliminate the need to move water east from 20-mile bend. You do it by requiring the chain of lakes, reservoirs and retention areas needed in Scripps and adjacent sites along the beeline corridor to move water into the northwest fork of the Loxahatchee River while protecting the southwest fork and maintaining the existing recharge capacity to serve the urban area.

We must not be afraid to connect-the-dots. We want jobs, we want vibrant communities – we NEED water. We must be willing to protect the natural systems that provide our water and in the case of the Loxahatchee River offer recreational opportunities and vistas that make living in Florida something special. Don't ignore basic needs while planning for Scripps.

Sincerely,



Martha L. Musgrove



June 10, 2004

Mr. Lorenzo Aghemo, Director
 Planning, Zoning and Building Department
 Palm Beach County Government
 100 Australian Avenue
 West Palm Beach, FL 33406

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Executive Director

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www.1000friendsofflorida.com

RE: Comments to Palm Beach County Land Use Advisory Board regarding the Palm Beach County Biotechnology Research Park Plan Amendment and Development of Regional Impact (DRI)

Dear Mr. Aghemo:

1000 Friends of Florida writes to express its continuing concerns about the planning and design for the Scripps project, and requests that this letter be made part of your record at the LUAB meeting of June 11 where we understand this project will be heard. While our interest and intent is in seeing this become a well planned, world class facility that is well designed and executed, and protective of the sensitive environment where it is located, we fear that this is not occurring. We continue to believe that other sites are preferable, but understand that the decision has been made for the Mecca Farms site. Our comments today are meant to provide the means for achieving this result on that site.

On the Mecca Farms site itself, we are concerned that if millions of square feet of office and research space are needed in the future, the density and number of on-site housing units should be analyzed to determine how and where best to provide those units, both on and off this site. This would also lead us to seriously question the ability of the roadway network and the existing ecosystems to adequately absorb the level of impacts being projected. The type of assessment we envision would therefore need to be done before any final approvals are given to the non Scripps portion of the site

1000 Friends is aware that the initial phase of the DRI consideration only involves the 125 acres for the Scripps facility itself, and that specific design, environmental, roadway and other public infrastructure, are to be addressed in later phases. We want to be clear that no additional development on those subsequent phases should be allowed until such time as the necessary modifications to comprehensive plan elements are in place, detailed site design plans are appropriately developed, environmental resource protection measures are in place, and a comprehensive strategy for dealing with offsite environmental and infrastructure impacts and costs is in effect.

Even though the Scripps project has the potential for providing significant economic benefits, it cannot be allowed to degrade water resources in the vicinity that are so critical to the J.W. Corbett National Wildlife Refuge, the Everglades, the Loxahatchee River, Hungryland Slough, and Unit 11. The significance of these resources has not been lost on the EPA, the Corps of Engineers, and the U.S. Fish

This document is limited in scope and intent.

Mr. Lorenzo Aghemo
June 10, 2004
Page Two

and Wildlife Service, all of which have expressed concerns about development in this area. A failure to adequately protect these critical resources in a rush to give land use approvals will only slow down the overall project. We implore the County not to ask for further approvals until these agencies expertise can be brought to the table.

You must take advantage of the design expertise available to the County from Treasure Coast Regional Planning Council and other local, state and national sources. For example, in addition to its charette and urban design experience, it recently conducted a workshop focused on the components of the traditional urban neighborhood. Most, if not all, of the principles covered there should be part of the Scripps project. Details like these are critical if we all are to reach the goal of a memorable and sustainable project with a neighborhood center, appropriately sized, walkable neighborhoods with properly designed streets, blocks and alleyways. Public open spaces and buildings, a mix of uses and building types, and correctly placed parking are critical. These design features must be incorporated into future phases, and should be peer reviewed by architects, planners, builders and designers specializing in the biotechnology industry. This is also the time to commit to "green" building techniques that are much more sensitive to both short and long term environmental considerations. We expect that such techniques should be made a mandatory part of all site construction.

1000 Friends of Florida looks forward to working with Palm Beach County and its many partners to see that the promise of the Scripps project becomes the reality that will not only bring economic benefits but will also maintain and enhance the quality of life so important to this area and region. Thank you for listening to our comments.

