

**ZONING COMMISSION  
OF PALM BEACH COUNTY**

Wednesday, April 25, 2007  
9:00 a.m. - 3:55 p.m.  
Jane M. Thompson Memorial Chambers  
301 North Olive Avenue  
West Palm Beach, Florida

Reporting:

Sophie M. (Bunny) Springer  
Notary Public

A T T E N D E E S

Frank Barbieri, Chairman  
William Anderson, Vice Chairman  
Peter Feaman, Commissioner  
Sherry L. Hyman, Commissioner  
Don Dufresne, Commissioner  
Allen Kaplan, Commissioner  
Alex Brumfield, III, Commissioner  
Kelley H. Armitage, Alternate  
Richard E. Bowman, Alternate

Bob Banks, Assistant County Attorney  
Barbara Alterman, Executive Dir., PZ&B  
Jon Mac Gillis, Zoning Director  
Maryann Kwok, Chief Planner, Zoning  
Ora Owensby, Senior Planner, Zoning  
Donna Adelsperger, Site Plan Tech  
Bryce Van Horn, Principal Planner, Planning  
Bryan Davis, Senior Planner, Planning  
Kristin Tetsworth, Senior Planner, Planning  
Isaac Hoyos, Planning  
Ken Rogers, Dir. of Land Development  
Jim Choban, Land Development  
Nick Uhren, Senior Professional Engineer Traffic Div.  
Robert Kraus, ERM  
Kenny Wilson, Health Department  
Michael Owens, School Board Rep.  
Jean Matthews, Parks & Rec Dept.  
Elizabeth Murray, Zoning Secretary

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P R O C E E D I N G S

CHAIRMAN BARBIERI: All right. We'll call the meeting to order.

Staff take roll call, please.

MS. KWOK: Yes. Good morning, Commissioner.

Commissioner Bowman.

COMMISSIONER BOWMAN: Here.

MS. KWOK: Commissioner Armitage.

COMMISSIONER ARMITAGE: Present.

MS. KWOK: Commissioner Brumfield.

COMMISSIONER BRUMFIELD: Present.

MS. KWOK: Commissioner Feaman.

COMMISSIONER FEAMAN: Here.

MS. KWOK: Commissioner Anderson.

VICE CHAIRMAN ANDERSON: Here.

MS. KWOK: Commissioner Barbieri.

CHAIRMAN BARBIERI: Here.

MS. KWOK: Commissioner Hyman.

COMMISSIONER HYMAN: Here.

MS. KWOK: Commissioner Dufresne.

COMMISSIONER DUFRESNE: Here.

MS. KWOK: Commissioner Kaplan.

COMMISSIONER KAPLAN: Here. MS. KWOK:

Yes, we have a quorum.

CHAIRMAN BARBIERI: We're short one microphone up here. Commissioner Hyman can't speak today.

COMMISSIONER DUFRESNE: Oh, you know what, that's probably why mine wasn't working.

CHAIRMAN BARBIERI: Would everyone please stand for the opening prayer and the pledge of allegiance.

(Whereupon, the opening prayer and Pledge of Allegiance were given.)

CHAIRMAN BARBIERI: The Zoning Commission of Palm Beach County has convened at 9:00 o'clock a.m. in the Jane M. Thompson Memorial Chambers, 301 North Olive Avenue, 6<sup>th</sup> Floor, West Palm Beach, Florida to consider Petition TDD/R/ZV2006-1142, known as the Callery-Judge Grove Traditional Town Development filed by the applicants, Callery-Judge, LP and Silver Lake Enterprises, Inc. for a Development of Regional Impact and official zoning map amendment.

Requested use is a Type II zoning variance and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters.

The Zoning Commission may take final action or issue an advisory recommendation on accepting, rejecting or modifying the recommendations of staff.

The Board of County Commissioners of Palm Beach County will conduct a public hearing at 9:30 a.m. on Monday, May 7th, 2007, in the Jane M. Thompson Memorial Chambers, 301 North Olive Avenue, 6<sup>th</sup> Floor, West Palm Beach, Florida, to take final action on the Callery-Judge Grove Traditional Town Development petition.

Zoning hearings are quasi-judicial and

must be conducted to afford all parties due process. This means that any communication with commissioners which occurs outside of the public hearing must be fully disclosed at the hearing. In addition, anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

In this regard, if any group of citizens or other interested parties wish to cross examine witnesses, they must appoint one representative from the entire group to exercise this right on behalf of the group. Any person representing a group or organization must provide written authorization to speak on behalf of the group.

Public comment continues to be encouraged, and all relevant information should be presented to the Commission in order that a fair and appropriate decision can be made.

Continuing under remarks of the Chair, as the Zoning commissioners and staff know, the Zoning Commission consists of seven permanent members and two alternates.

Historically it's been the practice of the Zoning Commission to have the alternates attend only when they were needed to meet quorum requirements. I believe this practice should be changed inasmuch as their infrequent participation lends itself to inconsistent decisions of the Zoning Commission on recurring issues, as well as the inability of the Zoning commissioners to hear staff's presentation of information as to policy changes made by the Board of County Commissioners, to participate in workshops intended to educate the Zoning commissioners on various issues, such as changes in Code requirements and changes in the responsibility to the Zoning Commission, like the recent expansion of Zoning Commission authority to hear requests for variances.

I have therefore asked -- after conferring with the County Attorney, asked staff to change this practice and ask the alternate zoning commissioners, who are here today, to attend our hearing today and all future hearings of this -- of the Zoning Commission. The County Attorney has confirmed that the alternates may actively participate in the Zoning Commission hearings but may only make motions and vote on motions if they are sitting in as alternates for regular zoning commissioners who are absent.

I also want to initially address a letter received by the Zoning Commission from Attorney Trela White, who represents the Village of Royal Palm Beach and apparently the Cities of West Palm Beach and Palm Beach Gardens, wherein she asserts that the Zoning Commission is precluded today from proceeding under Article 2 of the Unified Land Development Code because this project has not been certified as sufficient in all respects, particularly traffic and concurrency.

I've asked the County Attorney for an opinion as to Attorney White's assertion. Assistant County Attorney Bob Banks has advised me

that it is the opinion of the County Attorney that this project may be heard today because it has in fact been certified as sufficient in all respects, including traffic concurrency, and I ask Mr. Banks to confirm that opinion.

MR. BANKS: Yes, that is my opinion.

CHAIRMAN BARBIERI: Great. Thank you. Want to get that on the record.

Finally, at the last meeting of the Zoning Commission there were suggestions from various staff members and the petitioner that the Callery-Judge Grove petition would take a full day to consider and may even go into an extra day.

After consulting with staff and the petitioner's representatives and with the objective of making efficient use of our time today, but still giving fair and adequate time to the petitioner, I have set some time periods by which I'd like to see this petition handled.

Staff indicates that it needs no more than 30 minutes to make its presentation or comments to the Commission.

The petitioner's representatives have indicated that Kerry Kilday, Ron Kolins and approximately 20 experts will be testifying today, and that they are prepared to provide all of that testimony in no more than two and a half hours.

We also have various members of the public, including one or more representatives of the Cities of West Palm Beach, Palm Beach Gardens and Village of Royal Palm Beach, and I anticipate that they would request to cross-examine the petitioner's representatives and experts.

Accordingly, I'm going to ask the Vice Chair at the conclusion of staff's comments to set the time clock for the petitioner at two and one-half hours and direct the petitioner to monitor that time to ensure it has finished its presentation at the conclusion of the allotted time.

I'm also going to ask the other Zoning Commissioners if you would please hold all of your questions for the petitioners until the end of their presentation so that they get the full two and a half hours to which they've requested to make their presentation.

After the commissioners -- or after the petitioner has finished, we'll break for lunch for about a 45-minute lunch today, and then we'll come back and open it up to the public and the comments from the commissioners and -- and the staff representatives.

Do we have proof of publication?

MR. Mac GILLIS: Yes, we do.

CHAIRMAN BARBIERI: Do we have a motion to receive and file?

COMMISSIONER HYMAN: So moved.

COMMISSIONER DUFRESNE: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Hyman, second by Commissioner Dufresne.

All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

Those of you that wish to testify today, would you please stand and be sworn in by the Assistant County Attorney.

(Whereupon, speakers were sworn in by Mr. Banks.)

MR. BANKS: Thank you.

CHAIRMAN BARBIERI: Are there any disclosures by this -- by the commissioners, starting with Commissioner Kaplan?

COMMISSIONER KAPLAN: I spoke to the petitioner on the pending application.

COMMISSIONER DUFRESNE: I, also, prior to our last meeting.

COMMISSIONER HYMAN: I spoke with the petitioner's representative, as well.

CHAIRMAN BARBIERI: So did I.

VICE CHAIRMAN ANDERSON: So did I.

COMMISSIONER FEAMAN: And so did I.

I also have to make a conference call at 11:00 o'clock, but it has nothing to do with the petitioner's application, so if we could maybe take a morning break for five minutes at 11:00.

COMMISSIONER HYMAN: If it's Republican stuff, forget it.

COMMISSIONER FEAMAN: It's not Republican stuff, so it's all right, Sherry.

CHAIRMAN BARBIERI: All right. Fine.

Mr. Banks, I understand that you need to read some comments to the Commission, give us some guidance on today.

MR. BANKS: Okay. Just a -- Kind of a brief synopsis of what we're doing today.

We -- you have before you an application for a DRI, applications for variances and applications for rezoning.

There is also Comprehensive Plan amendments that are required for this project which is a Development of Regional Impact, but as the Zoning Board, you do not take action on the Comprehensive Plan, and the Comprehensive Plan amendments will not be presented to you.

The final actions you take today will be regarding the variances. Those will be the first thing you vote for because those variances are necessary for this project to proceed, and then you will make advisory recommendations regarding the DRI development order and the rezoning of the property.

CHAIRMAN BARBIERI: That's it?

MR. BANKS: That's it.

CHAIRMAN BARBIERI: Thank you.  
Staff.

MR. Mac GILLIS: Just a brief comment before I turn it over to the Planning and Zoning staff.

There's only one item on today's agenda, 2006-1142, the Callery-Judge. This item was postponed at April 5<sup>th</sup> to April 25<sup>th</sup>.

It's currently scheduled for the May 7<sup>th</sup> zoning BCC hearing. At that time, as Bob indicated, they will also be hearing the planning -- Comprehensive Plan and text amendments.

Today you will be hearing, as Bob indicated, four applications, a Development of Regional Impact. It exceeds the thresholds of Florida Statute 380.6, Type II variances, to deviate from the TDD cross sections, the rezoning from AR to a Traditional Town Development and 25 requested uses.

And just to note, there will be future ULDC amendments necessary to implement the Comprehensive Plan amendments, and that will be done in the 2007-02 round of ULDC changes if the Board of County Commissioners approves this project.

This is the first traditional town in Palm Beach County. In 2001 the County hired a consultant, Michael Dyett (ph), to prepare new Code provisions for traditional developments.

The BCC adopted these provisions in 2003. The traditional regulations provide standards for Traditional Town Developments, Traditional Neighborhood Developments and Traditional Marketplace Developments.

Bryan Davis, principal planner for the Planning Division, will provide you with a brief overview of what a TTD is and how it differs from a straight subdivision or a planned development and outline some of the key design elements of a TTD that you will be considering this morning.

Ora Owensby, senior planner with the Zoning Division, will provide you with an overview of staff's recommendation of denial of the four applications before you this morning.

I'll now turn it over to Bryan Davis for his brief presentation on the TTD.

MR. DAVIS: Thank you, Jon.

Good morning, Commissioners. Bryan Davis, urban designer, principal planner with the Planning Division.

I'm going to provide you with a little bit of background from a planning perspective of how we are or how we got to where we are today and also to provide you with a little bit of familiarity because we -- like Mr. Mac Gillis said, we have not done a traditional town before.

So this is a completely different pattern of development, anything we have seen before in this County. So this is something of a crash course to bring you up to speed.

I will be going through the planning process, how we got to here, and then, more specifically, most of my presentation will focus on traditional town, the history of it, the design and form, and then one of the more interesting issues is open space because it is handled in a different way than it has been in suburban development or our PUDs that we typically see.

A little bit of background on the area.



The central western communities is an area roughly north of Southern Boulevard, west of the Turnpike and south of Northlake Boulevard, extends out to the L-8 canal.

It is bisected by Seminole Pratt Whitney Boulevard, and the southern limit is, of course, Southern Boulevard. These are the two main roads that access the area.

To the northeast of the subject property, which is Callery-Judge Groves in the middle, is The Acreage, which is a, you know, mid-century and after subdivision of approximately 1.25-acre lots, and then to the south is Loxahatchee Groves, and then the other roughly, you know, 1.25 to 10-acre lots, majority larger lots in Loxahatchee Groves.

And then also highlighted in various colors on this map are the larger parcels greater than 600 acres out there, which are envisioned to be the large parcels.

In the center is Callery-Judge Grove, the subject of this petition.

This is a very important area. It's one that was originally planned by subdivision. There was no real thought given to substantial infrastructure, the way we think now that, you know, you have to have roads, you have to have drainage, you have to have stormwater. All that was not necessarily thought of in quite the comprehensive manner we look at it now.

It's 53,000 acres. We already have an existing 19,000 lots that are platted and have development rights for single family dwelling units, and then within this, of that 53,000 acres we're looking at approximately 4,000 today.

Some background on the Sector Plan, which I'm sure you've heard, which is the central western communities area. It is a plan that is -- was adopted by the Board in August of 2005. It went through a lot of change over the seven to eight years to get it to there.

It established for these larger lots that I showed on the previous slide a density of 0.8 dwelling units per acre or one dwelling unit per 1.25 acres for parcels developing with cluster development patterns, and it was an effort to balance the land uses in the existing western communities and provide for desired needs while maintaining a rural feel. This is very critical.

This was the effort to go back and put all these things, where the schools, the fire stations, as this area has been slowly approaching build-out.

Now, Callery-Judge, in June of 2004, the application for a DRI was made with the Treasure Coast Regional Planning Council, which is the formal kick-off for this process. They are a DRI, Development of Regional Impact.

In August of 2004 the application for the plan amendments for the Comprehensive Plan was made. So the Planning Division's been working on this for, you know, almost three years now.

In May of 2006 there was a transmittal hearing. This is where the Board takes their

first of two actions to advance the project. It was sent to the Department of Community Affairs in Tallahassee as a Traditional Town Development with a maximum of 2.5 -- maximum density of 2.5 dwelling units an acre, for planning purposes, this was how this was transmitted.

And in that proposed text amendment or -- there were actually five amendments. In that there were proposed exemptions for many of the existing TTD criteria.

One of the reasons for this was is we've had the traditional town land use, as Mr. Mac Gillis mentioned, but we -- when we came up with the tier system, which was a later, you know, sort of parallel, but also -- we didn't necessarily address how to look at this in a rural area. It was only allowed in the urban-suburban tier.

Once this amendment was transmitted, staff went back and looked it, and said there may be some merit to this. This is truly a new town, and that has certain statutory meanings out -- per the Florida Administrative Code.

Now I will segue into traditional development patterns. That's sort of how we are, where we are from a planning perspective.

Traditional development patterns. Just a background. You've seen this slide before when Mr. Dana Little was here back in February giving you a background, but I wanted to go back and pick up some of the key points.

In a suburban pattern you get individual developments. Typically what you all have seen, you know, a PUD will come in. You will see this piece. It will have one connection to a street. You will get another PUD. It will have a different form. You will have, you know, an MUPD shopping -- you will see an entire piece, but on a piecemeal basis with no large over-arching vision.

They're stand alone. This may have one income range, a different income range, different densities, different types of uses, but they're all segregated, is the key point, in the suburban pattern.

In a traditional pattern you get much more integrated. Instead of having one development type be pulled off, you have -- you go from a variable transition of, you know, low density to more, you know, high density and to mixed use commercial and residential. You can have employment uses, light industrial in this.

You get concentrated public amenities that are, you know, at a scale in which the -- you can get more overlapping uses, but because you've got the sufficiency, you're not segregating each specific use with buffers and its own retention. You can come up with more global, like retention solution, water retention solutions, open space solutions. It can become much more efficient, but it also can allow for a lot more mobility options, rather than that one point of ingress and egress.

In a traditional town, because you've got that efficiency of putting the uses closer

together, you're not necessarily separating them with buffers or, you know, single points of entrance.

You can provide a mix of uses to meet needs of new and surrounding residents, existing residents. You can integrate the residential, the non-residential, and this makes it a more walkable situation.

You don't necessarily have to get in your car every single time you want to go someplace. It could be potentially close enough for you to make the trip by foot or, you know, hop on a bus, take your bike. I mean the whole point is to add options, provide alternative modes of transportation and to provide -- or to establish sustainable growth patterns.

Now, with this clustering that we're talking about in traditional design, this -- by leaving that, you get to the point where you can get higher densities, and you need this because if we're starting to look at a walkable formation or a walkable development, then you have to make it so that somebody doesn't have to walk two miles to get to the, you know -- you know, to go pick up a gallon of milk or the loaf of bread, those are things that we always think on a neighborhood scale that we would like to get.

You need to also do that because if you get a certain -- it's almost like critical mass. Once you get enough people there, I mean to sustain a nuclear reactor or to get one going -- once you have enough people there, then you can actually start to support things like transit or transportation. You at least open up the door for that option.

This also then leads to viable mixed use neighborhoods. We can get that neighborhood commercial in there that we want, rather than putting it at the corner or wherever the next opportunity presents itself, and then you can provide for greater open space.

Now, what happen is, because you cluster it, we look at it in terms of a net versus gross density. I'm saying higher net density. It's actually you look at it, though, in typical planning terms on a gross density. It's just overall the entire piece, but the development gets concentrated down.

So you need a limited gross density to also help ameliorate the impact. We're talking about an intensity in the middle, and then at the edge you're talking about almost no intensity. I mean there's nothing there, in theory, and this is very good in a rural setting.

It limits infrastructure, public facilities impacts. You can make this a more efficient service that you're providing in the end.

This is all well and good, the theoretical, but what does this actually look like? Well, up here we have an image. It's a hand drawing, but it gives you a traditional

neighborhood, one component of a traditional town, and it starts at the village center or the town green, whatever you want to -- commons, and around this you see there is a mixed use, you know, two to three-story buildings. These are both, you know, second and third-story walk-ups, second floor office, ground floor retail, then you start to taper out the intensity.

This is your biggest cluster, and then it starts to go to townhouses, single family detached and then almost into estate lot type things towards the edge.

What you get is a very clearly defined center and edge to this. This is how you do it, and then because you're not using all the land, then something else can happen out here in the open space, and I will go into all these concepts as I progress here.

But really what we're talking about here is a qualitative process. It's not a quantitative process. This is a process by which you have to look at it, and there is no, well, if you do three out of five, then you're -- you're judged to have met the criteria.

You have to look at it and say does this really work. I mean use some common sense. Is this creating a real sense of place. It's a completely different way of how we've been doing things.

So what are the characteristics? Clear public center -- or a clear public center and a clear edge. You have a mix of housing types. You're also providing, you know, jobs, employment, neighborhood retail, recreation, education. That's the whole concept, not on a giant scale, not on a regional scale, but on a local issue. This is just a neighborhood, and we're going to work up to a bigger scale.

Like I said, this is all based to be in a walkable scale. A quarter-mile radius is what we believe, and we have studied this, to be what a person is willing to walk. At that point they're either not going to make it, or they'll jump in a car.

August in South Florida I always have my suspicions, but these are national standards, so we'll, you know, for ease of -- we're doing that, but I don't know.

Interconnected network of streets and blocks. You give people more options. It's not just cul-de-sacs. You know, you could go around the block. You could take a different way. Think about it even from a recreational point of view. If you just want to go for a walk in your neighborhood, you don't have to walk down the same street. You can take a different route. Your permutations, your number of trips can multiply incredibly.

But one of the other most critical things is you give a priority to public space, and that public space can be in the form of a park. It can be in the form of the school buildings. You know,

they're prominently sited, and there are spaces dedicated within the traditional development for these. Again, it's really the old way of doing things.

What are the components of traditional towns? Now we're -- I've given you the building block, the traditional neighborhood which forms the -- the meat of one of these.

But looks at what are all of the components. We have the traditional neighborhood. That's that quarter-mile radius that I started to talk about. That's how you build these. These are the neighborhoods. They have some limited commercial. Again, these are all mixed use.

In a traditional marketplace this is, if you want to sort of default back to your general land use, you know, you have residential, commercial, industrial, this would be more of the commercial. It's predominantly commercial, but not exclusively commercial, is how we defined it.

You have the mixed use, the second and third story opportunities for office, for residential.

And then the Traditional Employment Center. This is new. This is one of the things that we came up with in the course of doing the land use. This is more your job generation center. With all the talk of there being biotech, trying to lure these new industries, you know, have something in Palm Beach County other than tourism and construction is -- and agriculture as our main job basis, let's look at biotech as being one of those.

So this would be a potential place for this. This could be the office/campus-type thing that we hear talked about. This is the type of new use we're looking at in putting in there.

And then the fourth component is effectively the void component. What happens when you don't have construction. That's the open space, and there's both internal and external open space.

So this is the concept. The original -- the -- the box up here, just a -- this was back from the 2002 plan that was done for the County. This was the urban TTD, and effectively all we've done is grafted on this green area around it. This is the open space.

When I was talking about the -- excuse me, the gross and net density, your gross density would be based on the calculation of dwelling units per acre, the whole area, but it would then be applied within this, and this would be your net density within the green box.

Now, what you get here is this is a traditional neighborhood here. In the middle you have a traditional marketplace. You have multiple neighborhoods that surround and flank this, and then you have an employment center that also is very close to the employment center -- or excuse me, into the marketplace.