Sincerely,



Charles G. Pattison, AICP
Executive Director

cc: 1000 Friends of Florida's Board of Directors

June 11, 2004 Meeting
LVA Board



COMMENTS BY THE PUBLIC

(PLEASE PRINT)

AGENDA ITEM

NO. Scrypps

Name Stella Ross Phone 561 732 4786
Address 675 Whispering Pines Rd Boynton Beach 33435
Check what may apply: Support Oppose I wish to speak

Instructions:

1. Complete comment card including your address. Be sure to include agenda item number, if appropriate.
2. Submit comment card to Agenda Coordinator at left podium as early as possible. (No cards will be accepted after discussion on the agenda item has begun.)
3. When your name is called, approach either podium and give your name and address for the record.

Question/Comment I as a taxpayer resent the fact that the citizens of this county had no say where the Scrypps Research Center was to be located. Where it should be located.

"Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the Commission is granted by the majority vote of the Commission members present."

If you wish for your comment to be read into the record:

Please check box.

This Center may be a good thing however it is being placed in the wrong area. These surrounding areas are too sensitive + too remote. Now, there are no roads, water etc. If anything, this project is creating spray! No regard for the environment. We have no idea the end monies that will be required for the completion of this project and we as taxpayers, will pay!! Enough water for the wild + some "fair" no one really knows. Only a guess. How much wildlife will be killed? There must be protective fences + underpasses for wildlife if + when these expensive roads are built. I am shocked that a research company + our state could allow this,



June 26, 2004

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John M. DeGrove

President Emeritus

Charles G. Pattison, AICP

Executive Director

The Honorable Karen Marcus, Chair
Palm Beach County Board of Commissioners
301 N. Olive Avenue
West Palm Beach, FL 33401

RE: Plan Amendment Comment for 04-ERP package, Item 2.B.1, **Mecca Farms EDC (LGA 2004-00045)**

Dear Commissioner Marcus:

1000 Friends of Florida asks that these comments be made part of our record for the June 28 commission meeting which will consider this and other Scripps Project comprehensive plan amendments. As a statewide non-profit, 501(c)(3) growth management organization, with a large percentage of our membership in Palm Beach County, we are most interested in seeing that this project is thoroughly examined before any decision to transmit it for state review is made.

This amendment proposes to change the 1,919.23 Mecca Farms site from Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center with 2 units per acre (EDC/2) and remove the site from the Rural Tier. The justification for the use of this site for the Scripps project is problematic for a number of reasons.

First, the justification is given that the site has good access to transportation facilities—such as the North County Airport, the Beeline Highway, Florida’s Turnpike, Interstate 95 and the Port of Palm Beach. Yet at the same time, as the transportation amendments clearly illustrate, the project will create significant transportation impacts on the some of these same transportation facilities that cannot be addressed without a huge public investment in transportation improvements.

This factor illustrates why the Mecca location for the Scripps project is inconsistent with the Urban Sprawl Rule, Florida Administrative Code, Rule 9J-5. Rule 9J-5.006(5) (g)8 lists as an indicator of sprawl a comprehensive plan amendment which “Allows for land use patterns or timing which **disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.**”

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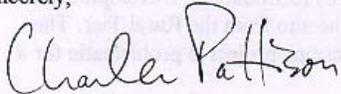
Commissioner Karen Marcus
June 26, 2004
page 2

Another sprawl indicator is 9J-5.006(5)(g)2, which states: "Promotes, allows or designates **significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas** while leaping over undeveloped lands which are available and suitable for development." We suggest that the distance between the Mecca site and more urbanized portions of the county, with the need to provide urban infrastructure in what are currently rural areas in order to serve this site, clearly demonstrates why there is a problem here.

The costs estimates for Palm Beach County to provide the necessary public infrastructure for the Scripps project provide startling evidence, in the form of hundreds of millions of dollars, that the project meets this urban sprawl criterion. While the applicants maintain that the integrated mix of uses on the site will minimize the costs of providing services, the design of the project does not come anywhere close to mitigating long-term traffic impacts.

Based on what we understand about the impacts of this amendment, however, and others proposed along with it, we believe the county would best be served by looking for another site that better addresses the issues we have raised. We believe that public costs and community character impacts, especially transportation, must be carefully examined. Thanking you for your time and considerations, I am

Sincerely,



Charles G. Pattison, AICP
Executive Director

cc: Commission Members
Mike Busha, TCRPC
Val Hubbard, DCA
Ray Eubanks, DCA

Letter to the Editor

Scripps Money: Corporate Welfare

The late columnist Jack Anderson wrote, "*The incestuous relationship between big business and government thrives in the dark*". The deal to use taxpayer money to establish Scripps Florida was contrived in secrecy with only Governor Bush and a handful of politicians and officials responsible for this give-away-package that is now expected to cost taxpayers over one billion dollars. Neither taxpayers, nor even the majority of legislators in the state, had anything to say about this program that in part represents corporate welfare for special interests. Florida laid down for the pharmaceutical industry (Big Pharma) that spends more on lobbyists and campaign contributions than any other industry.