This is effectively just a schematic of

how this theoretically lays out, but this is the concept, and so that what happens here on the edge where you've got all this open space, which can be, you know, five, 800,000 feet, whatever it winds up being, because this is roughly a square mile if you go back to the original plan, in fact, actually more than that, these, you know, existing uses, residential uses, do not really sense this, you know, being their back yard. It's like a gigantic buffer, I mean, in essence, if you want to look at it back in those terms.

Why do we do the traditional pattern of development? Well, it accommodates high, medium and low densities in a very close proximity which minimizes commuters or commutes, roadways and infrastructure cost, while maximizing open space and free time. You don't have to get in the car and go everywhere.

Admittedly, this is somewhat idealized, but if you get the employment in there, you get the uses in there, this does work. I mean there's a reason we're going back to this. I mean you can go back in the old towns on the east coast that effectively, you know, did not grow beyond a certain point.

They managed their growth, you know, for whatever reasons. People are actually seeking to come back to them. We're seeing this working, so, again, open space.

Internal open space. This is more what we typically see in a PUD. It's a planned amenity. This is like your -- your tot lots, your public civic dedications that you would see for a PUD, but this is your recreation, your gathering space.

This is an image of Seaside. You have a public green in the middle. You have, you know, various, you know, tree-lined roads. You know, this is centralized.

These are the places you, you know, you walk to, you step out of your front door, you see every day. That's not really the -- the big change.

The external open space is where we did. This is not a concept that we've really seen before. Probably the closest parallel may be an Ag Reserve PUD, but this is going to now be contiguous, there is a requirement for it to be contiguous with the development area.

And it preserves the character of the surrounding area. It provides a clear line of demarcation between urban and rural or the existing rural, the new, you know, rural town that we're talking about. It provides a network of open space linkages 'cause when you think back to that map, we're talking about there may be future parcels like this coming in for changes, and the idea is if we get more of those, if they can link, they should link, and it's not just for recreation, but for environmental reasons, water management purposes.

These can also be -- these open spaces, external open spaces, can be used for

environmental impact mitigation, and we even envision that even though these are, in the case of Callery-Judge Groves, is an orange grove or citrus grove that is no longer going to be used, that there is still a need out there to, you know, produce viable agriculture. They just may not want to do it on, you know, they don't see it necessarily in their business plan, but it's something that we still have an identified need for, so.

Really, what's critical is the use, the location of open space and the amount of it.

And then here's another graphic presentation to go back to the initial one.

You have your edge condition here, your public open space, your linear park, various, you know, the town center, the various open spaces, closes, I mean they're all in there, I mean -- but then you also have your external open space. You have environmentally sensitive land, wetlands, flow ways -- we'll let this finish -- yeah, well sites, bona fide ag. These are all the things that happen outside of the development area.

So, hopefully, that's a brief overview.

Really, Callery-Judge represents a chance to balance the existing -- or to balance land uses in the area of the central western communities, to provide a mix of housing types, to increase the employment opportunities in the area because there's effectively just single family residential, other than the few smaller commercial developments out there, provide for some trip capture out there, rather than sending them to Northlake or to Southern and along Seminole Pratt, and provide an opportunity for sustainable development, provided that the design provides protection for your surrounding communities, and it mitigates its environmental impacts.

In other words, it doesn't create a bigger problem than already exists out there, and the design addresses and improves water management needs for the overall area, flow ways, water polishing marshes. These are things that have been identified by the South Florida Water Management District as something that would further their objectives.

This concludes my presentation. Me and -- myself and the Planning staff would be happy to answer anything that you may have now or later on, and at this point I will turn the presentation over to Ms. Ora Owensby for the Zoning presentation.

Thank you.

MS. OWENSBY: Good morning. Ora Owensby, for the Zoning Division.

All right. This application includes four requests, and that is for a Type II variance to deviate from the standard roadway cross sections for a TTD. It includes a Development of Regional Impact. It also includes a rezoning from the Agricultural Residential Zoning District to the Traditional Town Zoning District and a requested

use to allow more than one of each of 25 requested uses.

This proposed rezoning of 39,000 -- I'm sorry, 3,911.04 acres of land from the AR to the TTD District will consist of 10,000 residential units and a total of 4.9 million square feet of non-residential uses.

The detailed summary is found on Page 1 of your staff report.

And this is the area here and the proposed development.

You've just seen a presentation of what a traditional town should look like and how it should function.

This slide explains the intensity of the project, and this slide explains the different uses that are included within those 25 requested uses.

We have 14 pods in this PUD. Nine of them are traditional neighborhoods, and two are traditional marketplaces.

This is Callery-Judge here on the master plan proposed, and you will note that it's not a traditional town as Bryan just described in his presentation.

Staff is recommending denial of the rezoning, based on four issues. Number one, the scale and intensity of the project is inappropriate for the -- and out of balance with the rural area surrounding it, the design layout exhibits a sprawl pattern, and rather than a compact design, the open space is a critical concern, as Bryan mentioned, that the flow ways and the polishing marshes are important for water quality in the area, but the location chosen by the applicant for where they put these open spaces detracts from the traditional town concept.

And, number four, the project is premature and has been processed in a piecemeal fashion.

I'll get to these issues in more detail in a few minutes, but today your first decision is the variance.

The Type II variance request to deviate from the TDD cross sections in the code is intended by the applicant to provide wider, higher designed speed roads than is recommended for a traditional town.

The TDD regulations promote a traditional street grid network providing connectivity in a grid pattern disbursts traffic throughout the neighborhood so that streets can be designed with narrower widths and slower speeds. This will enhance pedestrian convenience and safety, and it creates more human-scaled environment.

The variance staff analysis begins on Page 16 of your staff report, and the application itself is found as an attachment to your report.

Staff agrees that the applicant has a valid hardship on one issue, and that is the need to comply both with the County's thoroughfare plan and with the ULDC requirements for a traditional town; however, it is staff's opinion that the



method and design chosen by the applicant to resolve this issue is -- that staff objects to.

The street system and the layout of the development are self-created. Staff objects on three principal points, the first one being Seminole Pratt Whitney Road, Persimmon Boulevard in particular and the general widening of the roads through the -- throughout the development.

Number one, regarding Seminole Pratt, Seminole Pratt does need to carry more traffic; however, the applicant chose to locate essential core areas or the TMDs of the project on both sides of Seminole Pratt Whitney Road.

Staff recommends that these core areas be located east of Seminole Pratt, and, therefore, pedestrians would not be forced to cross a major six-lane facility plus frontage roads to travel from one marketplace to another. This would improve the compactness of the development, as well.

Item number two is the east-west traffic.

The applicant chose to route most of the east-west traffic on Persimmon Boulevard and also a diverted portion of 60<sup>th</sup> Street North through the project.

Staff has recommended creating a 60<sup>th</sup> Street North bypass along the northern boundary of the project, rather than routing traffic through the project.

The three major east-west roads, Persimmon and 60<sup>th</sup> Street, will carry regional traffic.

Staff considers this design inconsistent with the traditional town concept. This design is a self-created hardship and is not beneficial either to the regional traffic or to the traditional neighborhoods. Staff recommends a bypass.

Item number three on the variance, staff has determined that the widening of the internal roads, including the oversized medians, would adversely impact the traditional town concept.

It would decrease pedestrian travel and increase traffic speed.

The complete variance recommendation and findings begin on Page 17 of your staff report. Staff objects to the road cross section variance because the applicant chose to locate major roads bisecting the project, rather than routing the traffic around the traditional area. This is self-created and unnecessary.

This development is also a Development of Regional Impact. The application to DCA was made in July of 2005, and Treasure Coast has produced an assessment report in March of 2006.

Treasure Coast Regional Planning Council recommended that public open space be at 60 percent. They recommended compressing and compacting the development area, increasing the interconnectivity to the surrounding areas.

Treasure Coast recommends that the key issues would be addressed by modifying the master plan.

Now I will go back to the four issues for the basis of the recommendation of denial for the rezoning. These issues are detailed on Pages 1 through 12 of your staff report.

As I mentioned, there were four reasons that staff recommends denial of the rezoning. Number one is the scale and intensity of the project.

This is a very large project, approximately five miles wide and almost two miles north-south along Seminole Pratt Whitney Road. The TDD Code provisions in the ULDC were intended for the urban-suburban tier of the County and were never anticipated to be in the rural areas, and, therefore, the ULDC does not have any threshold maximums or limitations.

The amount of land area in this project and the site design chosen by the applicant results in certain areas of the master plan that exhibit a sprawl pattern. It has expansive paved roads transversing the project, and it has a lack of overall walkability and connectivity throughout the project for future users.

The Engineering Department estimates that there will be 94,667 trips per day in this project. This expected amount of traffic has resulted in them requesting plan amendments, including a CRALLS designation, a level of service exceeding D and widening roads in the general vicinity, including Southern Boulevard, Royal Palm Boulevard and Orange Boulevard.

The major improvements are listed in detail on page 29 of your staff report.

Staff has made numerous recommendations to the applicant throughout the process to modify the master plan to address these concerns with scale and intensity; however, the applicant has chosen not to modify the master plan design layout.

The second issue for denial is a lack of compact design.

The intent of the TDD and TTD is to encourage a compact and pedestrian-friendly walkable community. The applicant has failed to demonstrate how this master plan community complies with the TTD provisions of the ULDC for a compact development.

The applicant does argue that within the individual parcels they have achieved compactness; however, the intent of the TTD is that the overall development must have a compact design as it relates one parcel to another, and they must be interconnected and interrelated.

During the review of this project staff pointed out on numerous occasions that the TTD itself is required to provide a compact design.

The large water management area in the eastern portion of the TTD disbursts the development, decreases interconnectivity among the pods and eliminates many potential street networks.

Staff objects to the proposed golf course in the western portion of the TTD because it

increases the sprawl pattern in the western portion.

Both staff and Treasure Coast recommend that the western parcels be either compressed or eliminated in order to create the countryside effect, as Bryan mentioned before, between this development and any future developments.

The third issue of denial is the open space layout. The residential parcels are generally separated on the master plan from the marketplaces. The water bodies, the location of the golf course and location and design of the roads have been planned in many areas without regard for the principal design concern of compactness and walkability for future users.

Pursuant to the Sector Plan of the Comprehensive Plan, the development pattern contemplated is intended to concentrate the development area in one centralized location, and -- while allowing the remaining land surrounding the project to remain as open space.

With respect to the ULDC open space limitation of 25 percent, which is intended for urban TTDs, in late 2006 the applicant processed an application for a variance from the 25 percent open space maximum.

Staff objected to that variance, based on the layout of the project and recommended that the compact development could be achieved by compressing the development area within a more centralized location.

Staff recommends the external open space be increased to 60 percent.

Issue number four for the recommendation of denial is that the project is premature and has been processed in a piecemeal fashion.

As early as 2004 when Zoning was reviewing the DRI application and through numerous correspondences, the applicant was advised to identify possible Code amendments that would be necessary to accommodate a TTD in the rural tier and implement the master plan. Some of these letters are attached in Exhibit F.

In September 2006, the applicant provided a list of potential Code revisions that may be needed for the site plan and the master plan.

Staff recommended that the master plan-related variances be processed first, and Code amendments should also be considered at this time.

The applicants stated that the project should be reviewed under the Code in effect at the time of application, which was August 2<sup>nd</sup> of 2006, and so they processed applications for variances in November; however, they did not process any Code amendments.

The only Code amendment that has been done to date is the variance that was staff-initiated, and that was for the phasing requirements of the plan.

As the project proceeded, further Code amendments and -- were being revealed as needed.

Staff has concluded that this application

is premature for a project of this size, a build-out period of 13 years. The applicant should have addressed all outstanding Code requirement issues prior to the submittal of the application to the Zoning Division.

To summarize, staff recommends denial of the Type II variance, which is the item you will be deciding today, based on the self-created hardship criteria. The applicant could have chosen a design concept and solution that would be consistent with the intent of the TTD and the Code. They did not do so.

The findings for the denial of the variance are found on Page 17 of the staff report.

Staff's recommendation of the denial for the DRI rezoning is based on the failure of the overall TTD to function as a compact pedestrian-friendly traditional town.

The four points of the denial are: Number one, the scale and intensity of the project; number two, the overall design is not compact; number three, the open space location chosen detracts from the traditional design; and, number four, the project is premature and has been processed in a piecemeal fashion.

The findings for the denial of the rezoning is found on Page 12 of the staff report.

In conclusion, should the site be significantly redesigned and the density reduced, staff could support a recommendation of approval.

Thank you.

CHAIRMAN BARBIERI: Is that it for staff?

MR. Mac GILLIS: Yes, Mr. Chairman.

CHAIRMAN BARBIERI: All right.

Would Mr. Kolins come forward, please.

Mr. Kolins, the petitioner has submitted Exhibit A to the zoning commissioners which sets forth the expertise of the 20 experts that the petitioner wishes to provide testimony today.

After conferring with the County Attorney, probably the best way to handle this will be we'll ask Mr. Kolins to read the name of each one of his experts and their area of expertise.

I'll ask for objections. If nobody objects, we'll continue down the list, and when we get to the end, I'll ask for a motion from the commissioners as to the -- to recognize those persons as experts.

If there's any objections to any of them, we'll come back to Mr. Kolins after we're done with the rest of them, and we'll have him go through the qualification of his experts.

So, Mr. Kolins, if you would -- first of all, I'd like to get a motion from the commissioners to at least admit the Exhibit A to the record.

COMMISSIONER HYMAN: So moved.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion made by **Commissioner Hyman**, seconded by Commissioner Anderson.

All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

Mr. Kolins.

MR. KOLINS: Thank you, sir, and I'll get to that in just one moment. First let me introduce myself for the record.

My name is Ron Kolins, and I'm with the Greenberg, Traurig law firm, and it truly is with great pride that I come before you to represent this applicant and this project.

It is a great project, and it is supported by a cast of experts of unparalleled competence, and in a moment I'm going to go through their expertise. In fact, let me do that now.

I'm going to reference you and for the record what's designated as Applicant's Exhibit A.

That is the book of résumés of our various expert witnesses, and if you will look at the first page beyond the cover page, we list those experts and as to each the areas of expertise for which I would like to get them qualified, and we are doing it this way in the interest of being as efficient with time as we possibly can be.

Now, of these experts not everyone will speak to you today. Most are here to answer questions if they do not specifically address you, and there is one change to this list when I'll -- which I'll read to you when I get to it.

But let me begin with Mr. Michael Byrd, who we're offering as an expert in land use engineering; civil engineering; traffic impact analysis; and traffic and transportation engineering. And as you will see, by the way, for each of the names that I'm going to read, there is a tab behind which is their résumé.

CHAIRMAN BARBIERI: Are there any objections to Mr. Byrd's expertise?

(No response)

CHAIRMAN BARBIERI: All right. Continue.

MR. KOLINS: Next is Mr. Dan Cary, who we're offering as an expert in ecology; environmental planning; land planning; and town planning.

CHAIRMAN BARBIERI: Any objections to Mr. Cary?

(No response)

CHAIRMAN BARBIERI: Continue.

MR. KOLINS: Next is Mr. Victor Dover of Dover, Kohl. We offer him as an expert in town planning; land planning and zoning; architecture and design; and comprehensive planning.

CHAIRMAN BARBIERI: Any objections to Mr. Dover?

(No response)

MR. KOLINS: Number four is Amy Eason, we offer as an expert in civil engineering; water resources and water/wastewater engineering; and hydrologic modeling.

CHAIRMAN BARBIERI: Any objections to Ms. Eason?

(No response)

MR. KOLINS: Number five, Anthony C. Federico for environmental and water supply planning; water quality; water supply management; and stormwater discharge treatment.

CHAIRMAN BARBIERI: Any objections to Mr. Federico?

(No response)

CHAIRMAN BARBIERI: Continue.

MR. KOLINS: Number six, Andrew Georgiadis, in land planning and zoning; and town planning.

CHAIRMAN BARBIERI: Any objections to Mr. Georgiadis?

(No response)

MR. KOLINS: Number seven, Emily Hollis, in the fields of civil engineering; traffic and transportation engineering; traffic impact analysis.

CHAIRMAN BARBIERI: Any objections to Ms. Hollis?

(No response)

MR. KOLINS: Adam Kerr, civil engineering; traffic and transportation engineering; traffic impact analysis; and traffic modeling.

CHAIRMAN BARBIERI: Are there any objections to Mr. Kerr?

(No response)

MR. KOLINS: Number nine, Kieran or Kerry as we know him, Kerry Kilday, in land planning and zoning; landscape architecture; and comprehensive planning.

CHAIRMAN BARBIERI: Any objections to Mr. Kilday?

(No response)

MR. KOLINS: Number 10, Lennart Lindahl, in civil engineering; water resources; hydraulic and hydrologic modeling; and hydrologic engineering.

CHAIRMAN BARBIERI: Any objections to Mr. Lindahl?

(No response)

MR. KOLINS: Next, number 11, John McHenry, demographic and demographic modeling; statistics; demographic data analysis.

CHAIRMAN BARBIERI: Are there any objections to Mr. McHenry?

MR. KOLINS: I'd like to strike number 12, Patrick Painter, who worked with us on environmental issues.

I will simply explain to you that since he was working with us very recently, he was hired as a consultant by the City of West Palm Beach for his expertise of environmental issues, but since they are among the cities who have indicated a traffic exception, they have indicated to him they felt it would be a conflict for him to participate, so we will not be presenting Mr. Painter.

Number 13 in the book, Robert Pennock, in the areas of land planning; regional planning; urban sprawl; comprehensive planning; and urban

geography.

CHAIRMAN BARBIERI: Any objections to Mr. Pennock?

(No response)

MR. KOLINS: Number 14, Leah Schad in the areas of water and resource management; growth management; and environmental preservation and protection.

CHAIRMAN BARBIERI: Are there any objections to Ms. Schad?

MR. KOLINS: Number 15, Frederick Schwartz, civil engineering; traffic and transportation engineering; transportation planning; traffic impact analysis; and traffic forecast modeling.

CHAIRMAN BARBIERI: Are there any objections to Mr. Schwartz?

(No response)

MR. KOLINS: Number 16, Howard Searcy, civil engineering; water resource management; hydraulic and hydrologic engineering.

CHAIRMAN BARBIERI: Any objections to Mr. Searcy?

(No response)

MR. KOLINS: Number 17, Linda Shelley, environmental permitting; land use permitting; growth management; and comprehensive planning.

CHAIRMAN BARBIERI: Are there any objections to Ms. Shelley?

(No response)

MR. KOLINS: Number 18, Chris Squires, civil engineering; traffic and transportation engineering; traffic and transportation impact analysis; traffic forecast modeling.

CHAIRMAN BARBIERI: Are there any objections to Mr. Squires?

(No response)

MR. KOLINS: Number 19, Rick Warner, population analysis; market demand; and housing needs analysis.

CHAIRMAN BARBIERI: Are there any objections to Mr. Warner?

(No response)

MR. KOLINS: And, finally, number 20, Jack Winston, urban and regional planning; real estate market analysis.

CHAIRMAN BARBIERI: Any objections to Mr. Winston?

(No response)

MR. KOLINS: With that, sir, I'd ask that all of these ladies and gentlemen be qualified as experts in the stated fields.

COMMISSIONER KAPLAN: Mr. Chairman, I'd like to make a motion --

CHAIRMAN BARBIERI: The record should reflect there are no objections to any of these people, then Mr. Kaplan has made a motion to accept the 19 --

COMMISSIONER KAPLAN: Nineteen, excluding item number 12, Mr. Painter.

MR. KOLINS: Correct.

COMMISSIONER DUFRESNE: Second.

CHAIRMAN BARBIERI: We have a second by Commissioner Dufresne.

Is there any discussion?

(No response)

All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

We'll start your time now, Mr. Kolins.

MR. KOLINS: Secondly, under the housekeeping rubric I would like to introduce into evidence some -- all of our exhibits at one time to save a great deal of time in our presentation.

Now, each of you should have before you --

VICE CHAIRMAN ANDERSON: The clock doesn't go up to your full allotted time so I'm going to do it in hour increments.

MR. KOLINS: You have two books, Volumes 1 and Volume 2 of what is our Composite Exhibit B, which I would like accepted into the record as our exhibits so we don't have to individually do that and take an inordinate amount of time.

COMMISSIONER KAPLAN: So moved, Mr. Chairman.

COMMISSIONER DUFRESNE: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Kaplan, seconded by Commissioner Dufresne.

Any discussion.

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. KOLINS: The variances that were discussed earlier by staff will be discussed later in our presentation by Mr. Kilday. They are really sort of the tail wagging the dog, but he'll explain that in greater detail, and I should tell you at the outset that we are here in the unusual posture of coming to you first for zoning before the land use has been dealt with by the County, but we are doing that at the specific requirement of the County Commission.

So while this is a bit of an unusual process, I wanted you to understand how all of that came about.

Permit me just a couple of moments of introductory remarks, and then we'll get to the people that are expert in their fields.

Today we're going to deal with something that is truly extraordinary, and you're going to have an opportunity to recommend approval, hopefully, of something that will be of benefit to the public for years and years and years to come.

We're going to ask you to allow us to build a new town, not a shopping center with homes around it, not a mall, not a PUD that you're so familiar with, but a real town.

And so this project is of a magnitude that



has never come to Palm Beach County before, and it presents something of a character that you've never before had to deal with, and it is because of that that I suggest to you that to deal with this and get your arms around it, because, don't forget, we've been dealing with it for five years, you have not, but to do so I ask that you're going to have to think out of the box. That's kind of the latest expression that's used to mean let's open our thinking a little bit broader than perhaps we're normally used to for an extraordinary and unique project.