Here's how it works, 1) As a nonprofit, Scripps wins hundreds of millions in government grant money to conduct R&D. These monies do not have to be repaid, 2) Scripps licenses its developments to firms who can charge government and consumers the maximum price for those products, even though taxpayers paid for developing them. Some 40% of new drugs are funded with taxpayer money. One Big Pharma firm paid Scripps \$40 million dollars up front for first crack at a novel drug. No wonder America has the world's highest drug prices. Our government is a player in this scheme. This policy in part allows Big Pharma to reap extraordinary profits and makes Scripps a very lucrative enterprise while *the consumer gets the royal shaft twice: once as a taxpayer and then again as a purchaser of the world's most expensive drugs.*

Taxol is the world's commercially most successful cancer drug marketed by Bristol-Myers Squibb (BMS). Taxpayers initially spent \$484 million to develop this plant-based product. Even though the firm earned billions of dollars with this product, then taxpayers paid again to find a patentable way of synthesizing the compound. Scripps was the beneficiary of those tax dollars. A course of treatment with Taxol can cost \$14,000. *What our nation needs are cost-effective health care products.* Scripps Florida is all about money, money, and cures, cures. Only a small fraction of Floridians will benefit from the

dollars Scripps Florida *might* generate. One columnist characterizes this costly and long drawn out initiative "*Florida's Iraq*".

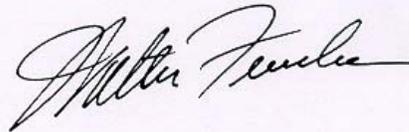
America has by far the highest per capita health care costs in the world. Despite this cost, we rank 17th in general health of our population and we have no universal health care coverage. Instead, we have some 44 million Americans without any insurance. Western Europe, not the US, ranks as the world's healthiest region. *Spending a lot of money is not enough to guarantee high standards of health.* Vast amounts of cash injected into the latest drug developments and pharmaceutical technology is not reflected in the overall health of the nation. We waste far too much in this country on health care. There are more than enough dollars to go around for everyone if we use them properly. Money and drugs are not the solution to improving health in this country. *There's too much emphasis in America on the lucrative treatment of a disease.*

Florida's legislature gutted spending on tobacco cessation measures to a mere 5.8 cents per resident, down from a CDC recommendation of \$5 to \$7 per individual. Florida will not raise tobacco taxes. Big Tobacco's hefty campaign contributions paid off in Florida. How can we ever say Florida is a health care conscious state? In fact, *Florida ranks a dismal 42nd in state spending on health care and our general health.*

One can only wonder how the campaign funds of our elected officials grew either before or after the taxpayers were sacrificed on the altar of special interests involved in the establishment of Scripps Florida.

If only there was a cure for politics.

Walter Feuchs
354 Chilean Ave.
Palm Beach, FL 33480
Tel. 561.602.9198
Fax 561.659.0311
Email feuchs@aol.com





Approved + Filed

Catherine Dwore
13105 Silver Fox Trail
Palm Beach Gardens, FL 33418
561.624.9032

October 12, 2004

The Honorable Karen Marcus, Chair
Palm Beach County Board of County Commissioners
301 N. Olive Avenue – 12th Floor
West Palm Beach, FL 33401

RE: Scripps Comprehensive Plan Amendments:
Scientific Community Overlay
FLUE Policy 3.5-d Modification – Scientific Community Overlay (Mecca
Project)
Mecca Farms EDC
Research Park Accessory Multi-Use Site
Palm Beach County Scientific Community Overlay (Mecca) CRALLS
Palm Beach County Scientific Community Overlay (Mecca) TIM and 2020 Map
Amendments

Dear Commissioner Marcus:

As a property owner in Caloosa, a rural residential subdivision in Northern unincorporated Palm Beach County, I believe that my community will be substantially affected by the above-referenced Comprehensive Plan amendments designed to facilitate the siting of the Scripps Biotechnology Park on the Mecca Farms site. I am writing to object to these amendments because I believe they are inconsistent with the County's adopted Comprehensive Plan as well as State and Regional planning requirements.