In that connection I'm asking you not to look at this application in what I'll call the old or the traditional way. So often, whether it's dwelling units per acre, square footage of commercial, square footage of retail, square footage of industrial, you have a number, and then you strive to make the project fit that number. That will not work here.

Here, I ask you to consider the project overall, consider the circumstances that lead to it, consider the benefits that will flow from it, and then if you can after doing all that, we hope that you will be able to see your way clear to recommend its approval, and the public benefits from this project are truly, truly extraordinary.

I'm going to list just a few, and you'll hear much more about them in detail by more qualified people by me.

There will be enormous tax base benefits.

There will be the construction of roads, schools.

There will be 600 acres of water treatment area at a value of many millions upon millions of dollars. There will be 2,000, 20 percent of the residences, 2,000 residential units for workforce housing. There will be employment opportunities.

There will be a university. It will be simply something that's outstanding.

And as you can imagine, to create something like this took people years and years of work and of analysis and the compilation of more data than would fit in this room.

But in the interest of efficiency and in the interest of everybody comprehending what we are doing, even ourselves, I have asked each of our experts to talk to you in sort of an overview fashion to discuss the salient points of each of their areas of expertise.

I assure you that they've got the knowledge and the data and the information to answer whatever questions you might have to the extent that you later on want specific details, but if we went into those details in our initial presentation, we would all be here, I fear, for weeks. So we will not do that.

With that, I would like to introduce to you our first presenter, and that is Nat Roberts, and Nat Roberts is not coming to you as an expert witness. Nat is a partner in the partnership that owns Callery-Judge Groves, and he is, if you will, their point person here in Palm Beach County for

this project.

Nat has been involved with the groves for many years and involved with this project for many years, and there are some issues concerning it that I think he, as the owner, should bring to your attention, and with that it is my privilege to introduce Mr. Nat Roberts.

MR. ROBERTS: Good morning, Commissioners.

My name is Nat Roberts, and as Ron said, Jim Callery and I are the general partners. We can make the decisions, and we are the general partners of the entire ownership.

Over 40 years ago Jim's father, Francis -- Grant Judge and Jim bought the land that is now Callery-Judge Grove. As you can see in the aerial, there weren't too many neighbors when we built the grove. It was built in the '60s.

That shows us planting it, and you can see some of the scale.

Over the last 20 years we've seen a dramatic change in the offshore production of fruits and vegetables, more recently, droughts, hurricanes and spreads of diseases, such as canker and greening, primarily coming from the urbanized areas of Miami-Dade County.

In the '80s we replanted. In the '90s we built a marketing and packing operation and employed hundreds of people, and I closed due to the spread of canker.

Canker and greening continue to spread, and in some the current agricultural operations on our property are not sustainable and will come to an end.

Over the years neighbors have moved in, as you can see from that picture, and we've seen the area change dramatically.

In the late '80s the County authorized a planning and engineering study called the Midlands Study that had a direct recommendation for the County to do a land use study of Callery-Judge Grove, quote, due to the potential land use conflict inherent in the continued operation of the citrus grove within an area experiencing increased residential construction, and I will point out that that is the same time that study was released we were spending \$9 million to replant citrus trees.

As an interesting fact the second recommendation was for the County to identify, protect and acquire additional right-of-way for roads north of Southern Boulevard for the potential population density north of State Road 80.

As a matter of record, neither action was done.

As one of the few people in this room who participated in the original Sector Plan scoping meeting in 1998, a decade after the Midlands Study and a decade before today, I would like to point out to you that the master planning for the area was supposed to be based on things such as population projections and absorption.

Almost 20 years after the County first identified the need to plan Callery-Judge it is now time to make the decisions for a great plan for our area. Our planning effort is based on several core principles.

Anything this big must be first focused on principles. Improve the environment, design the edges to enhance all of the neighborhoods -- I'm sorry, involve our neighbors, design the edges to enhance all of the neighborhoods, balance the situation, the jobs, trails, learning and more.

Connect. No gates, no walled-off communities, create the heart of town for the western communities, grow enduring, valuable and traditional neighborhoods, build streets and trails the right way, functional and beautiful, shorten, eliminate or retain as many car trips as we can, and, the last is to be real, we own 4,000 real acres of property.

This is a real issue and a real opportunity.

Our planners and engineers will explain how our proposal deals with these issues, but I want to take a minute and focus on the last issue.

It is critical for the greater good of the County that we deal with the real issues of population growth, attainable housing, job creation and environmental restoration and improvements, and we do it in a real fashion.

I believe we've put together an excellent proposal, and a lot of it comes to the credit of the neighbors who have worked with us for the last four and five years. And this proposal balances many competing needs in an excellent way.

You'll hear a lot today both for and against our project, but I ask you to think about this historic opportunity that you have today to address these real issues on what is a remarkable piece of property sitting in, effectively, an as-built area.

I appreciate your time. I appreciate you making a special day for us to be able to present this to you, and I have begged my consultants to be brief and quick so that we will not be here, as Ron said, for weeks.

Thank you very much.

MR. KOLINS: Next we're going to talk about the actual plan, and we have had three planning firms involved in the evolution of this plan.

The first is Dover, Kohl, which is a nationally, if not internationally renowned planning firm, with an expertise and specialty in town planning.

Now, unfortunately, Mr. Victor Dover, who's worked with us for so long on this plan had to be in Europe today and cannot be with us.

The second firm is Kilday & Associates, and I don't have to say anything about them because I know you're all so familiar with the firm and with Kerry.

And the third firm is the public, the

citizens of that area, because as you will hear from others, this plan evolved pursuant to a public participation and charrette process unparalleled in the history of Palm Beach County, and many of the ideas and preferences and thoughts of the public evidenced at those meetings and charrettes made their way into this plan.

But to go over the plan and to deal with the planning issues that are so critical, it's my pleasure to ask Kerry Kilday to come up here.

MR. KILDAY: Thank you. Kieran Kilday, planner for the petitioner.

Let me just say a few general things, and then I'm going to try to move through you, and I'm going to try to be quick.

I will be working with the PowerPoint today. Those who know me know that's not my forte so I have to put a few boards up just so in the event I just can't handle it anymore, I can go back to them.

Our PowerPoint's relatively simple. We don't have any of that whipping sound. I mean when I saw those things flying on and heard that whip, was like against my back, and -- but I think you'll see through the PowerPoint some of the main points I want to make, and one of those main points is that this is probably the most thought out plan and the greatest detail of any project I have worked on, and I've been working on plans for 30 years.

The second thing, which is more important than the first thing, this plan has the most public participation of any plan that I've ever worked on.

We're going to talk about the charrette that was the kick-off. Why we did the charrette.

Back when this project was started, the owners of the property went to Treasure Coast Regional Planning Council. It was clear that this project was going to be a Development of Regional Impact, which is any project that has over 3,000 units.

They said how do we want to approach it. The advice they got from the director, Mike Busha, was that you needed to do a charrette. You needed to involve the community surrounding it. You needed to bring in the very best, and we brought in Dover, Kohl, who are the very best in terms of traditional town planning, and go through that process. And we did go through that process.

Subsequent to that meeting, and that meeting was almost two and a half years ago now, there's been a neighborhood citizens committee that meets once a month, and you'll hear from one of the representatives of that committee today, and they have an open house that's published on a Website, and there's a massive Website available that's been maintained from the very beginning of the charrette, and anyone can come to it, and any issue can be discussed.

And you'll see some boards today, and some of the boards I'm showing you came out of the

charrette, and they've adapted over time, and so we have always been responsive as it was to the concerns of the neighbors.

That being said, I need set up kind of a few parameters before I talk about the charrette, and the first thing is I want to talk to you about scale of the property.

Four thousand acres is truly the biggest project that you've seen come before you, and I come before you on Planned Unit Developments, generally speaking, those developments about 300 acres, 400 acres, so a 10<sup>th</sup> of what you see here.

First of all, in terms of the distance, the property is five miles from east to west. The east half of the property is one and a half miles north to south. The property has almost two miles of frontage on Seminole Pratt Whitney Road, and the west half is 0.85, slightly less than one mile in width.

From a standpoint of what that means, think of a five-mile hike. The average person walks three miles per hour. To get from the east line to Seminole Pratt Whitney Road would be an hour long walk. To get from Seminole Pratt Whitney Road to the west line would be another 45 minutes.

So it's truly a large piece of property, but it's still hard to get the scale so I said well, let's go through a few exercises that help on that.

The second thing is you can see the property highlighted on the aerial in its current location. So I said well, what would that mean as it relates to us. So we moved it. We now moved the property to the Intracoastal Waterway.

If the east line of the property is right out here on Flagler Drive, the west side of the property is at the Turnpike -- the bridge on the Turnpike at Okeechobee Boulevard. So that gives you a true sense on how this project is in terms of size.

Another way to look at it, this is, again, looking at the coast, Okeechobee Boulevard on the left-hand side, Blue Heron Boulevard on the right.

If you take this property, same scale, place it there, this property runs that if you start it at Okeechobee, by the time you got to the other end of the property you'd be standing at Blue Heron Boulevard.

You can also see that in terms of the north-south width of this property it would run from the Intracoastal all the way to Lake Mangonia, which you see peeking up on the top side of that aerial.

Last item. I love to do football fields.

How many football fields fit in this property? Just utilizing our open space, and our open space is currently showing at 36 percent, but we can get it to 40 percent, if you do -- and can we go back one?

The football field is you got to look way -- now I'm going to try to get real fancy with

a pointer -- all right. There it is.

See that little dot right there? That's the football field, one field.

Now go to the next one. That's filling in all of our open space area, with the exception of the golf course, and the reason we have the golf course in case I forget is because we're looking for places to utilize recycled water, is 693 footballs fill up all that space there.

That center space, and it's the space that we've had a lot of consternation with staff, I call it our central park of the development, is actually a mile wide, a mile long east to west by a quarter mile north to south.

Next item.

Next item is need. One of the issues that you didn't hear in the staff report, but you are going to hear from a variety of experts today, is the issue of need.

We keep hearing that number, 0.8 dwelling units per acre and then maybe with the bonus you get up to 1.2, and at one point it was 1.6, and you say where is that need -- where is that coming from.

It's coming from the fact that out in The Acreage there are 16,000 one and a quarter acre lots. So one and a quarter-acre lots represents 0.8.

We're going to tell you that that development pattern, while it serves the needs of a great many residents who chose it, is not a viable development pattern, but it should not be used as a basis for determining the density of the adjacent property.

We don't live in a world where one size fits all, and there needs to be adequate data and analysis to determine what is the appropriate density here.

I will tell you this. We did not start out saying 10,000 units is the number, and that's how the plan goes. It was through the charrette process and careful layout of the neighborhoods -- and, by the way, I agreed with everything that Bryan Davis said in his presentation. I'm going to try and shorten mine so I'm not redundant on it.

But by doing those neighborhoods and making them viable and making them mixed use and figuring out how they all work, that's how we ended up coming up with our proposed number.

Additionally, we had to take a number that, combined with what's around us, would adequately support the proposed office and commercial uses being maintained.

But here's what the -- this is what the State law says. This is -- Florida statutes says that the land use plan, the Comprehensive Plan, is mandated to include the amount of land required to accommodate anticipated growth.

The growth is dictated by the Florida Bureau of Economic and Business Research at the University of Florida. It says that eastern Palm

Beach County east of 20-Mile Bend needs to be able to absorb 430,000 people, additional, by 2025, and 527,000 people by 2030.

This is periodically updated. Reading the newspapers, we know that there was a down tick that we're in right now real estate-wise. I can tell you over the last 25, 30 years we've had other ones, and there'll be adjustments, but even if these numbers get adjusted to a lower level, that's still a huge number, and they aren't going to get adjusted that significantly.

Next item.

This shows you an aerial, and the red area is all the 10-acre or greater parcels left in eastern Palm Beach County which are vacant. So that area that's not red is area that's already developed.

Some of the red area shown on that have development orders already approved so the issue is, if you look at the purple area, to give you an example, that's West Palm Beach's city limits. That represents visually the space that's now occupied by 100,000 people.

So if you think about it, that if we have four to 500,000 people coming, and that takes up -- and we know that there's a wide variety of densities in West Palm Beach, you know, there is a limited amount of land area as to accommodate future growth, and that needs to be a consideration today.

Later you're going to hear this explained in far greater detail than I am, but I'd like you to keep it in mind because I think it's an important issue from a countywide basis as we look at this particular property.

That being said, let me take you through the charrette.

The charrette was two and a half years ago. What was done was the notices, advertisement, mailings. Boards on the property were put out inviting the public to a charrette which occurred on the property.

All the experts came in several days earlier. They were toured the property by Nat.

I'm going to -- let's move through these.

And then on the day of the charrette the neighbors arrived. There were several hundred neighbors were at that charrette. They sat around tables. They started laying out where they lived, what's happening around it, doing overlays -- hold on that -- and then at the end of the day the -- from every table someone, and all of these people standing here are neighbors and not the planners, they're not the owners, explained to the rest of the group why they came up with the plan that they had before them.

The plans were primitive, and I know they're a little hard to read on this, but they started laying out some basic things.

One of the things, and it'll have a relationship to our variances, is that most of the plans said that the hub in the center of the

commercial uses needed to be on Seminole Pratt Whitney Road.

It's a major road. It provides access to the north and to the south to much of the developed area of The Acreage. It has a brand new high school that's located on it, and that needed to be considered the hub.

The other thing, and you can see a little on the left-hand side, was that there was a lot of talk about environment, and what can you do with this grove when it's not a grove. Currently, there are no environmental properties within the 4,000 acres.

And so the -- and the idea was can we do something beneficial to the environment through this -- through the design of some sort of waterway system, re-creation of wetlands, habitat creation, and that showed up again and again on many of the neighbor areas.

Couple of other things is all the neighbors wanted a buffer around the edges as it -- as it worked through here, and they wanted a lot of connectivity, which we'll get into.

And following week those designs were refined in a series of meetings. There was something planned every day. The workshops were always open to anyone to come to it. There were scheduled open houses when, as these plans evolved, they were presented to interested parties.

Just keep moving through it.

And it resulted in the first principles, and I'm not going to get into them because Nat's already read them to you, but these became the key element of how this plan came about, and that's why they're sitting over here on this easel because -- 'cause those principles, rather than a piecemeal development, we think that this is a development that weighs a great many issues, and these -- when you read these principles, they're on different things, and you have to weight them, and you have to balance them, and this plan does it.

Town making. I'm going to move very quickly because I think Bryan did a great job already, is this is what we don't want. These are the kind of neighborhoods -- there's 7-11. There's a convenience store in one of the new towns.

These are the neighborhoods we do want.

Okay. How do we get there? You were given, and I have a copy of it, and someone will get it for me -- I'll wave it at you -- a set of design guidelines, and this is the new design guidelines, but basically it's the concept of the transect, and the transect says that the center, which is your right-hand side of the core, should be the most intense area.

Now, within different types of development, the TMDs and TNDs is going to be different intensities. TMDs will get most intense. Seminole Pratt Whitney Road, most



intense, but then as you work out from it, the form of development starts to get less intense, and you can see as you work out, and we have terms for it, 'cause I'm going to show you that our entire master plan is developed according to this transect of core, center, general, edge.

And finally in our case one of the issues and one of the elements of our plan was how do we deal with the edges. So in addition to providing buffers, we created what we call rural lots, and these -- when we call them rural lots, they're not one and a quarter-acre lots. They're a minimum five-acre lots around many of our neighborhoods as they abutted the existing communities surrounding us.

Moving forward very quickly, you know, we go through, we start laying it out. This is just a typical, but now I'm going to show it applied to our project, where our special place is, building orientations, types of buildings.

So we took that, and then we went to our plan, and with our plan we went from the -- there's a drawing done by one of the groups at the charrette, and we ended up with this plan, and this plan looks a little different than the plan that's before you today. So the fact is that we have been modifying it to take into account a great many things.

But, basically, what this plan shows, and it's stayed true-to-form, is a town center. Here's Seminole Pratt Whitney Road, here's the new high school (indicating). They couldn't wait for us so they ended up built, and they're occupied.

This is the core of the town center. This is a college campus area.

These are neighborhoods, but I need to say that in each of these neighbors there is an element of non-residential use. It might be commercial, it might be a church, it might be a recreation area, it may be a daycare center, but every -- rather than have all of our commercial uses in the town center, we recognized that someone who lives at this side of the property is unlikely to walk to the town center, and we needed to provide services.

In fact, you're going to see that. We provided 80,000 square feet of commercial use right here and did kind of a mini-town center within the TNDs so it could service this area through here (indicating).

These are some sketches, and this will give you why we want to do things the way we want to do.

I'm going to talk about environment shortly, and we're going to have an expert talk on it, but this is -- remember, I told you our central park.

Well, our central park is going to be a marsh. It's going to have environmental attributes that cleanse water, and that's the other thing that's in the newspaper right now is water.

There is a large reservoir that South Florida Water Management built to our west, and I'll show you a little later.

There's a canal that runs from that reservoir across our north property line and ends up in Grassy Waters, which is the marsh area, which is the City of West Palm Beach drinking water supply.

The plan we have is to run that water, and we met with South Florida very early on, and utilized this marshland area as a way to remove phosphorous and other elements from the water to purify it because the quality of the water in those reservoirs is not good. It comes off -- it's coming off Lake Okeechobee. It has a lot of the farmland area, and so the goal was how do you clean the water.

And so we said well, here's what we can do. We can clean the water, but the other thing is we can create an amenity. Just as people enjoy walking along Flagler Drive, we said we can have a waterway system, a Venice of sorts, that comes through here and provides an amenity and an attraction and a use and a habitat for the neighbors, and this gives you an idea of that central water area.

You can see the street is actually between the houses and the water, very public area, and that design, if you look at our neighborhoods, throughout is kind of the hub and the web of the area.

This shows you a typical neighborhood. It shows you the variety, again, using that concept of the transect, of up toward the main street you'll see higher densities. The master plan is two equestrian centers. That's the large building to the south, some typical streets.

And we'll keep rolling through here.

And these all came out of the charrette because these were a good way to go back to the residents and say is this what you're talking about.

The town core. We're in partial agreement with staff. Staff says, you know, ignore Seminole Pratt Whitney Road, and we aren't in agreement on that, but they did say try to have your town center more on one side than the other.

This was an early schematic plan out of the charrette, and what it shows is that you got Seminole Pratt Whitney Road coming through, high school is right here, by the way, and then you create another road that comes through but rejoins Seminole Pratt Whitney Road about a block or a block and a half off, and that allows you to have a more small scale main street with a variety of uses.

And then that waterway becomes a little canal so that when you're looking through here, you can look all the way across the property in more of an urban setting.

So from the standpoint of Seminole Pratt we have to deal with it, I'm going to show you

how, but we also recognized that there needed to be something of a smaller scale, and we provided that.

This is the college campus on this side. You can see that on the west side we have a much lighter use of non-residential commercial workplace uses than on the east side.

I also have to tell you that within the town center a third of the units we're proposing are located immediately there. So when you look at the area, because it says TMD doesn't mean no one lives there. In fact, a lot of people live there. Half of our units are attached or multifamily units that will be integrated into that center.

Next.

Water storage. This shows you in green the amount of area that's developed for the water storage area, and you'll hear more about it, but what we have been told is that the more shoreline, the more vegetation, the greater the cleansing.

So as opposed to the concept of having it all in one space, we said let's run it through it. This is that central marsh area.

It's not an area that's unused, and it's not an area that's not interconnected. It doesn't show very well up on that plan, but there's a whole series of boardwalks, upland areas on the edges. You can see some of the playing fields that are planned on it.

The neighborhood on the south can walk right across to the neighborhood on the north. The area immediately on the left-hand side is the entrance into the town center.

So it's clearly a -- it's a part of the project. It's valuable open space, and the residents deserve to have it.

Next.

Couple of other quick items. Dark skies.

Big issue with the neighbors. We committed that we would use the dark sky standards. The idea is to keep our light as limited as possible. There's actually a Website, [darksky.org](http://darksky.org), that provides a lot of those details and, you know, if anything else in the newspaper lately, it's being green, and this community is intended to be green.

Transportation, very quickly. We'll be talking about the variances, but what you're seeing here is a variety of things. We have main roads. The main roads were dictated by the County's thoroughfare plan.

Then we have minor roads. Then we have trails. We have equestrian trails that run across around the entire perimeter which is some 12 to 14 miles of trails.

We have schools. Those two areas represent the high school on Pratt Whitney Road. We also have an elementary and middle school. They exist today.

There was no room in The Acreage for schools so the schools approached Callery-Judge, we provided them.

The new little areas you're showing here are new schools. One of the conditions of the DRI, and the condition we agreed to, was to provide the schools we need, not only the land, but we will provide the schools themselves. We will finance and build the schools for the School Board.

We have two elementary schools being added, one on each side of the property. Again, the schools have been sited so they're in close proximity to a variety of neighbors for pedestrian purposes, and a new middle school.

This is how the plan ended up from that first plan of the charrette. This is the plan before you now.

One of the things you're going to see is the street system through it, but what you'll see is every neighborhood, and you can see it like in there, has a heart to it.

Keep moving. Okay. The transect. We took the transect plan, and here it is laid out through the entire project, and you can see the green areas. Remember, I told you the rural lots.

Those are all these green areas here (indicating). It's about 230 acres, and it represents 25 to 30 lots, total, very small number of units, but it was felt important to -- for those who live in Loxahatchee to the south or The Acreage to the north, that when they looked across, even though they'd be looking at the marshlands and the equestrian trails, that they would see something similar to what they're used to around it, and that's why we decided we needed to provide that unusual type of lot and integrate it into our neighborhoods.

Next.

Okay. Very quickly I'm going to walk you through the detail that went into this. Remember, I told you we didn't just come up with 10,000 units out of the air.

Here's a neighborhood done in a -- in a very graphic cartoony looking way, but let me tell you what's behind it.

First, you start laying out the roads, not only the main roads, but you lay out where the center is, where the edge is, the five-minute walk. I'm going to show you that every neighborhood was laid out to the five-minute walk.

Mix of land uses and sizes. There's the public park in this particular neighborhood. These are little open green squares. There's a circle where the roads come in.

Interconnected street network. I know -- for some of you all I know you like cul-de-sacs, and I know in the past I've asked for cul-de-sacs.

This is a cul-de-sac-free zone. It's also a gate-free zone.

Civic spaces.

Applying the transect. Transect relates directly to these design guidelines.

Lotting. We have gone through every neighborhood, and even though we're at a

conceptual scale and even though it's a 15-year build-out, to analyze how these neighborhoods should develop and those lotting, all those little numbers there, they correspond to a building type which corresponds to our design guidelines and a layout.

Now, will it change over time? Certainly.

But this is the kind of thought that went in.

When you start doing that and you start doing the mix, you start getting the unit counts.

Five-minute walks. That shows you how the five-minute walks are located and overlap. You can see a great many of them occur right in here because a third of our residents will be living in this one area of the project.

Design guidelines. You all have received a copy of them. They're very detailed.

Very quickly, you know, what's in them is how do you get these kind of looks into a codified form, started out with some very early sketches as to housing types, and then the housing types were further laid out, and these are the sheets and the design guidelines that tell you these are the rules, and everyone lives by those rules.

So that's how we got to the plan, and we think it's a good plan, and we think it works, and we think it is compact. I guess that's what I want to say.

It's still -- you can't make 4,000 acres or five miles not five miles because it is, but there's definite -- a compactness throughout the project, a mix of residential uses, civic uses, open space uses, so -- within easy walking distance of all the neighborhoods.

Next item.

That's variances. I'm going to be fairly quick on the variances. It's a very simple issue.

To go to the map --

CHAIRMAN BARBIERI: Kerry, if we could, several of the commissioners have asked for a five-minute break. So we're going to break here. Would you stop the clock, please.

Okay. We're going to take a five-minute break. We'll be back.

(Whereupon, a short break was taken in the proceedings.)

CHAIRMAN BARBIERI: All right. Mr. Kilday, would you please continue.

MR. KILDAY: Thank you.

Where we left it was dealing with the variances. So if I could just walk through it a little.

Number one, we agree with staff that the TTD concept, when it was developed and written several years ago, was thinking about infill areas, generally projects that were more in the 200-acre to 400-acre range, versus 4,000 acres.

The TTD cross-sections all show roads that are always two-lane. They show roads that are two-lane, but they have parking, and along them they have sidewalks along them, and they're great cross-sections, and we recognize that.

But our problem is that there's a thoroughfare plan that was adopted in 1973 that shows Seminole Pratt Road running through this property at at least four lanes. Our plan provides for it to ultimately be six lanes.

There's Persimmon Boulevard, which is a thoroughfare plan, which isn't like it's shown here, but runs straight through the center of our property.

We've actually been required when that small shopping center was built, the Winn-Dixie, to provide a stub for Persimmon here, and this 60<sup>th</sup> Avenue, another thoroughfare plan, that runs in across the north side of the property.

Exhibit G contains my justification statement. In my professional opinion we do meet the seven criteria.

Staff agrees that we have a hardship in that the thoroughfare plan is asking for one thing and the TTD section is asking for another thing.

What we were able to do, and it was a lot of work and a lot of cooperation with County engineers to say can we have something different than the usual thoroughfare road that you provide.

Usual thoroughfare road has no parking. It's designed for maximizing getting people from one place to the other, and so to do that we said what can we do.

So we took the County's section in each of these roads that are involved in the variance, and we said that's what the County section is. Where do we need a deviation.

This is probably the most common variance.

It has to do with the Persimmon Boulevard coming through the center of the property.

And what the County Engineer said is we will allow you to build if your traffic numbers show that the road doesn't need to be four lanes.

We will allow you to build a two-lane road, but we want the cross-section to allow for future expansion if something proves that you are wrong.

So in this case I took this section here, I have the exact same section down here of parking, which the County agreed that we could have parking on all our streets except for one small section I'll show you, as long as we had a bike lane separating the parking from the driving lane, and we added a median.

So that's our variance in this particular one, is to add a median here, and we -- and while we're at it, we asked for a little greater landscape island on the street. We wanted to exceed the County code.

But what that allows is that if they determine four lanes are needed, we could have the four lanes, but it would still leave me a 16-foot landscape-shaded median in the middle.

So it's one of the best of both worlds, but it was always one of the things says that your variance has to be the minimum variance, and that's been the case.

With regard to the roads on the west side,

the only variance we're asking for is, again, the deal was that if you're going to provide parking, you need a five-foot bike path.

So the County standard doesn't have a bike path for what they call a local street. So we are asking for a variance to allow us to have a bike path.

In terms of Pratt Whitney Road, that was the tough road, and I'm going to show you here, and then I'm going to flip up there to show you what happened, but Pratt Whitney Road needs to be a six-lane road.

One of the things that we didn't want was a Pratt Whitney Road that looks like a lot of our six-lane roads where the central median is really just a series of turn lanes, and our traffic report requires us to build turn lanes.

So we worked backwards and said how do we create a situation so that at a minimum there was going to be a central core of landscaping down the middle of the road, no matter how many turn lanes you provided in it.

To do that, we ended up with 54-foot wide median in the center of the road, and it also provides a stopping point.

Remember, staff said well, people are going to walk across the street, and I guarantee you those high school kids are going to walk across the street 'cause they're already on the west side, and I can't do a thing about it.

So we said let's do a separate frontage road. So now we have parking, a frontage road which we are adding. So instead of doing the County standard 120 feet, we now have a 240-foot design section, but it provides sidewalks, landscaping, parking, frontage road, more landscaping, another place you can stand and wait for the light, a bike lane, ability to cross to the central median to wait if you have to, and then ability to get to the other side.

So it's been very thought out, but the issue is it's not our choice. Let me show you what's out there now.

Just flip through -- this is what's out there today. This is in front of the high school.

This is done to County standards. It's probably going to get ripped up when they widen the road further, but you can see there's a double left turn lane, there's a three-foot landscape median.

There's a -- there's the roads coming through on the other thing, and that's what we don't want, but that just got finished a month ago.

Again, the high school couldn't wait. You have to provide something safe that meets standards, and this does meet standards.

Next.

Looking south, there it is to the south.

Next. Let's keep moving. Where's my sketch gone? There.

This is taking our cross section and applying it so you can see where it'd be. We're now on one side of the road. You can see the

paver areas, parallel parking, there's the landscape median. There's the road. There's the landscape median in the center of the road, and that's what we want to do.

We want a boulevard. We want it so that when people come into the south side of this property, they know that they've entered a residential area and it's time to slow down.

I promise you, people are not slow on this element of road today with or without the high school being there.

We asked for a variance, and we were granted a variance, to actually provide a series of five signal lights closer together, particularly so that we could have all these cross roads coming out here and slow people through the immediate project. That's why we came in on the variance.

Staff said well, why didn't you just amend the code, and the reason you amend the code, when you want to set a standard that's going to be used time and time again.

It's very rare that another project is going to have this many thoroughfare plan roads running through it. So that's when you ask for a variance.

This is a standard that is -- it's not the normal County Engineer standard. The County Engineer really bent for us and worked with us and allowed us to get down the road to make it work, but it's the minimum variance that we've asked.

The variance is very important because the variance doesn't go to the County Commissioners. Only you, this Board, can grant the variance, and so we'd be happy to discuss it further. It seems like it's a minor issue in terms of the bigger picture, but because of the circumstances that you are the final authority on the variance, it's a very important issue to us.

I think that concludes my presentation. I just want to say one last thing, is this was a board of meetings. I guess I don't want you to leave the impression that we're piecemeal.

This shows you what we've been doing from 2004, 2005 through the various meetings, some of them being public and community meetings, some of them being meetings with County staff, some of them being meetings with Treasure Coast. It's been a very long, complicated process.

Two weekends ago we did an open house. We sent out 40,000 mailers to any affected party. Obviously, we knew that some of the cities had concerns so we said well, let's send it out so that we get everyone in the affected areas in the cities, all the West Palm Beach people on Okeechobee, all of Royal Palm Beach, all the people in The Acreage, and we were open for an entire day.

We got a good turnout. People came. We had every expert you have here today, and more, to answer questions.

I think one thing you all must know



because you've seen it before, this is very unusual that a project could be this big and this room could be this empty.

Thank you.

MR. KOLINS: Thank you, Kerry.

Our next presenter's Rick Warner, and to use the shortest possible word, he's a demographer. He's done demographic studies for us.

These books, five of them, represent his analysis, and I've told him to tell it to you in three minutes.

So he's going to just touch some very brief highlights about some of the demographic background that goes into your consideration of something like this.

Rick.

Thank you.

MR. WARNER: Thank you very much. My name is Rick Warner.

I've been doing this type of work for -- since the mid-'80s. My first studies I was at MacArthur Foundation when I did this type of stuff with paper maps and a hand calculator, and we did it -- I've done it repeatedly.

Now with this age we have GIS and computers, and I'm able to do them much quicker.

Basically my message is this. We're running out of land very quickly. We don't have the land necessary to support the future population.

Point two, the County's own studies agree with my study that we're running out of land very rapidly.

And the third point is that the -- because the County's not able to meet its statutory obligation, which is right here -- Kerry had the slide up earlier.

The County has to provide necessary land for housing, commercial needs and industrial needs to accommodate the anticipated growth and population that's coming.

Next slide, please.

The population that's coming is 527,000 people by 2030, or 430,000 by 2025.

Next slide, please.

Okay. I did not come up with those numbers. Those numbers are, by the way, are from the Bureau of Economic and Business Research. I didn't generate the population numbers. Those are generated by the State, and the County has to adhere to those.

Ah. This is a list of all the studies I've done. There's more, actually. The one third from the bottom is the County study that I just put up there because that's one of the studies that I tied to.

Next slide.

There were two methodologies. One methodology was where we counted the houses plus the future houses that could be built in the vacant land. That was one approach we took.

The second approach was the County's approach where we took per person multipliers, that is, you divide the total population by the residential land, and you figure out how many -- for every person how many acres of land come in -- or how much land you need for that new person.

Up here on the board we see different -- we all counted houses, you know, existing homes and future homes. The blue are the existing, and the purple are the future homes.

I have the County's numbers, the MPO, Metropolitan Planning Organization, County's January ones and mine. Guess what. We're all almost identical. Okay. We have all counted the same thing. We came up with the total expected number of houses, which vary between about 700 and 741,000, total housing, depending on the assumptions you're using.

Next slide, please.

So we did it in a very detailed manner. We were very conservative. We took every scrap of land in Palm Beach County that could be used for residential, and if you have a vacant lot or you owned a lot that has a pool on it, we assume that your pool would go on a separate lot, would go away, you'd have to build a home on it.

For example, up here on the slide, is a home of a famous golfer who lives in North Palm Beach who has five lots, two houses his main home, and he has three other lots that has his trophy house on where his trophy room on and a couple tennis courts.

We assumed in my study that those three extra lots would be converted into housing at some point. Very conservative.

Next scan -- next slide.

Another. We took -- if you had an existing community and let's say you lived -- this is a community of under-utilized land, as we called it, and we re-parceled it.

For example, this community is built out at one unit per five acres, but the land use allows two homes per acre on it. We assumed in my study and in the County's study that these units, that this existing subdivision would be torn down, and that you would resubdivide the parcels, getting the higher units, the higher number of units.

Now, that's a real conservative kind of out-of-the box assumption, but that's how far we went to count houses.

Okay. Next slide.

Here is the County's approach, and I want to show you. I matched the -- I repeated the County's own effort. The County had this study. I did the same numbers with their County approach, and I came up with the same answers that they did, and they projected in 2017 we would run out of commercial land. I came up with 2016.

The next one is 2014 for urban residential. They said in seven years we're going to run out of urban residential land, and I came

up with the same number.

Next slide.

This slide indicates the number of house falls [sic] -- shortfall that we're going to have.

Using the assumptions I had in here, by 2030 we're going to be short about 178,000 homes. It's actually more if you apply -- tried to apply a market factor to that 'cause this means they're all million dollar homes. Okay. I mean we're just -- there's no extra supply for anybody.

Next slide.

Okay. All the studies project that urban land will be built out by 2014, commercial no later than 2017, institutional no later than 2008.

Next slide.

Okay. This is the last slide. This is the -- this is the main point here.

The numbers are all very impressive and everything else, but Kerry had this up earlier. Here's the deal.

We have 500,000 people coming to Palm Beach County. We have room for two more West Palm Beaches on the vacant land out there. Okay. We don't have homes for 300,000 people, okay, based on this work and other work.

That's essentially -- another way of saying it, it's probably redundant, but I'll say it, anyway, is we have a bag that will hold 200,000 people, but we have 500,000 people that we have to jam into that bag, and we need to take our remaining vacant parcels of land, the big pieces like Callery-Judge, and use them more efficiently than we have in the past.

And that's my story. If you have any questions, I'll be here to answer them later on.

Thank you very much.

CHAIRMAN BARBIERI: Thank you.

MR. KOLINS: Thank you, Rick.

Leah Schäd was the chairperson of the Citizens Advisory Committee that worked with Callery-Judge in the evolution of these plans, and Leah has been working with us all along, and, unfortunately, she took ill. She was to be here and be one of our speakers today, but she couldn't. Not seriously ill, but she's not able to be here. I just wanted you to know why she will not be appearing.

Our next speakers are going to -- two of them are going to come up together, and they're going to talk to you about growth and planning and urban sprawl, and they are both outstanding experts.

One of them is a name that is probably very familiar to you. It's Ms. Linda Shelley, and among a lengthy résumé of accomplishments she recently and for a number of years was the secretary of the Department of Community Affairs.

With her is Robert Pennock, with also a very impressive résumé, but the one thing I want to point out to you was that he was the Palm Beach County expert witness on these issues in relation to Scripps and Mecca, and now he's here to help

you and us with this project.

So let me bring up Ms. Linda Shelley, Mr. Robert Pennock.

MS. SHELLEY: Thank you. Thank you, Ron. I'd like to give you a large view of how this might look from a statewide land use perspective.

I think that we have heard convincing testimony that there is undoubtedly a shortage of land for residential and non-residential uses to accommodate your future population growth, and I'm not an expert in that, and I don't debate it, and I don't think that your staff disagrees with that.

I would like to focus on the existing land use pattern that is in the western community and how the Callery-Judge proposal might be viewed and the way I view it as a potential cure for some of the ills.

When we talk about urban sprawl, I have to say that the land use that exists in this area now -- and you are aware of this. I drove -- I'm a visitor to your community. I drove around in this area.

There are thousands --

CHAIRMAN BARBIERI: Would you speak closer into the microphone, please.

MS. SHELLEY: I sure can. Does that help? There -- I'm not much of a singer, but -- there are thousands of residential lots, single family residential lots, some very new, some lovely housing out there, but it is a single land use.

In fact, it is so single that if you look around for commercial in that area, the only commercial that relieves miles and miles of single family residential is a Publix shopping center up here and a Winn-Dixie here (indicating) on Callery-Judge to serve thousands of people.

That means from a land use efficiency standpoint you have to get in your car to do anything, to go to work, to go to school, to go to the movies, for all of your daily activities.

Why have we been so focused over the past 20 years on sprawl, and it is because we know we are a rapidly growing state. We might have a downturn every once in awhile in the housing market. They never last.

If we think that the population of Florida is not growing, nor Palm Beach County, that it is not growing, we are kidding ourselves. Look at our history. This is a desirable place to live, and people will want to live here. How are we going to accommodate them?

That's why we're worried about sprawl, because it is an inefficient land use pattern, and, frankly, Palm Beach County cannot afford it anymore.

So the location of Callery-Judge is unusually giving you an opportunity to break the sprawl pattern, and when I was secretary of the Department of Community Affairs, and it wasn't that recent, the chief of comprehensive planning

for the State of Florida was Dr. Robert Pennock, and he was the architect, one of the two architects of Florida's urban sprawl policy. And so I'm going to ask him to briefly talk to you about how do you mitigate the effects of this much sprawl.

MR. PENNOCK: Thank you. Good morning, Commissioners.

I've been working as a planner in Florida for over 20 years. It's a hard job. You know it's a hard job.

One of the biggest difficulties in working as a planner in Florida is the fact that we're not dealing with a blank slate. We're dealing with preexisting conditions and preexisting problems. We have problems everywhere you look, problems of environmental degradation, problems of a lack of affordable housing, problems of infrastructure deficits. Many of these problems can be directly related to urban sprawl. Urban sprawl is the overall way we can think about these problems.

So as a planner, as I've looked at this for 20 years, the question is how do we deal with this -- this existing problem, this pattern of development. It's inefficient, wasteful, destructive of the environment. How do we deal with it? We have to find ways to deal with it.

One thing we can't do, but unfortunately we have been doing, is we can't continue the way we're going. Even after 20 years of working with the sprawl issue since the inception of the Growth Management Act, we've continued to struggle with this issue. We're not doing a very good job. We're continuing to sprawl.

All of the data continues to show that not only in Palm Beach County, but throughout Florida we're continuing to sprawl. So we need a different approach. We need a better answer. We have to stop making the same mistakes that we've made in the past.

One question that I always ask myself when I'm working with a -- whether it's a local government or a developer and I'm looking at a project or a plan amendment, I ask myself what if -- what if Florida built out using this as a model, would we be in the shape we are today.

In other words, we take Callery-Judge Grove and the plan amendment, the zoning proposal, the DRI before you, what if all of Florida over the last 50 years had built out following the Callery-Judge Grove proposal you have in front of you? Would we have these problems? I don't think we'd have the same problems because Callery-Judge Grove, that proposal addresses environmental issues, affordable housing issues, traffic congestion issues.

This is the model for the future. It's a good model.

Working as a -- what are we dealing with when we work as planners and regulators in this state? We're always fighting the destruction of wetlands. Here we're not destroying wetlands,

we're creating wetlands. Development typically pollutes water. Here we're cleaning water.

Suburban sprawl creates more trips, more congestion. Here we're providing alternatives for walking, for biking and eventually, once we have a new town here, we create an actual opportunity for public transit. Public transit is simply not feasible with these lower densities surrounding the Callery-Judge site, but it will be possible with a new town center.

About 50 years ago planners came up with this term called "sense of place." We need to create plans to create a sense of place. It's a wonderful term. We failed miserably in creating new communities that have a sense of place. Instead, we're creating cookie cutter communities all over the country and all over Florida.

Some of the terms that have been bandied about are Anytown, USA. As I drive around Palm Beach County, sometimes, you know, if I forget for a second where I am, I could be in Anytown, USA. We're trying to create a unique, a special place in Callery-Judge.

There's been some discussion about the need issue. Let's talk about need. The data that the County -- the data analysis of the County, as well as data analysis that supports the County's own conclusion show that we're running out of land for a whole range of urban uses.

Interestingly, based upon the Comprehensive Plans that are currently in effect in this County, there is one thing we're not running out of land for. We're not running out of land for sprawl development, low density, large lot development.

We have more land for that development than we have for compact, efficient development. That's what the Comprehensive Plan now has. Okay. We can convert that land, some of that land, to more efficient patterns.

MS. SHELLEY: I want to ask Robert to specifically address the density issue because since I've been involved in the project, I've heard 0.8, 1.2, 1.6, and the Callery-Judge proposal is for 2.5 units per acre.

Now, where I come from, and I do work all over the state, 2.5 units per acre is a very low density. Why are we supportive of 2.5 acres instead of some other density?

And I'm going to ask Robert to address specifically why 2.5 units per acre is a minimum density for this proposal.

MR. PENNOCK: I've worked with the sprawl issue for a lot of years. I've worked for the State of Florida. I pursued a doctorate degree where I studied urban sprawl in the academic community. I've worked in the private sector dealing with this. I've studied the issue for many years. It's my issue.

I can tell you, all of the studies, all of the literature will tell you that lower densities lower than 2.5 units per acre gross are

characterized as sprawl densities.

In fact, I would submit to you that 2.5 units per acre gross is the minimum density that once we cluster, we can say we're not recreating, we're promulgating more sprawl development. Two point five is the minimum.

Two point five is needed to create the type of synergies, the type of opportunities that can be available when you mix those units with commercial, with office, with employment, with all of the other uses that are going here.

MS. SHELLEY: I want to point out another thing about the integration of these land uses.

One of the features of the Callery-Judge proposal is that it has a 20 percent set-aside for workforce housing.

Around the State a lot of times we're talking about seven percent. You may even be bold and have a 10 percent standard. A 20 percent standard is only possible when you have enough housing that the mix of housing does not create pockets of low, low income, and that you, with a 5,000 single family detached and 5,000 attached, you have that opportunity for a mix.

And so I would urge you not to think naively that you can have all of the goodies, the polishing marsh, which is such a regional environmental benefit, but which costs millions of dollars to produce for the community, the high workforce housing set-aside of 20 percent, the road infrastructure, millions of dollars worth of road infrastructure improvements to help those, not just the Callery-Judge folks, but the other folks that are in the area, the connections to the neighborhoods, the open space, the links, the equestrian trails, all of his is part of an integrated plan which makes sense and which, together, combats the urban sprawl area.

Thank you very much, and I urge you to take advantage of this opportunity.

CHAIRMAN BARBIERI: Thank you.