I further believe that the urban sprawl that will result from these amendments will adversely impact the quiet rural character of my community. The provision of infrastructure such as water and sewer lines to the Mecca site will not only spur the high-density development of adjacent parcels, but has the potential to attract additional uses incompatible with the rural equestrian character of our community.

I also believe that I will be affected by the traffic congestion that will result from these amendments. Even though most of the local roadway system will need to be expanded to accommodate the trips generated by the Biotechnology Park, these roads will still be operating over capacity with a CRALLS designation. It will no longer be possible us to take a 'quick trip to town for groceries', and leaving the

community to enjoy adjacent natural areas on horseback will be so unsafe as to be out of the question.

Finally, the impact of these amendments on adjacent open spaces should be assessed. The voters of Palm Beach County twice voted to approve bond issues for the acquisition and preservation of conservation lands. Not only will the proposed Comprehensive Plan amendments have the effect of creating a city at the edge of conservation areas and wildlife corridors, the use of twenty-eight acres of conservation area as an 'Accessory Multi-Use Site' (utility substation) constitutes a precedent and invites similarly incompatible uses in other preserves.

Because of these concerns I believe that residents of Palm Beach County would be far better served by an effort to direct the Scripps Biotechnology Park further east. I urge the Commission not to adopt the proposed Comprehensive Plan amendments, and I request that this letter be made a part of the record for each of the Scripps related plan amendments under consideration at this time.

Respectfully submitted,



Catherine Dwore

8940 Oldham Way
West Palm Beach, Florida 33412
October 4, 2004

The Honorable Karen Marcus, Chair
Palm Beach County Board of Commissioners
301 N. Olive Avenue
West Palm Beach, FL 33401

RE: Scripps Comprehensive Plan Amendments -- 2004- ERP Package, Items 2.A.1 - 2.A.6
Scientific Community Overlay, FLUE Policy 3.5-d Modification - Scientific Community Overlay
(Mecca Project); Mecca Farms EDC; Research Park Accessory Multi-Use Site; Palm Beach
County Scientific Community Overlay (Mecca) CRALLS; Palm Beach County Scientific
Community Overlay (Mecca) TIM and 2020 Map Amendments

Dear Commissioner Marcus:

Please include these comments as part of the record for each of the Scripps related plan amendments being adopted.

Two years ago my family made an investment by purchasing property in the new Divosta community of Carleton Oaks on Northlake Boulevard.

The motivation for purchasing a home here as opposed to the other Divosta community under construction at the time located in Palm Beach Gardens was to enjoy the rural aspect of the surrounding area.

Imagine my surprise four months ago when I actually took occupancy of this home to find the plan to site the Scripps Biotech Park smack in the middle of farmland. Part of my decision to leave my home of 50 years on Long Island was disgust with the manipulation of the laws of the land to accommodate business and greedy developers at the expense of our environment. On the surface it appeared as if the planning and zoning laws in Palm Beach County were more carefully considered and environmentally friendly.

Four years ago lobsters disappeared from the Long Island Sound along with an entire industry. I just read in a local paper that Oysters were disappearing from the Loxahatchee River due to increased salination of those waters. Doesn't anyone get it????

You recently spoke at one of our Homeowner's association meetings to explain the plans for Mecca and the Vavrus Ranch. At the time I had just become familiar with the situation by reading our local papers. Without understanding any of the underlying technical ramifications my gut told me that this was just sprawl under the guise of the politically motivated lure of bringing jobs into the county. I asked you questions about the suitability of the site versus other sites that seemed to have much of the needed infrastructure already in place. Thank you for taking the time to explain the events leading up to this decision.

Since then I have made it my business to more thoroughly understand the actual ramifications of what was being considered. I now know that my initial gut reaction was right on target ergo this letter to you concerning the plan amendments under consideration.

I . d

0096-577-195

UP 8 10 1 100

As a resident of Palm Beach County and who lives near Mecca Farms I will be substantially affected by siting of the Scripps Biotech Park on that location. I am writing to object to the adoption of the 2004 ERP Scripps Related Plan Amendments referenced above because I believe they are inconsistent with the State and Regional planning requirements and Palm Beach County's Comprehensive Plan.