MR. KOLINS: Thank you, guys.

Our next speaker is Mr. Jack Winston.

Jack Winston is with the Goodkin Consulting Corporation in Miami and has spent a lifetime dealing with the kinds of issues he's going to discuss with you today which have to do with the economics of commercial centers and housing and residential and the synergy and relationship between the two.

Jack.

MR. WINSTON: Thank you.

My name is Jack Winston. I'm a professor of real estate development and planning at the University of Miami and also the senior consultant and principal at Goodkin Consulting. Our firm does market research studies and analysis. We're responsible for such projects at Merrick Park, Abacoa and many of the retail complexes of the Simon and Taubman Groups.

So we are very familiar with demand, and demand is basically what we are talking about.

We're talking about demand in terms of the commercial industrial areas, retail and office.

The demand is generated by employment. Employment in turn is dictated by population.

You have heard the numbers today by both the County and the independent consultants verifying these numbers that the population increase will occur. The employment increase will also occur. The next problem becomes the shortage of space.

The County conducted a study on the shortage of industrial land use and found that the bottom line is if this trend continues, we will run out of -- Palm Beach County will run out of industrial land by 2018.

Without industrially zoned land for commercial development there cannot be any future employment growth.

The demand for this space is greatest among the flex and R and D space, which is one of the directions that the County is attempting to go.

Right now Palm Beach County has the tightest industrial market in the State of Florida. There are only 28 parcels combined for 1282 acres, all of which average less than three and a half acres. So we don't have enough land for the employment growth that is coming, and it's the responsibility of the County as it rezones and looks at new land uses to recognize the fact that this type of zoning category has to be included.

And when we talk about commercial, we're not talking about bulk warehouse or distribution centers. That only accounts for 10 percent of all the industrial uses.

We're talking about buildings that are less than 10,000 square feet, and even in the County Planning Department's own investigation they indicated that these types of planned developments, traditional neighborhood development, should have what is known as a Traditional Employment Center, a TEC. It should have a traditional commercial or retail center or town center.

In your book you have all of our detailed numerical analysis of how we reached our conclusions. So I'm just going to give you some basic summaries using very conservative numbers for the employment growth that will take place through the year 2025 based on the amount of square footage that is required per employee and taking a very conservative approach that this particular site can get a market share of 15 percent of all the commercial industrial growth. That's 2.4 million square feet that will be needed to be developed by 2025.

If you do the math, that comes out to 15 square feet per capita. Currently the County's current number and projected number is for 39 square feet per capita for industrial space.

So we're providing the industrial space. We're providing a workplace for the inhabitants of



this 10,000-unit community. The 10,000 units are extremely important because it creates the synergy. It creates the critical mass, the ability for these people within a five-mile radius to be able to live and work within the same area.

We're talking about a lot of different types of uses in this commercial area that will require people of different economic levels, everything from secretary to company president, they desire to live in different types of housing because of their economic strata. This particular community gives them that.

As far as the retail is concerned, the same thing, if we take into account the existing retail within a five-mile radius, and generally people spend 50 percent of their disposable income within a five-mile radius. That is what the proven facts have been as far as the retail industry is concerned, the International Council of Shopping Centers.

Right now because this particular area, five-mile radius, is under retail, only 20 to 25 percent of that income is being spent in that area. Everybody else in that area, because there is no retail, are driving outside of the area.

If you can -- if you bring it in based on not so much the population, but given the population, growth in this particular five-mile perimeter over the next 20 years to the year 2020 or 2025 and you look at the amount of per capita spending, we find that out of the amount of money that is being spent in the County, the proportionate amount right now is \$300 per capita.

It will eventually get up to \$400 per capita in the year 2020, and using that number we can determine that the amount of retail needed, the demand for retail in that area becomes 1.4 million square feet of retail. That is after deducting out the 1.4 million that's already in the area and will be built in the area during that period of time.

So that's the additional amount.

Now, if we use the County's method of counting back as to what the per square foot area should be, we find out that the number suddenly becomes only 15 square feet per capita. The County has talked about other numbers, perhaps around 20 or 25.

Currently in Palm Beach County the per square foot usage for retail space is 40. So we are way under in terms of the amount of square foot usage to accommodate this 1.3 million square feet of retail.

It's that amount of retail in that area, taking into account the fact that we have this community of 10,000 people in this one area that will create the synergy in order to make that commercial successful and to make it being used by people within this five-mile radius, rather than having to drive outside of it.

Fifty percent of all the trips will be within that five-mile radius to use that retail.

Thank you.

MR. KOLINS: Thank you very much, Jack.

It occurs to me that one of the issues that might be of interest in all of this is traffic. Fred Schwartz and his cohorts at Kimley-Horn have done more traffic analyses based on more assumptions and changing assumptions and even ridiculous assumptions than you can count.

I'm going to ask Fred to come up here and report to you on what the real traffic situation is and how it relates to our proposed project.

Fred.

MR. SCHWARTZ: Good morning. My name is Fred Schwartz. I'm a principal owner in the firm of Kimley-Horn and Associates. I'm a professional traffic engineer in the State of Florida. I have 30 years of experience in traffic engineering and transportation planning, 20 of which are right here in Palm Beach County working with the intricacies of the countywide traffic performance standards, and after all those years I can't -- I still can't decide whether to read my reading glasses when I'm up here or not. I'll go without them for now.

I have supervised and led the many traffic studies that have been done as a part of the Callery-Judge project. I helped define the street system that serves the project and created the roadway improvement program that will support the impacts of the project and serve the surrounding community.

I have three documents that I'll refer to throughout my presentation, the first of which is Article 12 of the Land Development Code of Palm Beach County which is the traffic performance standards, and I may refer to that as the TPS.

The second is the traffic study itself, and you'll notice that a younger person had to carry that up for me this morning. I'll refer to that as the study or the report. It's the capacity analyses and traffic volume projections that we did.

And the third is the approval letter from Palm Beach County Traffic Division that refers to the traffic study.

But I've not done all the work myself. As you can imagine, there have been other professional traffic engineers lead the effort and dozens of traffic analysts that have been a part of it.

Two of the professional engineers that have had a major role in this are with me today, Chris Squires and Adam Kerr. I will call on them as needed later in the morning or this afternoon to answer any specific questions that they may be more qualified to answer.

I have three points that I want to be sure to make in my presentation this morning.

The first is that the Callery-Judge project meets the traffic performance standards, or the TPS.

The second is that in order to meet those

standards we made a series of assumptions that may sound ridiculous but certainly are very, very conservative.

And the third is that Callery-Judge has committed to doing everything required to mitigate the traffic impacts from the project.

There are 56 traffic-related conditions in this approval letter. They were approved by County staff, and they'll ensure that our impacts and the existing deficiencies will be mitigated.

But let me take those three points one at a time. First, the project has fulfilled all the requirements of the traffic performance standards, and the approval letter says that, and I quote, "Based on our review, the Traffic Division has determined that the proposed project meets the traffic performance standards of Palm Beach County, subject to the attached TPS conditions of approval." And those are the 56 conditions that I referred to.

It's taken dozens of iterations of the analysis to arrive at the final one, and it's taken many hours of your County staff to review the documentation and analyses that we submitted, and they should be commended for the tireless efforts that they have put in to complete their review in a professional manner in accordance with the County's requirements and within other engineering guidelines and standards.

The analysis is long. It's large. It's a complex document that the County staff agrees with, understands and has issued an approval letter. We meet the TPS.

The second point is that our analyses have been extremely conservative. The main task in these studies is to estimate future traffic and provide roads to accommodate it.

In forecasting future traffic volumes throughout the life of Callery-Judge and to meet the requirements of the TPS, we've included the cumulative impacts of several scenarios which just won't occur. All of these assumptions layered on top of each other result in future traffic volume estimates that we think are about 30 percent too high.

Let me enumerate a couple of the assumptions that I'm talking about.

Our analysis starts with an estimate of background traffic volumes, and these are traffic volumes that do not include the Callery-Judge traffic.

Our background numbers include all of the traffic from Scripps Research Park at Mecca. That's almost nine million square feet of R and D, of other non-residential uses, of thousands of residential uses, thousands of residential units, but all of this traffic has been layered onto the network before we added our project traffic. This accounts for up to 25 percent of the future traffic on some of the roadway segments of Seminole Pratt.

Clearly, based on recent County Commission

decisions, this is an unrealistic assumption to make, but it was one that was required in the TPS.

We made that assumption. We did the analyses, and we provided a roadway network that will accommodate even that amount of traffic.

The second unrealistic and very conservative assumption that we had to incorporate into the analysis to meet the TPS is relative to the current travel patterns in The Acreage.

Because there's a lack of employment and shopping opportunities in The Acreage, residents must make long trips to satisfy those needs. They drive right past the groves that are now on the Callery-Judge project and travel many miles to go shopping or to go to work, but not all of The Acreage traffic will continue to do that.

Many of the current residents of The Acreage will shop at the town center at Callery-Judge. Many will enjoy the restaurants and the entertainment opportunities at Callery-Judge, and many will work at the employment centers that will be built.

But we assume for purposes of the TPS study that none of the residents will change their travel patterns. We assume that all the travel patterns that now exist will continue, and that all of the new Callery traffic will be layered on top of those current patterns.

This is unrealistic, but in order to meet the TPS, that's how we analyzed the impacts of Seminole Pratt Whitney Road, Okeechobee Boulevard, Northlake Boulevard and other roads throughout The Acreage.

Even though we believe we have wildly over-estimated the future traffic volumes, we have recommended a network of improvements to accommodate even these cumulative impacts.

The third main point I want to leave you with is that Callery-Judge has committed to doing everything required to mitigate the impacts of the project before proceeding on to the next phase.

The TPS allows, and I quote, "The applicant may make improvements as applicable in order to satisfy the standards."

Callery-Judge has committed to do just that, make improvements. The 56 traffic conditions that came out of our study identify which improvements must be made and when they need to be made. These conditions include widening Seminole Pratt Whitney Road, Okeechobee Boulevard, Northlake Boulevard and many others.

Each of the conditions has been approved by the County staff to ensure that the roadway improvements will be in place concurrent with the Callery-Judge development.

This is the state law. It's the County ordinance. We've met the ordinance and all traffic concurrency provisions of the TPS, and we will build tens of millions of dollars worth of roads.

As you can imagine, this traffic analysis is very complex, and as you have questions about

it later in the day, I will try to answer those, and I will call on Adam and Chris to help me as I need to.

In the meantime, thank you for your attention.

MR. KOLINS: Thank you.

You heard much earlier about water, treatment marshes, what we're doing to create new environmentally positive things on this project, and to talk about water with greater specificity it's my pleasure to bring up two gentlemen. They'll come up at the same time.

One absolutely needs no introduction, and that's Howard Searcy, and the second is someone who I believe you know, as well, Len Lindahl, the younger.

So Howard and Len, if you'd come up, please.

MR. SEARCY: Thank you, Ron.

Len and I are a part of the firm of LBFH, headquartered in Palm City, Florida, offices here in West Palm. We are the engineers for the Seminole Improvement District.

Seminole Improvement District has been in place in the Callery-Judge area for almost 40 years. It was created by the legislature to operate the water control system for the grove. It has been modified to become an improvement district so that they can take on additional responsibilities in the other areas of infrastructure dealing with this project.

We are going to give you just a very quick overview of the relationship of Callery-Judge Grove and the Seminole Improvement District as it relates to the water management facilities planned and proposed for north County and also a description of the local infrastructure that will be necessary to carry out this plan.

As you can see, Seminole Improvement District is in the midst of a great many areas of environmental preservation in the western County.

Were this to remain either a grove or be in large acreage lots, this would continue to be a hole in the donut, but with the addition of the water control plan that we're going to show you it becomes integrated with all of its surroundings.

As a part of the water control system for north County the Seminole Improvement District is located in the position to be an opportunistic participant in the water quality make-up of this area. We will show you in a minute how that becomes an opportunity that we will be able to handle with great ease as far as Seminole Improvement District and the proposed water control system for the plan.

MR. LINDAHL: And if I could just touch on one item -- Len Lindahl, for the record.

In looking at this, the L-8 reservoir is the regional reservoir that the South Florida Water Management District had purchased. Its purpose is to have water flow into it, primarily during the wet season, then be discharged out and

down the M canal as one avenue that the Water Management District is studying to provide environmental and consumptive use for environmental and utilities all along the coast, and one of them from an environmental standpoint is Loxahatchee River, and then, of course, we have the utilities like City of West Palm Beach and things like that -- that rely on the Grassy Waters Preserve to supply them with clean water.

So just from a location and an overall flow standpoint of what happens in this area, just wanted to jump in and touch that.

MR. SEARCY: The water control system that is being proposed has two functions. First of all, it will accommodate the flood control responsibilities for the future development of the property. Every property has to be provided with flood control to meet all of our development requirements.

The system that's being proposed of a minimum of 600 acres of lakes interconnected with water control systems is there for that purpose.

It also provides for water quality treatment in accordance with regulations prior to the discharge of that rainfall-generated runoff out the outfall to the C-51 canal.

Secondarily, we have been working with the South Florida Water Management District to create an additional benefit to the regional system in the northern part of the County, and that is to produce a -- what we call a treatment marsh, a polishing treatment marsh, whose purpose it is to further cleanse the water that's being transferred down the L-8 canal to the West Palm Beach water catchment area known as Grassy Waters Preserve.

It will definitely meet the requirements of that responsibility to provide additional treatment where no other opportunity exists in -- within northern Palm Beach County to perform that function.

MR. LINDAHL: And just to jump in, the treatment marshes, if we could go back to the slide, this provides a quick definition of what a treatment marsh is.

Essentially, water that is in and going into the rock pits has nutrients and things that are in it. One of them is phosphorous, and a treatment marsh is designed to remove the phosphorous and some of the other nutrients that are in it because those nutrients and phosphorous promote exotic plant growth and other things like that that obstruct and are items that are not desirable.

MR. SEARCY: It's envisioned that the system will be owned and operated by Seminole Improvement District under the -- under an agreement with the South Florida Water Management District and basically meeting their overall criteria, and that's the system that's being proposed.

MR. LINDAHL: This slide shows during primarily the dry season that with a dual combined

system you will have, as Howard mentioned, during the wet season runoff would be going to the south, as it has historically done.

During the dry season we'll be pulling water out of the M canal running it through our system when our system isn't being used because there's no rainfall, and treating it, discharging it back into the M canal where it can go to the Grassy Waters Preserve.

I'd just like to touch on a couple benefits of having a combined system. The first, is that this is a strategic opportunity for South Florida Water Management District to obtain an element for their Comprehensive Everglades Restoration Plan, of which the north area that we just described is one of those elements.

They want to look for some water quality treatment in this area. This is a strategic opportunity.

You have the ability to do a public-public partnership with Seminole Improvement District, which is whom Howard and I represent.

We're looking at 600 acres of treatment marsh. There's more than that for the surface water management system, for the runoff mode, but for the treatment mode we would need to provide at least 600 acres. That would save taxpayers millions of dollars, many, many millions of dollars.

In a recent land exchange that occurred out in this area land was going for in the vicinity of \$200,000. If you have 600 acres, this is \$100 million, in that range, just to give an order of magnitude.

And, likewise, by not using monies to purchase property, you have those monies available for other public uses.

The marsh is looking to remove over a metric ton of phosphorous on an order of magnitude that's similar to what some of the other stormwater treatment areas that South Florida Water Management District has been developing. It's those efficiency types.

It also adds wildlife habitat and enhanced wetlands.

Just to further touch on a couple items with regards to the design, there's a number of reasons why this particular site plan would be -- or is a preferred site plan.

From a dimensional standpoint when you're looking at combining, again, since we're trying to do a joint effort and have a combined treatment, as well as stormwater management system, you need to have more edges.

The edges around the center part, the edges all along the north part provide more edges, more diversity for wildlife and ecology. This also prevents any short circuiting from a treatment standpoint. It's not just stormwater runoff. It's also treatment.

If you have one large marsh, for example, along the top, there would be the ability to short

circuit it so that the water could just flow down the middle as in a ditch and not be treated.

So you want to force the water through multiple avenues to get treatment.

In addition, by forcing the water through multiple avenues you have the ability to work, since these are living ecological systems, work on one system and have it be shut down and have the water be diverted through the other part of the system while you're working on it. So you have that flexibility.

And, again, it also saves, by having a combined system it saves the taxpayers millions and millions of dollars because of the fact that this is something that's new, that we've been talking with the Water Management District, and it would provide dual purposes.

Thank you.

MR. KOLINS: The lawyer in me can't resist just stressing that the opportunity to have this polishing marsh and these environmental and water treatment benefits that Howard and Len just told you about is truly a once in a lifetime opportunity because if it can't be done here, it really can't be done anywhere else, given the growth of the area, and, hopefully, you will see this as an opportunity that really must be taken advantage of.

Our next speaker will be a bit of a change of pace. He's not an expert witness, but he is a member of the public. He lives in The Acreage. He's the president of The Acreage Landowners Association, and it's my pleasure to ask Robert Trepp to come on up here for a few minutes and talk to you.

MR. TREPP: This is where you go from seeing somebody that's used to standing before you to somebody that is probably shaking down to under the soles of their shoes. So please bear with me.

My name is Robert Trepp, and I am the president of The Acreage Landowners Association, and I am also a member of the Callery-Judge Grove Neighborhood Advisory Committee.

We're all here today for the Callery issue, here to speak our piece and be heard, or not, to hear and watch a plan be dismembered or approved, based on what, the motions, statistics, reason, politics, courage or foresight.

How about the last two. Are they important, or do we propose to our contemporaries that we live in a time warp or a time in which nothing changes?

I do not mean to diminish the importance of what is transpiring here today. Quite the opposite, in fact. Rather, I would like to bring into the conversation a perspective of unity, unity between the desires of today and the needs of the future.

To be completely and totally for or against an issue is to be blinded to the possibility of a unity. Unfortunately, on this issue there are those who would rather strike the



colors than to truly hear those who believe differently from themselves.

As quoted from the *Palm Beach Post* January 31st, 2007, Florida International University conducted a housing affordability study for the Housing Leadership Council showing that Palm Beach County will need 98,000 affordable homes within the next 20 years, 70,000 of them for workers earning less than 80 percent of the median income, which was identified in a Council study as \$27,851.

Where will they live? What community will magically discover that they have some previously undiscovered or forgotten vacant tracts of land that just happen to be rezoned for attainable housing.

Many people in this room would, I imagine, fall into this category of homeowner if they had to buy a home today. Would they see this issue differently if they were in the market and couldn't buy here? And if this is such a great area, why can't others enjoy it, as well? Are we afraid of losing who we are somehow?

The current number of homes per lot size does not do anything to help medium income people find a home in my community. Diversity is vitally important, not just in race or gender, but also in housing.

The necessary diversity in housing types and the numbers needed do not currently exist. My community in the next 15 years or so, if left to current standards, will be populated by the wealthy and the elderly, and when the elderly die, more wealthy will move in because they will be the only ones who can afford to buy out there.

Neither of these demographics, by the way, like not having what they need or desire close to them.

Now, Callery is large, but that's a good thing because it's large enough to make a difference, a positive difference if it's not watered down and made a shell of its current potential.

There are a lot of smart people on both sides. There are also some who are not interested in providing for the next generation, but in keeping a status quo so they can keep what they have and forget about those who come later.

Unfortunately, those who come later, and they will, will bear the burden we leave for them today.

Joel Englehart stated in his *Palm Beach Post* editorial of April 10th, 2007, that it's an irony of enormous proportion that to guarantee suburbia, northern Palm Beach County must become more urban. Here's why. Suburbia works great as long as long as there are enough roads or not too many people. That's because suburbia is built on the premise of fewer through roads to assure peaceful side streets.

That works fine until homes built at notoriously low densities fill up. Families grow,

and the number of autos catches up to the space on the roads. That's happening in northern Palm Beach County, just as it did years ago in south County.

To me, The Acreage as it exists today is sprawl, and, honestly, that's fine by me. I like my large yard. I like not seeing my neighbor's house, but I also like going to Publix in five minutes instead of 25.

I'd like it even more if in the middle of my community there was actually a town center, a real one, one that provides for my community, one that keeps the revenue in my community, one that provides sources of funding for the local schools so the students and sports clubs could really flourish, one that keeps me from going into Royal Palm Beach and taking 40 minutes each way to get to Lowe's or a restaurant or a movie.

Do I want to see The Acreage change? No.

But feel free to wield a creative brush on the hole in the middle of The Acreage and have the courage and the foresight to create something that will benefit the many and not just the few.

Is traffic an issue? Yes.

Does Callery - does the Callery plan address this? Yes.

Does the plan completely fix it? I don't know, but it does a far better job of it than anything else I know of.

Kim Delaney, a Treasure Coast Regional Planning Council planner, was quoted by Joel Englehart in the *Palm Beach Post* editorial April 10<sup>th</sup> as saying, "It's a question between mobility and congestion. We know we have congestion, and it will get worse. If you want to have mobility, we have to do a better job with land use patterns."

I believe better would mean in this case different, different than the same old, same old, different than what County staff has referred to as antiquated residential subdivisions.

Callery, yes, it's different, and we're back to courage and foresight again, something that has been missing for awhile in our culture as a whole, but that's another issue.

My position on this plan should be obvious by now, but just to be sure, here's the plain English.

I hated the thought of this plan. Some big developer was going to build an Olympus in the middle of my community, and that was not what I wanted to see.

I took my daughter to the first charrette at Callery so she could learn that you can find out about things around you if you pay attention, and so she could learn the difference between what developers say and what they do.

Well, I screwed that up, or at least the folks at Callery did. From that first charrette it was clear these people were not typical developers. Farmers, sure. But developers?