I believe the proposed amendments will result in urban sprawl, traffic congestion, and will hurt our community character. A primary indicator of urban sprawl is development that disproportionately increases the cost in time, money, and energy, of providing and maintaining facilities and services. Another indicator is allowing significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas. Because of the distance of the Mecca Farms location for existing urban areas, it will cost hundreds of millions of dollars to provide infrastructure to the site, resulting in land uses that are incompatible with and which fail to protect the surrounding rural area.

The Amendments also seek to exempt the County from statewide traffic concurrency requirements, resulting in virtually all local roadways being expanded but remaining overcapacity with a constrained roadway (CRALLS) designation. Such an exemption is not authorized by state law and will result in significant congestion of multiple roadways, further undermining the existing rural character of our community. Has anyone from the Board of Commissioners driven down Northlake Boulevard after the recent hurricanes? Only one light was out and brought traffic to a standstill on this road which is still in a primarily rural community. The thought of a small city at the eastern end of it is incomprehensible.

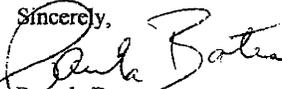
It is also important to note that the impacts of this project, and related development on surrounding natural areas have not been cumulatively analyzed. Mecca Farms and adjacent Vavrus Ranch are surrounded by tens of thousands of acres of conservation lands, much of which was acquired with **Palm Beach County taxpayer dollars** for permanent preservation. The effects of building a new city the size of West Palm Beach directly adjacent to these conservation lands has the very likely potential to harm these areas in terms of their ability to provide habitat and support a healthy ecosystem, and these impacts, particularly when considered in conjunction with the development of Vavrus Ranch, have not been fully analyzed.

I am also concerned about the proposed amendment to convert conservation land in the Corbett Wildlife Management Area to an accessory multi-use site for the Biotech Park. Using conservation land for non-conservation purposes will result in a loss of open space, will impact sensitive wetland habitats, and has the potential to impact listed species.

I would also adopt and incorporate by reference the September 30th comments by 1000 Friends of Florida which explain in greater detail the problems of each of the proposed amendments.

Based on these concerns, I believe the County should not adopt the proposed plan amendments and should redirect its efforts to securing an alternate location for this project.

Sincerely,



Pamela Bates

October 4, 2004

The Honorable Karen Marcus, Chair
 Palm Beach County Board of Commissioners
 301 N. Olive Avenue
 West Palm Beach, FL 33401

RE: Scripps Comprehensive Plan Amendments -- 2004- ERP Package, Items 2.A.1 – 2.A.6 Scientific Community Overlay, FLUE Policy 3.5-d Modification – Scientific Community Overlay (Mecca Project); Mecca Farms EDC; Research Park Accessory Multi-Use Site; Palm Beach County Scientific Community Overlay (Mecca) CRALLS; Palm Beach County Scientific Community Overlay (Mecca) TIM and 2020 Map Amendments

Dear Commissioner Marcus:

Please include these comments as part of the record for each of the Scripps related plan amendments being adopted.

I am a resident of Palm Beach County and live near Mecca Farms and will be substantially affected by siting of the Scripps Biotech Park on that location. I am writing to object to the adoption of the 2004 ERP Scripps Related Plan Amendments referenced above because I believe they are inconsistent with the State and Regional planning requirements and Palm Beach County's Comprehensive Plan.

I believe the proposed amendments will result in urban sprawl, traffic congestion, and will hurt our community character. A primary indicator of urban sprawl is an amendment that disproportionately increases the cost in time, money, and energy, of providing and maintaining facilities and services. Another indicator is allowing significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas. Because of the distance of the Mecca Farms location for existing urban areas, it will cost hundreds of millions of dollars to provide infrastructure to the site, resulting in land uses that are incompatible with and which fail to protect the surrounding rural area.

Mecca farms is next to over 80,000 acres of natural areas, 20,000 acres of low density rural residential neighborhoods and threatens the lifestyle of both. Horse paths are not compatible with six and eight lane roads which are at CRALL designations. With high density town centers and industrial uses as well as with hazardous waste products that are kept secret from a community dependent on private wells for drinking water and wants to keep its wells without the expense of treated city water.

The Amendments also seek to exempt the County from statewide traffic concurrency requirements, resulting in virtually all local roadways being expanded but remaining overcapacity with a constrained roadway (CRALLS) designation. Such an exemption is not authorized by state law and will result in significant congestion of multiple roadways, further undermining the existing rural character of our community.

It is also important to note that the impacts of this project, and related development on

surrounding natural areas have not been cumulatively analyzed. Mecca Farms and adjacent Vavrus Ranch are surrounded by tens of thousands of acres of conservation lands, much of which was acquired with Palm Beach County taxpayer dollars for permanent preservation. The effects of building a new city the size of West Palm Beach directly adjacent to these conservation lands has the very likely potential to harm these areas in terms of their ability to provide habitat and support a healthy ecosystem, and these impacts, particularly when considered in conjunction with the development of Vavrus Ranch, have not been fully analyzed.

I am also concerned about the proposed amendment to convert conservation land in the Corbett Wildlife Management Area to an accessory multi-use site for the Biotech Park. Using conservation land for non-conservation purposes will result in a loss of open space, will impact sensitive wetland habitats, and has the potential to impact listed species.

I would also adopt and incorporate by reference the September 30th comments by 1000 Friends of Florida which explain in greater detail the problems of each of the proposed amendments.

Based on these concerns, I believe the County should not adopt the proposed plan amendments and should redirect its efforts to securing an alternate location for this project.

Sincerely,



Maria Wise Miller
16086 E. Stallion Dr.
Loxahatchee, FL 33470



**FOWLER WHITE
BOGGS BANKER**

ATTORNEYS AT LAW

ESTABLISHED 1943

THOMAS G. PELHAM
DIRECT DIAL: (850) 681-0411
TPELHAM@FOWLERWHITE.COM

September 28, 2004

**BY FACSIMILE(561) 233-5365
and U.S. MAIL**

Mr. Lorenzo Aghemo
Planning Director
Palm Beach County Planning Department
100 Australian Avenue, 5th Floor
West Palm Beach, FL 33460

Re: All Proposed Comprehensive Plan Amendments for the Mecca Farms
Property/Palm Beach County Biotechnology Research Park Project in
Round 04-ERP, Including LGA 2004-00045, LGA 2004-00046,
and All Related Textual Amendments

Dear Mr. Aghemo:

This law firm represents Tech Village Partners II, L.L.C., a Florida limited liability company ("Company") which has its principal office in Palm Beach County, Florida. The Company is the developer of the proposed Gardens Scientific Village project in the City of Palm Beach Gardens.

The above-referenced comprehensive plan amendments are related to the proposed Palm Beach County Biotechnology Research Park to be operated by the Scripps Research Institute. The Company's proposed project in the City of Palm Beach Gardens is related to and will be affected by the County's Biotechnology Research Park project. Our client believes that the proposed Scripps project will have a positive impact on Palm Beach County and on the proposed Gardens Scientific Village project in Palm Beach Gardens. Accordingly, the Company strongly supports the above-referenced comprehensive plan amendments and urges the County to adopt them.

FOWLER WHITE BOGGS BANKER P.A.

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101 N. MONROE STREET, SUITE 1090 • TALLAHASSEE, FL 32301 • P.O. BOX 11240 • TALLAHASSEE, FL 32302
TELEPHONE (850) 681-0411 • FAX (850) 681-6036 • www.fowlerwhite.com

Lorenzo Aghemo
Planning Director
September 28, 2004
Page 2

This letter is being submitted to Palm Beach County for the purpose of perfecting the Company's standing, pursuant to Section 163.3184(1)(a), Florida Statutes, to participate in any future proceeding to determine the compliance of the above-referenced comprehensive plan amendments with state law. I hereby request that this letter be made a part of the record of the County's adoption proceedings for the above-referenced amendments.

Thank you for your attention to this request.

Sincerely yours,

FOWLER WHITE BOGGS BANKER P.A.



Thomas G. Pelham

TGP/dg/9040139

xc: Members of the Palm Beach County Board
Of County Commissioners - Via Facsimile

#1652160v1

FOWLER WHITE BOGGS BANKER P.A.

TAMPA • ST. PETERSBURG • FORT MYERS • TALLAHASSEE • ORLANDO • NAPLES • WEST PALM BEACH • BONITA SPRINGS • JACKSONVILLE



September 30, 2004

The Honorable Karen Marcus, Chair
 Palm Beach County Board of Commissioners
 301 N. Olive Avenue
 West Palm Beach, FL 33401

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Susan Summerall Wiles

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President Emeritus

Charles G. Pattison, AICP
Executive Director

RE: Plan Amendment Comment for 04-ERP package, Item 2.A.3, Mecca Farms EDC
 (LGA 2004-00045)

Dear Commissioner Marcus:

1000 Friends of Florida asks that these comments be made part of the record for the October 5, 2004, commission meeting which will consider this and other Scripps Project comprehensive plan amendments. As a statewide non-profit, 501(c)(3) growth management organization, with a large percentage of our membership in Palm Beach County, we are most interested in seeing that this project is located on an appropriate site that meets state and local planning requirements. We further believe that the Commission should not vote on this amendment until the alternative site analyses is completed. After reviewing the DCA ORC report and the staff response, we do not believe that the proposed changes are not consistent with those requirements, and recommend that this amendment not be adopted for the reasons stated below.