First rule of -- first rule of developers

from the average person's viewpoint, tell them what they want to hear.

Not Callery. They said what would you like to see and tell us how we can achieve that.

They have spent the last two and a half years doing that every month. The Board of The Acreage Landowners Association voted unanimously in favor of this plan, in part due to this attitude and the fact that they have modified the plan and listened to the concerns and suggestions of The Acreage residents who have gone to the meetings and/or the charrettes and incorporated their thoughts and suggestions into the plan.

Noel Guamo (phon.), president and CEO of the Quantum Group, Incorporated, Wellington, in a letter to editor, *Sun-Sentinel*, April 16<sup>th</sup>, stated, "I have watched the debate on the Callery-Judge property with great anticipation and interest. I would like to have a place to grow my business, one that provides a location, in the western communities and, thus, employment opportunities for residents. I would like to provide my employees with the best possible quality of life, and that includes short commuting times and the ability to participate in community activities, clubs and organizations versus spending time in their cars and creating more pollution."

It is the position of the Board of The Acreage Landowners Association that the Callery plan, as conditioned by the Treasure Coast Regional Planning Council, will benefit our community by providing needed amenities to support the western communities in the future and to reduce our reliance on the established communities around us, specifically, Wellington, Royal Palm Beach and Palm Beach Gardens.

This plan will provide The Acreage with a center for the community, local support for our schools, shorter travel times, numerous miles of equestrian trails to tie into our existing system, a place for the next generation, our children, to live, as well as a place for our future elderly, that's me, to downsize to and still remain in the area, thus fostering an even greater sense of cradle to grave community.

What we don't want to see is Olympia in The Acreage, nor do we want to see this project compressed into a tiny area leaving large open areas that could be built up in the future. By leaving the water flow ways as proposed, unless somebody floats a houseboat, those areas should be house-free forever and using some foresight by utilizing both sides of the property, future connections to groves west of the property will exist.

In closing today I would like to leave you with this observation. There were more of my neighbors participating at the first week of charrettes drawing and designing the original sketches for this project in a positive fashion than I have ever seen opposing this project.

What staff is objecting to, i.e., it's not compact, use only one side of Seminole Pratt, is completely against what people in The Acreage designed and wanted.

I constantly hear about how County leaders want to know what people think. Well, there it is. It's right up there on the screen, the culmination of neighborhood involvement, hundreds of people who have given their time to help design the layout.

We participated on those days in ones and twos with our children and with our friends and neighbors. We did not do this blindly or without considering those of us there now or those who will come after us.

We did this trying to embrace the future, not to turn our backs on it. We did this to bring unity between our current and future community.

The Board of the Palms West Chamber of Commerce supports this project. The Board of The Acreage Landowners Association supports this project, and the hundreds of people who have participated in the charrette support this project.

Courage and foresight. As leaders we must use these traits to be effective. As people we need them to be responsible to those that come after us.

Please embrace these qualities and use them to approve this plan.

Thank you.

CHAIRMAN BARBIERI: Mr. Trepp, I'd like to commend you. Of all the years I've been on the Zoning Commission I've never heard a representative of a community do a better job of representing the views of their community. I think you did a great job.

MR. KOLINS: If I can just take one second to follow on that.

If Robert Trepp was shaking in his boots because he was speaking publicly and wasn't used to it, that was one heck of a job. I was going to say he should have been a lawyer, but then, again, I wouldn't want to have to compete with him. So stay as what you are, but that was just great.

I'm glad I don't have to really follow him as a speaker, but we have a terrific person to do so. Other than a few minute wrap-up by me, our last speaker today will be Dan Cary.

You all know Dan very well. He's had a wealth of experience in a number of the matters that impact us here today and perhaps has been one of south Florida or the State of Florida's leading proponents of growth in an intelligent and wise manner, and we'd like him to step up to the podium now and discuss how he feels about this project.

Thank you.

MR. CARY: Hi. I'm Dan Cary, and I am shaking in my boots now after following Robert. I -- it was great.

I mean -- I started my career out as an ecologist and probably the last 20 years I've

become an urban designer and town planner, and part of the reason that I made that change was in response to the sort of rhetorical question that Bob Pennock raised, and that is what would the world be like, what would Florida be like if we had grown in the form of towns and villages, rather than in a sprawling post-World War II manner that we did.

And I actually did some calculations on it and found out we probably would have used up 10 percent of the State if we had -- if we had grown that way, and we probably wouldn't have even needed wetland policies and things like that 'cause we would have had so little impact on the environment.

For the last 25 years I've exclusively represented local governments and the regional government. My focus has always been on the public side of things, and I -- now that I'm a consultant, I still exclusively work for and help local governments with their redevelopment.

I made an exception for really five reasons on this particular case. One is because of the method that they chose to follow in developing the plan.

I think a lot of you may know the only method we use is the charrette method for developing plans, and it's very unusual for a private sector developer to risk that process because they might hear something they don't want to hear.

This developer did it and has in fact followed the recommendations of the plan.

Some of the other reasons, though, were that while I was director of the Regional Planning Council, we'd been aware of the problem of The Acreage, or the looming problem of The Acreage for a long time.

There was a time when I started my career that it was sort of rural. I mean it wasn't fully developed. People did move out there for a rural lifestyle, but when we saw at the regional level the amount of development that was predicted to occur there, we understood there were going to be major problems, both for the people who live there, but also on our road system, like Okeechobee, and in fact the County, if you recall, actually did some pretty incredible studies of like double decking Okeechobee Boulevard because of the anticipated traffic growth that was going to be on that road.

And the second reason that I got involved in this project is because 20 years ago I had recommended that this specific project be done on the Callery Grove site. We believed that building a town center and building a real town on this property was the best way to mitigate not only the impacts on the regional road system, but also to provide some necessary services within The Acreage as a whole.

Later on when I left the region, I became director of planning at the South Florida Water

Management District, and my charge was to help shepherd the creation of the Everglades Restoration Plan, and while we were doing that, we became increasingly concerned about how stormwater is managed within developments.

I mean typically developers just deal with their own thing.

Homeowners association ends up managing that, and that wasn't the kind of a system we thought was going to get us to where we needed to be as part of the restoration plan, and so we did a model study on the C-9 basin down in Broward County, which in fact proposed exactly what is being done here, a capillary network of flow ways that would store water, clean water, interconnect these little designer ponds that you typically see within subdivisions into a meaningful and centrally managed system that would deal with mitigation, wetland, habitat restoration and wildlife values.

And, most importantly, on top of all that, begin to create a world class amenity where it was almost like a rivering system running through the County where people could go horseback riding, could go fishing, not unlike the Schuylkill River in Philadelphia.

I mean I don't know if any of you know the Philadelphia area, but that's the most amazing natural resource that runs right into downtown Philadelphia and through the urban neighborhoods that surround it, and it's viewed as one of the great resources of that area and makes it a very special place to live.

I think this system, not only the plan itself, but the system is going to leave a legacy, not only for the people that live at Callery, but the people that live within The Acreage and really, western Palm Beach County. And I believe, as I did when I was at the district, that this is really the model for how water management should be dealt with.

And, in addition, it has a lot of regional benefits of interconnecting some of the big parts of our system in helping to clean the water.

The big reason, though, besides sort of asking for this, that I wanted to be part of this was because I think, honestly, without qualification, this is the best project that's ever been proposed in Palm Beach County.

I say that without qualification. I've looked at it very carefully. I looked at critically. I had some questions about it as it's evolved, and I'm satisfied that -- and I'm going to talk a little bit about why -- that it is exactly right the way it is.

One of the big things that I'm going to talk about is this walkability and compactness, and I think I can show you that this thing is perfect in that sense, and that compressing it isn't going to do anything to improve it.

Now, when we first got enamored with going back to the -- to building towns and villages, as

opposed to subdivisions and projects, we spent a lot of time studying why some communities were loved, why they were very successful and why they provided a high quality of life, and what we found out was that the places that worked the best, that had the least traffic impacts, that had the best quality of life, all had a bunch of characteristics in common.

One of them was they had a well-defined center. This project, you know, has the center that, you know, we've talked about, but not only does it provide a center for itself so you -- I want you to view this as a town itself, but also mitigating some of what's missing in the broader acreage, and when we first looked at this, it was the hole in the donut, and it was just begging to have the core of a more urban area put there to sort of balance out the monoculture of large lot single family that surrounded it. All great places have a center.

One quick little side story. One of the reasons for a center is, you know, we joke about this and say when the revolution comes, you got to know where to go to get information.

Our revolution was Hurricane Andrew. One of my responsibilities when I was at -- still at the region was helping logistically to get supplies to south Dade after that devastating hurricane, and because a lot of south Dade was sprawled and didn't have well established centers and neighborhood centers, it was very difficult for people to know where to go to get supplies, and it was very difficult for us to know where to even put the supplies where they would find them, and we had to resort to all kinds of elaborate techniques, like putting balloons up in the air and other things.

A center, though, makes sense, and it was a historic part of all plans because it's the -- it's the point that's the shortest distance from everything that surrounds it, and that's where your services need to be. That's where, you know, the workplace is largely, that's where your shopping is largely, so on and so forth.

And typical towns have a big center at the middle, but that's not all they have. They have surrounding neighborhoods that have some level of service within them so that you can get milk and eggs perhaps or, in the old days we'd say a pack of cigarettes but nobody smokes anymore, within a short walk of your house, and within a short drive or perhaps a ride on a trolley system you could get to -- get to the workplace without driving 10 miles on the regional road system.

Another thing that they have, that this plan has is a hierarchy of interconnected streets. Not all the streets are the same.

Now, if you look at The Acreage, those streets are mostly the same. I mean Pratt Whitney's a little different than the streets that make up the neighborhood, but if you don't have a complex hierarchy of different street types, you

can't create the complexity of addresses that are needed to house all the different kinds of personalities and interests that make up a community.

I mean some young people before they get married want to live in the downtown where the action is, and they want a small unit that's affordable. Other people want a secluded quiet place.

You need complexity to accommodate all of the different types that make up a real community.

Another thing is you need small blocks. This plan has very small blocks. Small blocks are important for walkability.

If you look at The Acreage, each one of those blocks in The Acreage is, to give you an idea, it's the size of 12 West Palm Beach blocks.

It's the size of 24 Portland, Oregon blocks, each block in The Acreage. That isn't set up for walkability. Each block is a barrier in itself to getting around. That's the antithesis of what has been proposed here with small block size.

Another difference between town planning and planning of suburban areas is that we view in towns streets as part of the public realm, part of the civic realm. They're supposed to be beautiful. That's why in the old days houses had front porches and people sat on them because that was part -- they were designed as beautiful space. People hung out there.

Today we had forgotten those lessons, and we turn our backs. We put big berms and landscape because we don't want to see the streets.

Believe me, if you travel around the world and -- and look at different street types, very big streets, six-lane, eight-lane highways can be beautiful front doors if they're designed properly. We don't do it that way anymore, but that is the way the approach has been taken in this project.

Diversity of housing types. To a large extent the 17,000 lots within The Acreage are the same housing type. They may vary a little bit in terms of their size, but they're large lot, single family housing types, and it -- and those -- that kind of a lot isn't suitable for everybody that you need to make up a real community.

And so a lot of emphasis was placed in the development of this plan coming up with little, if any, overlap with that lot type, but providing a diversity of housing types, including a significant amount of workforce housing.

I mean Linda Shelley talked about that, but I want to emphasize that the -- without that workforce housing, you know, attracting industry, meeting -- I mean it's great to have industrial land, but I'll tell you what businesses are looking for today isn't just land to build their business in. They're looking for where are my people going to live, and I know 'cause I've been involved in it.

We've had -- we've tried to recruit



certain businesses within the Treasure Coast region, and one of their concerns is affordable housing, as well as schools and other issues. They're looking at more than just real estate.

And so part of what you have to do when you're developing a town is develop a complete place that can support the development of business.

This plan also is unique in that it has special site-specific buildings. We plopped churches and civic buildings down like Burger Kings in the suburbs. I mean they line up along Okeechobee Boulevard. That isn't the way traditionally it was done.

Traditionally those kinds of things, the important civic buildings, were located at -- I'm shaking here a little bit -- but at centers, at key points, at terminating a vista along a street.

They were given special sites, and that's what we've tried to do here, to raise the civic realm and provide a center for the broader acreage that they can own and feel ownership of besides the people that actually live within the denser parts of the project.

Now, there's been some talk, you know, and I think some confusion about how traditional towns work on the issue of walkability. Believe me, and I'd ask you to think of the case of West Palm Beach.

Can I have that next slide?

Think of West Palm Beach, and, really, it's kind of interesting that the scale of this plan allows me to talk about this.

West Palm has a downtown area, and if you live within that downtown, the four quadrants of West Palm Beach, you can walk anywhere in there if you wanted to. It's totally walkable.

But when you think of the city, when you think of the plan John Knowland, one of the greatest town planners, laid out for West Palm, it included not only the downtown, but it included the neighborhoods that were north and south of the downtown, like Northwood and Flamingo Park and El Cid, all of which were needed to make a complete place.

Now, you do not walk from Northwood to work in the downtown. So in the -- what I'm getting at is no real city, whether it's Philadelphia, West Palm Beach or any real town at any size, unless you're talking about a little village, provides complete walkability from every site to every thing.

What they do do, though, is they allow you to meet some of your needs by a short walk. For instance, you can get the milk and eggs, pick up a newspaper. You don't have to drive five miles for your -- for your every day needs.

Every one of these little villages, if you will, has at least 10,000 square feet of commercial space within it. That is enough for a corner store. The population of these things, maybe two to 3,000 people, and two to 3,000 people

can support a neighborhood store, maybe a dry cleaner and some stuff like that.

But, secondly, what happens in good urban areas, the best that you can think of is that besides having some neighborhood services, they're set up in a way that you -- that they're ready for transit.

Now, we don't use transit much here, but we're -- I predict we're going to be using a lot more transit in the future, and this community has been laid out so a transit route can easily link all of those neighborhood centers to the core area.

Now, what does that mean? It means it's walkable. All you have to do with transit is walk two blocks, jump on the open trolley like we run in West Palm Beach, and you're -- you can be at work without using your car if you choose to.

Now, this plan accommodates cars, but it also allows someone that doesn't have a car to find a place to live and still get to work. And that's the way West Palm Beach works.

When I was -- I was director of planning for -- when Joel Daves was there, and we applied for and got a grant for 10 additional trolleys, and the point of those 10 trolleys was to link Northwood, El Cid, Flamingo Park, the southern and northern neighborhoods back to the downtown to make it more pedestrian.

I don't know what's happened on that, but we -- the grant was provided. We got the money to do that.

So I think, and I would testify that squeezing these neighborhoods together doesn't make it any better, and in fact it undermines the environmental part of the plan, which is the -- the flow way and the habitats that's going to be provided by that.

This plan is -- it is laid out very similarly to the way West Palm Beach is laid out, and that was a very traditionally planned community. Doesn't have the density of West Palm Beach, but I mean the layout and the mechanism of it is very similar.

I'm excited about it, about this plan. I hope y'all choose to approve it because, like I say, I've been -- I've looked at -- I've done 50 or 60 DRIs. I've looked at more projects than I want to think of.

And this is the best one I've ever seen, and it -- and I'd like to see it develop, and I would be -- I think that we will leave a legacy with this. It's going to make that part of the world a lot better, and it's going to make the County work better, and it's going to help The Acreage really have a higher quality of life as that area continues to grow.

Thank you.

MR. KOLINS: I am especially delighted to tell you, since I have just two or three minutes of my own, we're going to beat your two and a half hours by at least 15 minutes, and I'm glad of

that, probably the first time in my history that's ever happened.

But let me just make very, very brief closing remarks.

There is a word that's a very important word, but I think it's often misused, and that word is "planning." The word is important because, indeed, we must plan our growth, but it's used willy-nilly in many inappropriate ways. Sometimes it's used to stick a number in a box somewhere, and it's called planning.

I suggest to you, and I hope these very, very fine and qualified people that have spoken here today have convinced you that what we have here in this plan truly is planning. It's planning what should be. It's planning at its best, and it's planning that has so fully taken into account what the people around it would like to have.

And I hope also we leave you with the appreciation of the fact that our plan is not just a bunch of separate parts, but that all the components of this work together, much like a finely tuned engine, and if you change a part of the engine or make a part smaller or take a part away, either that engine won't run, or if it runs, it's going to run rough and soon become a clunker.

I hope that that kind of message has come across.

I will simply say, first of all on behalf of Nat Roberts and myself and all of us on this side of the room we thank you for taking the time and giving us the attention that you have this morning.

And I would be remiss if I could not add a personal note for myself, and I know I speak for Nat, as well, in thanking all of the people that have worked on this project, because they've worked on it for years. They've worked on it incredibly hard. They've done a wonderful job, and I'd publicly like to recognize them.

And, finally, I would like to say that for every person that comes up on something like this before you there's a small army behind him or her that has really done so much tremendous work, and I know we have Jennifer and Tamara and Fran in the room, and they and others who have worked with them, the support personnel, the administrative personnel, have worked beyond your comprehension to make this all happen, and I thank them, as well.

We will all be back here this afternoon to take whatever questions you have and to respond to whatever public comment.

Thank you very much.

CHAIRMAN BARBIERI: All right. Staff, if you have nothing at this point, we will recess for a lunch break, and we will reconvene at 10 after 1:00 here. Please, everybody try and be back by 10 after 1:00.

(Whereupon, a lunch break was taken from 12:25 p.m. until 1:15 p.m.)

CHAIRMAN BARBIERI: If everyone will return to their seats, we'll get started.

I'd first like to open up to the commissioners and to staff, questions, comments. Jon.

MR. Mac GILLIS: Mr. Chairman, just for the record, this morning we got a fax from the Town of Jupiter, Resolution 40-07, that they requested that we provide to the Commission this morning. I think you all have a copy on your desk.

COMMISSIONER KAPLAN: You want a motion on that, Mr. Chairman, to accept it?

CHAIRMAN BARBIERI: Yes, we need a motion.

COMMISSIONER KAPLAN: I so move.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion was made by Commissioner Kaplan, second by Commissioner Anderson to accept the resolution into the record from the Town of Jupiter.

Any discussion.

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries.

All right. Commissioners, you want to start up here? Want to go to the public first? Okay.

Are there any attorneys here to speak on behalf of the cities?

All right. Yes, sir. Come up to the podium, please.

\*\* MR. HANSEN: I'm not an attorney, but I'm with the City of West Palm Beach staff, also the representatives for West Palm -- I'm sorry, for Palm Beach Gardens and Royal Palm Beach that should be coming back any minute.

CHAIRMAN BARBIERI: Okay.

MR. HANSEN: They just left for lunch. They should be here any minute.

CHAIRMAN BARBIERI: All right. Did you all submit cards, you all --

MR. HANSEN: Yeah, all of us provided some cards.

CHAIRMAN BARBIERI: Okay. All right. Yeah.

We're going to limit the speakers to three minutes. We'll ask you to please not repeat what somebody before you might have said, other than to say you agree, if possible, so that we can move forward, and I'm going to start in the order, the cards that I have them here.

The first name I call I'd like you to come to the podium on my right, and the second name I call I'd like you to come to the podium on my left.

We'll start with Jack Harrison on the right and Lucius Wilcox on the left.

(No response)

CHAIRMAN BARBIERI: And neither of them

are here? Okay. I'll come back.

Is Alex Hansen here?

MR. WILCOX: I'm Lucius L. Wilcox, Jr. I'm a member of the Callery-Judge Citizens Advisory Committee, and I'll make this short and somewhat redundant after everybody who's spoken this morning.

If what I'm about to say were to be an article for a local newspaper, I might well call it "Hypocrisy."

I've seen no inclination on the part of the City of Royal Palm Beach to restrict development on every available piece of land in the interest of reducing the glut of traffic that such things bring. A huge retail center is under construction this very moment on Southern Boulevard. Do the people of Royal Palm Beach think that such retail centers will not bring customers from the surrounding communities into their city to take advantage of such offerings?

I've seen Royal Palm Beach bulldoze stands of cypress trees right up to the eastern boundary of Loxahatchee Groves to build apartment complexes with no apparent thought about its near neighbors, yet when Callery-Judge plan for development of their 4,000 acres is mentioned, they rail at the thought, citing concern for the glut of traffic such a thing might bring.

Many who join such protests have not taken a look at the proposed development. Many cite concerns about water problems, not aware that 600 acres of the 4,000 acres of the Callery-Judge property will be wetlands.

Many believe that 10,000 homes are going to be built overnight without any regard for traffic flow. This, too, is a misconception. The development of the area will be incremental with the improvement of the roads that will serve it.

Do you and your constituents believe that by digging your heels into the ground that you will be able to stop the development of these tracts of lands to the west of us? You know that this is not true.

More people every day move to south Florida because of its wonderful climate. They cannot be stopped, and these people will need a place to live and shop and educate their children and grandchildren.

They'll need doctors, hospitals and, God forbid, even lawyers.

If the planning for this inevitability is done right, and it can be, the impact of the community will be not a negative one. In my opinion the Callery-Judge people have done their homework and are planning this development in a manner that will complement the surrounding neighborhoods, taking in consideration traffic flow, environmental impact and the aesthetics of the area.

No matter how loud the naysayers speak, the this land will not lie fallow. Someone will at some point develop it, and you know that. Let

the development be done by the Callery-Judge people who have demonstrated and continue to demonstrate their willingness to work with its neighbors to make this project one we all can be -- comfortably live with.

Thank you.

CHAIRMAN BARBIERI: Thank you.

Before Mr. Hansen begins, Ms. Rosa Durando, would you please go to the podium on your right.

State your name for the record, please.