This amendment proposes to change the 1,919.23 Mecca Farms site from Rural Residential, 1 unit per 10 acres (RR-10) to Economic Development Center with 2 units per acre (EDC/2) and remove the site from the Rural Tier. The justification for the use of this site for the Scripps project is problematic for a number of reasons due to inconsistencies with state and local planning requirements.

First, the justification is given that the site has good access to transportation facilities—such as the North County Airport, the Beeline Highway, Florida's Turnpike, Interstate 95 and the Port of Palm Beach. Yet at the same time, as the transportation amendments clearly illustrate, the project will create significant transportation impacts on the some of these same transportation facilities that cannot be addressed without a huge public investment in transportation improvements.

This factor illustrates why the Mecca location for the Scripps project is inconsistent with the Urban Sprawl Rule, Florida Administrative Code, Rule 9J-5. Rule 9J-5.006(5) (g)8 lists as an indicator of sprawl a comprehensive plan amendment which "Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government."

Another sprawl indicator is 9J-5.006(5)(g)2, which states: "Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development." We suggest that the distance between the Mecca site and more urbanized portions of the county, with the need to provide urban infrastructure in what are currently rural areas in order to serve this site, clearly demonstrates why there is a problem here.

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The costs estimates for Palm Beach County to provide the necessary public infrastructure for the Scripps project provide startling evidence, in the form of hundreds of millions of dollars, that the project meets this urban sprawl criterion. While the applicants maintain that the integrated mix of uses on the site will minimize the costs of providing services, the design of the project does not come anywhere close to mitigating long-term traffic impacts.

We also find that this proposed amendment is inconsistent with Objective 1.4 of the comprehensive plan which describes the Rural Tier concepts related to growth outside the Urban Service Area. Those conflicts include Policy 1.4-g which requires the commission to consider neighborhood plans in the area. In this case, one plan (Western Northlake Corridor Land Use Study) contains the development site, and two others (Loxahatchee Groves Neighborhood Plan and The Acreage Neighborhood Plan) are in the immediate vicinity - all call for maintaining the rural way of life consistent with this policy. Regardless of the exemption given to projects associated with DRI, this project at this location clearly will not maintain the rural lifestyle associated with low density residences, agriculture, equestrian and similar uses that each of these neighborhood plans call for. Policy 1.4-k also limits the density and intensity changes that require major capital facilities which clearly is inconsistent with the hundreds of millions of dollars required to meet infrastructure needs. Policy 1.4-m states the need to continue existing rural zoning designations which retain agriculture, appropriate residential and agricultural uses, and protect community and rural character - allowing for an industrial use such as the SCO directly conflicts with these criteria. We do not believe that removing this area from the Rural Tier, as we have stated previously, is consistent with both state and local planning requirements.

The staff report deals with the important land use compatibility issue by simply stating that any concerns will be addressed by the zoning, site plan and/or DRI approval process. This is an inappropriate deferral to a land development regulation or development order that is not in effect. In addition, compatibility is treated only as an internal buffer issue, and does not consider the more substantive and cumulative off-site impacts to what is an agricultural, rural part of Palm Beach County. For these reasons, compatibility has not been demonstrated with the surrounding areas.

Based on what we understand about the impacts of this amendment, however, and others proposed along with it, we believe the county would best be served by selecting one of the two alternative sites discussed in the letter of August 18, 2004, to Scripps Research Institute Chair Alice D. Sullivan. Either of those sites better address the issues we have raised, including the public costs and community character impacts, especially from transportation improvements and secondary development. Thanking you for your time and considerations, I am

Sincerely,

Charles G. Pattison, AICP
Executive Director

cc: Commission Members
Mike Busha, TCRPC
Val Hubbard, DCA
Ray Eubanks, DCA

EXHIBIT 6

TRAFFIC STUDY

Available to the LPA and BCC upon request.