MR. HANSEN: Yes. Good afternoon. Alex Hansen, with the City of West Palm Beach.

The City of West Palm Beach requests that this Board follow the staff's recommendation of denial for this project. The reasons are a number of them.

The first one is an issue of scale. As a planner I think there are some interesting concepts associated with this project. There's a mix of uses and other things that, again, as a planner I think are positive. The problem, again, is the scale, as well as the location of the project.

We need to remember -- I mean we saw some of the maps that the applicant showed -- the size and the magnitude of this project, and this project is located where? Within the County's rural tier and is surrounded by exurban and rural communities.

And this is located also in areas that have limited roadway infrastructure today, and that infrastructure really cannot be improved much. Some of -- there are only a few roads that connect this portion of the County with other portions of the County. No new roads are projected to connect the western part of Palm Beach County with the eastern part of the County.

We're speaking primarily about Northlake Boulevard, Okeechobee Boulevard, Southern Boulevard. That's it. No new other roads are going to be connecting this area with the east.

So any new -- any new traffic that is going to come out of this project is going to go through those roads, and there's going to be significant traffic coming out of this project.

There may be some internal trip capture, associated with this project. Some trips may stay within this development, but a lot of trips, hundreds of thousands of trips are going to be coming out of this project and are going to go through the limited number of roads that are currently located within this area.

Fred Schwartz indicated that this project had complied with the TPS requirements, the traffic performance standards requirements.

The City of West Palm Beach, the City of Royal Palm Beach and Palm Beach Gardens have filed an objection to the TPS approval. We have a number of concerns. Our traffic consultants have indicated that there are a number of issues associated with that TPS appeal -- I'm sorry, with

the TPS approval.

A hearing has been scheduled, I believe for next week, in order to discuss this TPS appeal.

Also, there were two other studies that Mr. Schwartz failed to mention, traffic studies associated with this development. One was the study that is required as part of the transportation element -- I'm sorry, land use element, Policy 3.5.d.

This is a traffic study that requires that the long-term impacts of the project be evaluated for any land use amendment. That traffic study indicated that 14 roadway segments were going to be failing.

What was the applicant's response to this?

They asked the County to be exempt from the policy. That was it.

The other study, which is a very important study, is the DRI traffic study, and it's different from the TPS traffic study. The TPS traffic study, all it looks at are five-mile radius, and because this area is rural, there are not that many roads, that many thoroughfare roads that are on this proposed development, the five-mile radius will only -- which was the study for the TPS, only look at a few roadways.

The DRI traffic study, which basically looks at any roadway segment where the impacts of the project are five percent or more than the capacity of the road was never -- was never completed to the satisfaction of any of the review agencies.

Neither the County nor the Treasure Coast Regional Planning Council traffic consultants approved the DRI methodology that was proposed as part of the applicant's traffic study. As a result, there's no approved traffic study that looks at the impacts of Phases 1, 2 and 3.

The only thing that was done is a traffic study that looked at the impacts for Phase 1. Phase 1 is only one-third of the development.

So a lot of the conditions, the traffic conditions that you see, the 56 or 57 traffic conditions that were mentioned, again, only apply to Phase 1.

And if you look carefully at those conditions, many of them say, well, these roadway improvements need to be made, intersection improvements or link -- link improvements, or a change in the level of service needs to be processed, change to the level of service is really a CRALLS, a Constrained Roadway At a Lower Level of Service.

So that is the solution that has been offered to many of these traffic -- traffic problems. Let's do a roadway improvement or go for a CRALLS.

I think we all know what -- which venue the applicant is going to follow, and, again, this is only for Phase 1. The conditions of approval don't really look at the impacts of Phases 2 and

3.

They only say after the completion -- after Phase 1 is built, then we'll look as to what the impacts of Phases 2 and 3 are going to be, and additional conditions may be added.

Our assertion is that because this is a Development of Regional Impact, you need to look at all three phases of the development, the impacts of all three phases, before granting any approvals.

Thank you.

CHAIRMAN BARBIERI: You're welcome. Thank you.

Before Rosa starts speaking, would Alexandra -- Alexandria Larson please come to the podium on your left?

MS. LARSON: I'm already here. I'll jump up there as soon as she's done.

CHAIRMAN BARBIERI: Ray Liggins. Thank you.

Rosa.

MS. DURANDO: Yes. Rosa Durando.

I don't know how many of you folks read the last DRI from Treasure Coast dated from last Friday. It's prefaced on the overview of Callery-Judge. It seems we are faced with insurmountable opportunities.

I think that is such an appropriate statement here.

I don't think that there will be any decrease as proposed when -- at build-out on the road system, but that's the least of my concern because on Page 17 they go in great detail, several paragraphs, issued by the South Florida Water Management District that they underestimated their need for water. They didn't meet it in Phase 1, Phase 2 or at build-out. So you all need to read Page 17.

Now, I'm told at lunchtime today at a break that that has been approached with the County and addressed and satisfied. I don't know that. I haven't seen the County mention it. I haven't South Florida Water Management District mention it, but I understand that the water is a very finite supply, that originally West Palm Beach could have done wastewater treatment and declined, not to spend the money.

I don't know whether the county -- Mr. Roberts may profess that they will spend the money for wastewater treatment. That's great. But I want to see it publicly acknowledged that the County will join with them, and Mr. Bevin Beaudet says we can give them water, because within the last couple of weeks I heard the County promise water to everybody from a golf course to Boynton Beach, and we're not manufacturing that much of it. There isn't that much water to hydrate the rest of the area in south Florida.

We're now facing a very drastic situation with the increased demands of any development, regardless of Callery-Judge or the orange grove a little to the west. We will see approximately 20



to 30 or more thousand people and all the services they're going to demand take a demand on a finite resource.

Traffic is only an inconvenience. If it takes you another 20, 30 minutes to get where you want to go, so be it, but the water issue is important. It's not adequately addressed by anyone.

We're told we're in an historic drought. I'm pretty historic myself. I've lived here since the middle '40s, and I want to tell you this is not an historic drought, not statistically.

What makes it a little worse is the fact that instead of 300,000 people in the whole County, we have a million people.

Every one of these people are demanding water. All the services you're going to supply demand water.

I don't see as yet any plan for the Everglades Agricultural Area. In a word, I don't trust planners anymore. They have not come up with solving the really important problems.

When I see that staff is sweating out a doggie daycare center and they didn't put it, and they're willing to list that as one of the problems, I think that's pretty much the height of being ridiculous.

So I guess my time is almost up, but I do want to mention that all the expert witnesses that were cleared this morning, I have problems with probably 90 percent of them, and I have skeletons on every one of them practically that I would say takes away from their ability to be spokespeople of the great science of planning.

CHAIRMAN BARBIERI: Mr. Liggins.

MR. LIGGINS: Good afternoon. Thank you.

My name's Ray Liggins. I'm the assistant village manager for Royal Palm Beach.

I'm going to speak specifically about the traffic, make a few comments on that. We also have Melissa Anderson, special counsel to the Village of Royal Palm Beach, regarding this issue that will speak on other issues.

The first thing I would like to do is provide to the Board a study that was completed by the cities of West Palm Beach, Royal Palm Beach and Palm Beach Gardens that analyze the full impacts of the Callery-Judge project on the surrounding area, if I could hand that in.

Royal Palm Beach's objection is size and scale. I think it was best said at the transmittal hearing last April that on -- as it relates to traffic, the size and location of this property and the impacts, I don't know where you can -- how you can widen the existing roads wide enough or where you could put new roads to handle this traffic.

The traffic currently in and out of this area in any given day is about 83,000 cars a day.

This particular project will add 94,000, I think 667, cars in addition to that in and out of the area on any given day. That's the external trips

from the project.

While TPSO - TPS, traffic performance standards did a -- handled the traffic impacts within the five miles, it did not handle the impacts outside of the five miles.

The -- outside of five miles, because of this location of this property being in the rural tier, is you -- when you leave the property, you're outside of the five miles before you get to Coconut Road on Northlake Boulevard where The Acreage goes on to Northlake. It's before you get to Royal Palm Beach Boulevard on Okeechobee Boulevard where most of the Royal Palm residents get onto the major thoroughfare network, and it's before you get to Forest Hill Boulevard on Southern Boulevard where most of -- some or rest of Royal Palm and Wellington get onto the major thoroughfare plan.

What -- how Treasure Coast handled this in their -- in their analysis was let them do Phase 1 and then come back, do a traffic study, make sure everything works.

Going back to the -- I don't know where you build -- how you make the existing roads wide enough to meet the current level of service or where you build new roads, we need the answer to that, we think, before this project is given a full land use and zoning approval, and that is why we provide -- we did this study because we didn't feel one existed that was consistent with methodologies that were previously used in this County.

When we look at that study, we have some major roadway failures, Okeechobee Boulevard over 200 percent, Northlake Boulevard over 200 percent, around 240 percent failing, and with the application as we see it today we don't see the solutions for those impacts, and those impacts directly affect our residents.

The location is very important because this is a unique location. I think Nat Roberts explained it best. It's kind of like an island. It does not -- it -- between Northlake Boulevard and Okeechobee Boulevard it's -- I think it's nine miles, and there's not an opportunity to put another roadway east and west because of the water catchment area.

That is the problem, and it just cannot handle the existing system, and any new roads can't handle the existing -- the demand to go east-west.

Thank you.

CHAIRMAN BARBIERI: You're welcome.

Would Melissa Anderson come up on the podium on the left.

MS. LARSON: You ready for me now?

CHAIRMAN BARBIERI: Yes, ma'am. State your name for the record.

MS. LARSON: Alexandria Larson.

CHAIRMAN BARBIERI: Thank you.

MS. LARSON: This whole situation from 2003 on is going to make great Carl Hiassen book.

It really is, because I see fairy tales, I see mystery, I see suspense, private eyes.

This was presented to Palm Beach Planning, you know, our planning people in 2000. It was 10,000 homes and five million square feet. I have the DRI, the original one, saying that there was a neighborhood advisory board. Yes, they were -- they did, they had an advisory board. For two years I asked where are the roads.

I did go to the meetings. I wasn't part of the Board, but I went to the meetings, and I kept saying where are the roads.

They just got presented to us a couple months ago. There were 18 of them going into The Acreage with little Amish bridges. It looked real -- really clever.

The Acreage is a really unique place. I live there. I worked very hard to get my home.

To facilitate new building -- I mean Treasure Coast only looked at Phase 1 of this. I watched -- it's unique that it says Silver Lakes in the backup here because Silver Lakes down in Broward County took less than five years to build to the U.S. 27. It didn't take 15 or 20 years. It's a myth. I hate myths.

I want -- you know, give us facts. I always ask, give me the facts.

It's a lot of traffic, it's a lot of trouble, and it shouldn't happen.

I'm sorry that there's 4,000 acres in the center of us, but The Acreage is 58,000 acres, 14,000 homes. We don't take up the water. We don't take -- my house takes up two percent of my property. Every drop of rain that falls goes back into the aquifer.

I suggest you all read this. It's called *Thirst*, we ain't gonna have no water. It's the corporate taking of water because the builders want you to think that we can survive. We can't.

I don't care how many special people come up here and say that this is going to work.

You can't put a square peg into a round hole, and The Acreage is -- we are the -- we are the round hole, and we are being sold a donut. It was really clever when Dunkin' Donuts came up with selling the donut holes. They're good.

You can't do that with people's lives, with water. We're in a really bad situation, and we keep building condos on one square acre, you got 2700 people on one acre. They use a lot of water. It's a problem.

We have issues, and this County needs to go back and rethink things, but when they did the 1989 Comprehensive Plan, somebody had some foresight, and this place was allowed 391 homes, period.

I think we need to rethink it.

Thank you.

CHAIRMAN BARBIERI: Thank you.

Hugh Rayside, would you please come up to the podium on your right.

MS. ANDERSON: Good afternoon. I'm

Melissa Anderson. I'm special local counsel to the Village of Royal Palm Beach.

I'd like to clarify that the study that Ray gave you, he mentioned that the cities had this study commissioned, and the reason the cities had this study commissioned was because after two full days of mediation with Callery-Judge and County representatives and the cities, and that would be Palm Beach Gardens, Royal Palm Beach and West Palm Beach, requested continuously over a long period of time that this Phase 2 and Phase 3 DRI study be completed with the methodology that the Regional Planning Council and FDOT approved of and never got any answer to that or an agreement to that.

The cities went ahead and decided to spend a considerable amount of money and have the study completed with the phase -- the methodology that was approved for Phase 1. So that's the -- a little further background on that study.

I have two documents that I would like to hand to the Board. I'm not sure who these go to.

The first one is a letter that we faxed yesterday to the Chairperson of the Board, and I'm hand delivering it to you today. Attached to that letter is a request to defer, and obviously that's not going to happen since we've been here since 9:00 o'clock this morning.

The reason that we were requesting that deferral is because there is a pending TPS appeal that has not been heard yet, and we really feel it's appropriate that before a decision is made, that a decision in the TPS appeal is made, and I believe that's happening next week on May 1<sup>st</sup>.

The other -- so that's the first document that's being handed to you and attached to.

The second -- one of the documents that is attached to that letter is the notice of the -- it's the TPS appeal, the notice of appeal, and the grounds therefore if you want to see that.

The second document I'm going to -- I'm handing you is Resolution 07-17 of the Village of Royal Palm Beach, which basically is opposing the density on the proposed Callery-Judge and is instead supporting a land use and zoning change which would allow a maximum of 0.8 units per acre as set forth in the County's adopted Sector Plan.

Having said that, the cities are not entirely opposed to development taking place on the Callery-Judge site. They're opposed -- they are concerned that we don't know the full impacts of this development, and, therefore, no -- there's no -- been no mitigation proposed to be able to mitigate those impacts.

Thank you.

CHAIRMAN BARBIERI: You're welcome. Thank you.

Sharon Waite, would you come to the podium on the left, please.

Mr. Rayside.

MR. RAYSIDE: Yes. My name's Hugh Rayside.

I own three five-acre residential parcels on 161<sup>st</sup> Terrace in Loxahatchee. Two -- you know, one of them butts right up to this section, and one --

CHAIRMAN BARBIERI: Mr. Rayside, you need to pick up the microphone. There's a wireless mic -- I mean a portable mic.

MR. RAYSIDE: All right. One of them's here, and one of them's here. I live here. And then there's one here with the big lake (indicating). All right.

Nobody's addressed what this is, and I'm told it's just going to be commercial buildings and stuff.

Well, I've heard people talk, well, when you look out, you're going to see what you're used to looking at where you live. Well, these people are in great shape. These people are in great shape, but this is what I'm going to see, these commercial buildings, and that's what I object to.

Now, I come out this road, get on A Road and go to Okeechobee Road. I leave my house before 6:00 or after 9:00, or I get nowhere. So I don't know how you're going to accommodate the traffic on Okeechobee. So I'd like to see that issue addressed.

And that's all I got to say, just I'd like to see it addressed.

CHAIRMAN BARBIERI: Thank you.

MR. RAYSIDE: Thank you.

MS. WAITE: Hello.

CHAIRMAN BARBIERI: Excuse me one second.

Mr. Grady, Dennis Grady, would you please go to the podium on the right.

Go ahead. Your name for the record, please.

MS. WAITE: I'm Sharon Waite. I live in The Acreage.

Mr. Trepp spoke early -- earlier just before the lunch break, and he mentioned that he represents The Acreage residents.

There are 14,000 residents there. The ALA, the Acreage Landowners Association, only has 400 members. I say that's a little bit of a -- an over -- an oversight on his part saying that he represents the whole Acreage when he only represents a very small percentage of the people that live there.

Our -- my friend and I put out a petition two years ago when all of this started, when the -- when the -- all the tents were going up and all the free food was being served. We got 1400 signers on our petition. I'd say that's a lot of people that don't want any of this.

Now, I can't say I'm against any kind of growth at all. That's not true. I've been referred to as a no-growther and other sort of things. That's not true.

I want the size and scale that the original Comp Plan proposed, no more, no less. This way everybody can live in peace. The people that want to live in an urban lifestyle can live

like that if they want.

We chose to buy our property there for a specific reason, and what gets me is why, because we choose to spend our money a certain way, why are our property rights being challenged?

All the way down the line everybody is saying new urbanism and new this and new that. They want to ram this down our throats. Whatever happened to property rights in this state?

Last time I saw we live in the United States. It's not a police state. This isn't Russia. This isn't communism. And I really take issue with people saying we have to live the way they say, and that the zoning's all going to be changed, and that everything we dreamed of and everything we worked decades for -- I have a 37-year old daughter.

Do you think I got this property by -- handed to me by somebody who left it to me? That's not so. I have a lot of blood and sweat in that property.

I'm not a spring chicken. I can't start over, and I'll be darned if somebody's going to tell me that I have to live in an urban society where there's going to be a lot of crime. Any time you start cramming people into a small compact situation you're going to have a lot of crime, much more than we have now.

I like the way I live, and I intend to stay there.

Thank you.

CHAIRMAN BARBIERI: Thank you.

Before Mr. Grady speaks, would -- I need a motion to receive and file the items that have been submitted by the village.

COMMISSIONER KAPLAN: So moved, Mr. Chairman.

CHAIRMAN BARBIERI: Motion was made by Commissioner Kaplan.

COMMISSIONER DUFRESNE: Second.

CHAIRMAN BARBIERI: Second by Commissioner Dufresne.

Is there any discussion?

(No response)

All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

Before Mr. Grady speaks, would Nancy Stroud please come to the podium on the left. Thank you.

Mr. Grady.

MR. GRADY: Good afternoon, Commissioners.

My name is Dennis Grady. I'm president of the Chamber of Commerce of the Palm Beaches, and our Board of Directors and our committees have heard presentations from both the developer and the County over the past 30 days, and yesterday our Board of Directors voted unanimously to give conceptual approval and endorsement to the program as presented to you and the project as presented

this morning.

A couple of points that I want to emphasize that are of utmost importance to us and, we feel, the business community.

The acute shortage of residential land for development as outlined by the County and the developer in their projected population growth for the next 25 years can be met by this project.

The owner has also committed to provide 20 percent of the proposed dwelling units for affordable or workforce housing, an issue that we feel is very acute in our community. That's 2,000 units that will be occupied by people who have and earn 68 to 140 percent of the County median income.

The Callery-Judge Grove DRI will also provide 3.8 million square feet of non-residential use which will produce approximately 8,000 jobs in our community, jobs that'll be close to where people live so they can live and work in a very close environment.

And, finally, the developer has provided the unprecedented commitment to provide not only the land for schools, but also to write the check for the construction cost to build those schools, and this is a unique opportunity and one that we should take advantage of and benefit from.

We are pleased to join The Acreage Landowners Association and the Palms West Chamber of Commerce and endorse the Callery-Judge plan as presented this morning.

Thank you.

CHAIRMAN BARBIERI: You're welcome. Thank you.

Benoth - I'm sorry, I can't pronounce it.

Benothman, would you please come to the podium on your right -- on your left, excuse me. Your right, my left. All right.

Ms. Stroud.

MS. STROUD: Thank you and good afternoon.

I'm Nancy Stroud, representing the City of Palm Beach Gardens.

I'd like to support the staff report that we think provides more than adequate substantial competent evidence to disapprove the applications before you today, the variances, the rezoning and the DRI.

As you know, you met for many years together, sophisticated folks. All you need to deny this project is substantial competent evidence, and it's -- the developer has brought in an impressive array of experts, and they've made a wonderful presentation, but, in fact, if your staff has given you adequate reason and evidence to show that this should not be approved, you're certainly well within your bounds to do that.

We believe that this is in the wrong location and is the wrong scale, as you have heard, has not adequately addressed the traffic impacts, and in fact we think approving this would bend the rules that have been established for this location and for this County and sets a bad

precedent.

The variance -- the variances sought do not meet the hardship requirements of a variance.

Any hardship has been self-created. The rezoning has not had all the prerequisites met in that the traffic performance standard is -- determination is on appeal and cannot be final while it's on appeal, bending the rules again to make this project go forward.

The DRI, as has been explained, never went through the proper traffic study at the Regional Planning Council and has not yet had a proper traffic study according to accepted methodologies that every other DRI before this county has followed.

Instead, the Regional Planning Council has proposed, and Callery-Judge is still proposing, that you approve all the acreage for a DRI and grant vested status to this property without knowing what Phase 2 and Phase 3 traffic impacts are.

The cities, as you have heard, have put together their own study to try to find out what the traffic impacts are and what mitigation would be required for these traffic impacts.

If you have the opportunity to see the study, you will see a map at the end that shows more than 20 CRALLS that will be required, CRALLS, meaning that the County would accept and in fact embrace this project that's going to put on traffic impacts that just are not supportable by the existing road system and would have to have County property taxes pay for road improvements to actually make traffic livable out in the western sector.

We urge you not to bend the rules for this project, allow the County staff to present the evidence that is required to show that you can deny this project.

And before I go, I know I'm running out of time, I want to alert you that the Town of Jupiter last week adopted a resolution that I understand is being presented, hopefully, this afternoon, but in case they aren't I took it off the web, saying that --

CHAIRMAN BARBIERI: We've already taken it in.

MS. STROUD: Okay. I didn't hear it being put into the record, but I'm glad it was.

It opposes approvals before the Sector Plan has been completed and before a comprehensive look at the western sector can be accomplished; otherwise, you're going forward in a piecemeal manner, and we're going to end up looking like our brothers and sisters to the south of us.

Thank you.

CHAIRMAN BARBIERI: Thank you.

Jack Harrison, would you come to the podium on the left.

MR. BENOETHMAN: For the record, my name Talal Benothman, with the City of Palm Beach Gardens. Thank you very much for allowing me to



appear before you today.

First, as you have heard probably from the last two or three speakers, that the City of Palm Beach Gardens, Royal Palm Beach and West Palm Beach have filed an appeal to the traffic concurrency that has been issued by the County for this project, and because of that we are surprised a little bit that this hearing actually is considering this petition prior to a determination being made to the appeal that we have filed.

And because of that we respectfully urge you to defer taking any action on this petition until May 1<sup>st</sup> after the committee makes a determination on the appeal that we have filed to the traffic concurrency issued by the County for this project.

I have several concerns, specifically four, and I will go through them quickly.

First, we object to some of the proposed conditions of approval by the County because they provide for the potential of granting the CRALLS designation to the project, thereby avoiding providing the actual improvement specified in the same conditions of approval.

We do not think this is appropriate because the applicant should be required to provide mitigations for the impacts that their project will cause, just like any other project.

Second, this zoning petition as presented to you today is not consistent with the County's proposed TTD policy that the County Commission reviewed maybe 10 -- seven or 10 days ago.

This project specifically requests 2.5 units per acre density, which is not consistent with the maximum 1.2 units per acre provided for in the TTD policy.

Also, this project is not consistent with the provisions of the open space requirements provided for in that same policy.

Third, we object to this petition that it's appearing before you today because it's not consistent with your own Comprehensive Plan. We are frankly puzzled a little bit because usually it's the horse before the cart. It's not the other way around.

The Comp Plan amendments that have been filed by the applicant should be approved first prior to making a determination on a zoning petition. It's not the other way around.

It's zoning supposed to implement the Comprehensive Plan, not the Comprehensive Plan supposed to implement the zoning, and the current land use designation for this project does not allow for the requested density that you are considering today.

Finally, we object to this petition again because the DRI traffic analysis only looked at Phase 1. It did not go beyond Phase 1. It did not provide for analysis and also for impacts of Phase 2 and 3, and at the same time the applicant is requesting approval for the entire entitlements, including Phases 2 and 3.

And therefore, the consideration should be should you consider it today and make a determination on it that should be only for Phase 1, not Phase 2, not Phase 3, and the reason being the impacts for Phase 2 and 3 with respect to traffic have not been looked at.

We don't know what they are, and, therefore, it's really a simple formula. Phase 1 impacts equals approvals for Phase 1 only.

Thank you very much.

CHAIRMAN BARBIERI: You're welcome.

Mr. Harrison, Jack Harrison.

All right. I have several cards, people that don't want to speak that want their -- well, I'm not sure.

Does Nancy Gribble want to speak?

MS. WAITE: She had to leave.

CHAIRMAN BARBIERI: Okay. She wants her -- read into the record:

"I'm opposed to this project. It will negatively affect my lifestyle with increased traffic, noise and water usage."

Patricia Curry, "The Callery-Judge Grove project will destroy my community with excessive traffic at a minimum plus in many other ways."

Phil Liang, "I am in favor of Callery-Judge project."

Ryan Liang, supports, no comment.

Jenny Chin, "I am in favor of Callery-Judge project."

Celine Harrison, "I support proposal fully."

Richard Williams --

MR. WILLIAMS: Excuse me.

CHAIRMAN BARBIERI: Yes, I -- are you Richard Williams?

I'm sorry. Yes, your card is checked. It was in the wrong pile. Yes, come on up.

MR. WILLIAMS: My name's Richard Williams.

I'm a resident of The Acreage for about six years now.

As one of the many opposed to the Callery-Judge project, moving here from Broward County I did not want to see my area become an area of gridlock or corner stores.

After attending the Callery-Judge charrette and learning how the process was put together and well thought out, this project was created by Callery-Judge, not designed by Callery-Judge. It was community involved that designed this project.

I learned that the residents had a lot of input. The residents changed a lot of things to suit what they thought was good for the community.

Today I stand before you to let you know that I do support the Callery-Judge project. This is a project which cares about my community and my neighborhood.

Thank you.

CHAIRMAN BARBIERI: You're welcome. Thank you.

And I have four other cards. They don't

want to speak, but Roz -- Rosalind Liu supports, Shirley Liu supports, Luhe Chin supports and Peter Liang supports.

All right. That's all the cards I have. So I assume there's no other members of the public that wish to speak today so we'll close the public portion, come back to the petitioner.

MR. KOLINS: Ron Kolins, of Greenberg, Traurig. Just a couple of minutes, Mr. Barbieri. I'll be very quick in responding.

First, let me just respond to the statements that have been made repeatedly by some of the representatives of the cities that traffic studies for Phase 2 and Phase 3 haven't been done, and that's a big mystery and a big problem.

Our traffic engineer is here, and if I misspeak, he'll jump up and tell you, but what we need to do is as we complete a phase, we cannot begin the next phase until the traffic analyses show that we satisfy the traffic requirements.

So that will all be satisfied before any future phase can be begun. So there should be no concerns or fears about that.

As for the statement that was made by, I think it was Ms. Stroud, I'm not sure, but we are not, and by legislation specifically, not subject to the Sector Plan, and we should not get those two concepts confused.

I think it was a bit irresponsible for you to be told that we are bending the rules. We are not bending any rules. We're playing fully by the rules and by the rules that were dictated to us, and as I said to you at the outset, we're here with zoning prior to land use, which is not the normal way things are done, but we're here because the County Commission told us to do it this way, and I just want to make sure that's understood.

There are two quick points I'd want to make beyond. Number one, those who oppose -- let me state it another way.

I think your choice is fairly clear, because the opponents, well meaning and they're entitled to whatever their opinion might be, and I'm not talking about the official representatives of the cities, although to some extent that's true.

But the opponents, if they had their way, would have us have nothing but more sprawl. We are the antithesis of sprawl. All of that's been explained to you in excruciating detail this morning, and I'm not going to go into it all over again, but I think you should keep that in mind.

And, finally, one last thing, and Kerry Kilday touched upon this when he spoke to you earlier.

I am unbelievably impressed, if impressed is the word, maybe shocked is a better one, that for a project of this size, magnitude and importance there were two cards opposing it from citizens -- I'm not talking about the official city representatives, and two and a half people that opposed it at the microphone. I say two and

a half because there were two that opposed it and the gentlemen that tripped -- I'm calling him a half because I'm not sure that he opposed it so much as said he wanted a better understanding of a particular area.

The point is for there to be an empty room here with, at best, five people, or at worst, five people opposing this project speaks volumes, not only for the quality of the project, but I think it's general acceptance by the public at large out there.

That was our experience when we had these charrettes and meetings, but the proof is in the pudding, and here is the pudding today.

And I thank you very much for listening to us, taking all this under consideration. We have our folks here should you have any questions.

CHAIRMAN BARBIERI: Mr. Kolins, before you leave, I have a question for you.

Couple of the representatives from the cities, I believe, mentioned something about outside the five -- I'm sure -- I'm not exactly sure how this works, but that you didn't look at the traffic outside of the five miles, and, of course, that's where the cities are being impacted.

So could you have someone explain to us what they --

MR. KOLINS: I certainly will. We will have our traffic representative come up and do that, but before they get here, let me just make clear that this -- and we'll answer that substantively, but this is a zoning hearing, and there are certain things you're required to do for a zoning hearing, and that radius -- the report relating to that radius is what we're supposed to do, what is relevant for your consideration.

But with that, let me ask Fred and the guys to respond more specifically.

MR. SCHWARTZ: Thank you. Again, my name is Fred Schwartz, and I'll talk generally about the two different processes and then call on Chris to clarify some about the Callery-Judge DRI analysis.

There's a DRI process and a TPS process. The TPS process is a single agency process. We work with the County, as long as it's in the unincorporated County, anyway. We work only with the County.

There is a 38-page document of about nine, number nine font, that explains exactly the methodology to go through, and so it's a very regulated process, and there are two parties to the process.

As we understand it, there have only been a few appeals to the County's decision on a TPS study, and they have all come from the other party, the developer, and I'm sure Nick will tell me if he knows of another one.

The appeal on Callery is the first that we're aware of from a third party, not from a developer who feels like the County has not

reviewed their study correctly.

COMMISSIONER HYMAN: What is the effect of that?

MR. BANKS: If the cities are successful and win the TPS appeal, this project would lose its certification and essentially would --

COMMISSIONER HYMAN: Who's the appeal to?

MR. BANKS: To the -- I think it's called the TPS Appeals Board.

COMMISSIONER HYMAN: There is a TPS Appeals Board?

MR. BANKS: So it's an independent -- it's a board of traffic experts that they get from -- I think some from Broward, maybe someone from the state, from the MPO. Maybe Nick knows the exact make-up of it, but it's a, you know, independent experts, and they review, you know, an appeal written by other experts in transportation.

So it's a -- and I think you are -- there have only been a handful of appeals over the years, and this may be the very first one by a third party, but that doesn't mean -- but no one's contested. The cities have standing to raise the appeal. They filed it in a timely manner, so that's pending.

But there's nothing in -- just like if you appeal a zoning decision, there's nothing in our ordinances that says the zoning process is stayed while the appeal is pending.

So Callery's proceeding at risk because, you know, essentially if they lose their certification and then go back and revise their traffic studies, essentially the process would have to be done over.

COMMISSIONER HYMAN: Okay.

MR. BANKS: But as of now they're certified. They're properly before this Board. Filing the appeal did not stay this hearing, and that's why I agreed with Mr. Barbieri's statement this morning.

COMMISSIONER HYMAN: And when's the Comp Plan going to go for review?

MR. BANKS: Okay. And regarding the Comprehensive Plan and the zoning, they're following the exact process that's spelled out in the Florida Statutes for a Development of Regional Impact.

By statute we're required to hold a single public hearing with the Board of County Commissioners to consider the DRI and the Comprehensive Plan amendments necessary for that DRI.

In addition, the statute encourages all other local development orders, if possible, be heard at that same hearing, and the Board of County Commissioners as a policy, at the urging of staff, said if we're going to hear the DRI and we're going to hear the Comp Plan amendments, staff had the Board add at the transmittal public hearing the condition saying have them come through and do the local zoning at the same time.

Now, when we get to that hearing, if the

Board of County Commissioners wants to, it could defer action on the local zoning application, but it has to make a decision regarding the Comprehensive Plan amendment and the DRI at that hearing, you know --

COMMISSIONER HYMAN: Okay.

CHAIRMAN BARBIERI: Okay.

COMMISSIONER HYMAN: Got it. Thank you very much.

CHAIRMAN BARBIERI: Thank you. Continue, please.

MR. SCHWARTZ: Two processes, the TPS and the DRI. The TPS is a single agency that we deal with.

The DRI is multi-agencies. It's DOT. It's the County. It's the Regional Planning Council. And in this case all of those agencies had consultants that also provided input to arriving at a methodology.

In both cases we analyzed all three phases of the project, and in the TPS the County agreed and approved three phases of analysis and came up with a set of improvements for all three phases.

In the DRI there was a lack of consensus among all the agencies and consultants beyond Phase 1, and so that's why the region took this step of approving traffic through Phase 1 until we checked some of those assumptions that I talked about this morning. Those were the kinds of disagreements that we couldn't reach consensus on.

And with that I'll turn it over to Chris Squires to maybe clarify the lack of consensus in the DRI process.

MR. SQUIRES: Good afternoon. My name is Chris Squires. I'm also a registered professional engineer with Kimley-Horn.

As Fred said, the DRI process was one in which the -- we and the agencies did not reach consensus on methodology, and, therefore, while there were a lot of DRI studies submitted that did have three phases worth of analyses, they were not -- those studies were not accepted.

The one issue in the end which we did not reach consensus on was a question of the distribution and assignment of project traffic, where is it going, how much is going to be on each particular road.

What happened in the end was that the Regional Planning Council, the County and DOT developed an assignment that they were comfortable with, performed an analysis of Phase 1 only and wrote conditions for that and then said what we want to do after Phase 1 is actually do some surveys to see where people are really going before we think about Phase 2 and Phase 3.

So the DRI condition that specifically relates to this Phase 2 study says an origin destination survey has to be done prior to doing the study, and the study has to be agreed upon with DOT, with the County, with the region.

What's going to happen is that more conditions will result, most likely, and it's the

logical outcome.

However, that was a year ago. This process has gone on a long, long time. This project has been in the DRI process for awhile. That was a year ago.

What has happened in the intervening year, among many, many other things, is that Palm Beach County staff and Nick can address this better than I, most likely, but Palm Beach County staff has said we have new information, 2006 traffic volumes versus 2004 traffic volumes. We know more about committed development traffic than we did at the time.

And they have gone through and created a set of volumes based on the TCRP - the Regional Planning Council analysis, again, which was Phase 1. It had this one assumption about where the traffic goes that differed -- it was the only assumption that was different in the RPC analysis from our analysis.

But taking that methodology and extending it to Phases 2 and 3, using up-to-date information, and there -- you know, thereby getting a projection of future traffic with the build-out of this project. This is for stuff outside of five miles.

Again, the TPS is basically roads that are inside of five miles. If the project is -- consumes one percent or more of the road's capacity, you analyze the road, and so that's what those 56 TPS conditions are all about.

This new work, again, the County has done, and while we don't necessarily, you know, think, you know, they're not all favorable results to us, but I mean we understand it. We endorse it.

That's looking at what's happening outside of the five miles on roads that are significantly impacted to a DRI standard. The DRI standard is saying if project traffic contributes five percent or more of a road's capacity, then you analyze it.

So the question of what does Phase 3 look like, build-out is Phase 3, what does build-out of this project look like, those volumes are out there.

They were created by the County, not by us, but created by the County, and they're there.

If the commission chooses to do so as a part of the DRI hearing, you know, in theory those can -- you could just take the results of that and have additional DRI conditions.

The way the region has structured it is stop after Phase 1, don't go forward. Use what you, you know, use what's happening at the end of Phase 1 to say where are people really going, and, you know, either way you're getting an -- you have an analysis of what the future is. It's just what do the conditions look like.

CHAIRMAN BARBIERI: Commissioner Dufresne.

COMMISSIONER DUFRESNE: So as a point of clarification, the 56 conditions are just for Phase 1?

MR. SQUIRES: No, the 56 conditions are

all three phases, but are resulting from the TPS or a concurrency analysis. The County-driven process, which as Fred described, is the one-agency process, that's looking at what happens inside of the five miles.

There are additional conditions, and I don't -- there are approximately 50 other conditions, and it may be 40 and it may be 60, but there are approximately 50 other conditions associated with transportation for the DRI.

Four of those overlap the TPS, but the remainder of them are unique to the DRI. Those additional 50 transportation DRI conditions are the outside the five mile only for Phase 1 and a requirement for Phase 2.

So the 56 is TPS, all three phases.

COMMISSIONER DUFRESNE: Okay. And how many -- and how many of those 56 allow for CRALLS designations in Phase 1, Phase 2, Phase 3?

MR. SQUIRES: There is one condition in there and -- I'm willing to stand and be corrected, but there's one condition in there that calls for a temporary CRALLS at the intersection of State Road 7 and Okeechobee Boulevard, Phase 1, with a long-term solution being an urban interchange at that same location.

So it's a temporary CRALLS that then goes back away once the, you know, once a long-term solution could be implemented.

COMMISSIONER DUFRESNE: Urban interchange, a flyover?

MR. SQUIRES: That's the TPS from 56 --

COMMISSIONER DUFRESNE: A flyover?

MR. SQUIRES: Yeah, right. A grade separating some of the movements. Yeah.

Southern Boulevard's an extreme example of really big interchanges, but that's the concept of grade separating some of the movements out.

COMMISSIONER DUFRESNE: Which brings me to the next question.

When you were talking before, you mentioned impacts on Northlake and Okeechobee, but you never mentioned Southern Boulevard.

What is your opinion of the impacts on Southern?

MR. SCHWARTZ: It was certainly in the study area, and the impacts were identified and mitigated. I don't know what the mitigations were.

MR. SQUIRES: The Southern Boulevard mitigations -- the four-lane section that's out there today needs to be widened to six-lane, and I think that occurs in Phase 2 of the project, but there is widening that's consistent with the Comprehensive Plan, but widening that is required, nonetheless.

CHAIRMAN BARBIERI: Thank you.

Any other questions from the zoning commissioners?

(No response)

CHAIRMAN BARBIERI: Ron, the -- I think Rosa Durando was the one that mentioned the water



supply didn't -- your analysis of the water supply didn't take into consideration Phases 2 and 3, either.

Could you comment on that, whether or not you've taken that into consideration?

MR. KOLINS: Sure.

MR. ROBERTS: Commissioners, that's a very good question.

Some of you may have remembered the newspaper articles about what the newspapers referred to as the water wars.

Seminole Improvement District, which serves Callery-Judge Grove and Palm Beach County Water Utilities, entered into a settlement agreement of those service area boundaries and volumes.

One of the things that was in that agreement was the fact that Palm Beach County Water Utilities would supply to Seminole Improvement District up to five million gallons of potable water on an average annual basis, and if I remember correctly, four and a half million gallons of wastewater on an average annual basis.

There are currently water and sewer lines built up Seminole Pratt Whitney Road, which is the middle of the property right here and right here (indicating) on the west -- I'm sorry, on the east side of the property.

We have letters and documentation and what is called the ORC response from Palm Beach County Water Utilities, not only backing up what is in their contract with Seminole Improvement District, but proving they both have a consumptive use permit and built facilities for the water that -- and sewer services that they contracted to supply.

That is an interlocal agreement between Palm Beach County and Seminole Improvement District. It covers all of the DRI's needs and demands as calculated in the DRI analysis and as a matter of public record.

I don't think I have a copy with me here today, but I would suggest the County could speak to the fact. Mr. Banks probably has seen that agreement.

CHAIRMAN BARBIERI: Commissioner Dufresne.

COMMISSIONER DUFRESNE: Nat, I don't -- if you want to answer this or have Kerry answer it, but usually when Kerry gives his presentation, he tells us how many units can be built there under the current zoning without any change, and do you know how many that is?

MR. ROBERTS: Under the current Comprehensive Plan the property is zoned one and -- I'm sorry, is land-used one in 10, so that would be 3,000 -- sorry, 392 units.

I would also point out to you there is a state law called the Agricultural Enclave Law that applies to this property.

COMMISSIONER DUFRESNE: Thanks.

CHAIRMAN BARBIERI: Mister -- thank you very much.

Mr. Kolins, Mr. Rayside, maybe staff,

County staff, could answer this for us, but what exactly is that building there at the bottom, and what will Mr. Rayside see?

Is there a -- what kind of buffer will be between his property and the Callery-Judge property?

MR. KOLINS: We can go into some detail on that if you'd like. We have the answers for that. I'm going to ask Kerry to do that.

CHAIRMAN BARBIERI: Okay.

MR. KILDAY: The area that shows up as the gray area is an area that's what's called the MUPD, but which will be converted into the Traditional Employment Center. So it'd be a variety of uses allowed in it.

The actual buffer width against Mr. Rayside is, again, a waterway system that's 250, plus or minus, feet, and then it starts the center.

There's design standards that Dover, Kohl has put up, however, that buildings have to front the streets, and that's fronting the outer edges, as well as the inner edges. So he won't be getting the back end of any building.

He'll be getting the front end of some building which could be an office building. It could be a high tech building. It could be a flex space building, but it would be a front end, and it'd be 250 feet from the edge of our property.

CHAIRMAN BARBIERI: All right. Thank you. Commissioner Dufresne.

COMMISSIONER DUFRESNE: Kerry --

CHAIRMAN BARBIERI: Kerry.

COMMISSIONER DUFRESNE: Do you have a site plan that shows rooftops?

MR. KILDAY: Rooftops of what?

COMMISSIONER DUFRESNE: In these pods, various pods, predicted rooftops?

MR. KILDAY: We have a --

COMMISSIONER DUFRESNE: I mean I saw football fields, but I'd like to see rooftops.

MR. KILDAY: Well, we have the lotting -- yeah.

We have the plan that I called the lotting plan that actually shows all these things broken out into lots. Do I have it here is the question.

I have -- I gave you an example today of one of the pods, and I have one that applies to the entirety here.

COMMISSIONER DUFRESNE: Okay. I'd like to see that if we can.

MR. KILDAY: Well, it's going to take a moment for us --

COMMISSIONER DUFRESNE: That's all right. I don't need it this second.

MR. KILDAY: -- to pull it out of the files.

COMMISSIONER DUFRESNE: Thanks.

CHAIRMAN BARBIERI: Staff has it? Staff is looking, also.

MR. KOLINS: While we're waiting, if you have anything else, we'll come back to that.

CHAIRMAN BARBIERI: Do any of the other commissioners have questions?

Commissioner Anderson.

VICE CHAIRMAN ANDERSON: I have a question with the Phase 1, 2 and 3.

What is Phase 1?

MR. KOLINS: Kerry.

CHAIRMAN BARBIERI: Come on, Kerry. You can do two things at once. Get over here.

MR. KOLINS: Somebody else look for those boards and -- they want to know about what's Phase 1, what's Phase 2, and what's Phase 3.

MR. KILDAY: On Sheet 2 of the plans there's a phasing chart, but basically -- I'm seeing where the grand total is. Okay.

Phase 1 unit-wise, let me give you that first, is 3,000 units. Phase 2 is 3,313 units, and Phase 3 is 3,687 units.

CHAIRMAN BARBIERI: When is the commercial area built?

MR. KILDAY: Okay. The commercial --

CHAIRMAN BARBIERI: Which phase is that?

MR. KILDAY: The commercial is built through all three phases -- oh, there we go.

CHAIRMAN BARBIERI: The downtown?

MR. KILDAY: Yeah, but only portions of it. I mean it's split through the entire three phases.

VICE CHAIRMAN ANDERSON: Looking at the phasing chart it looks like it's pretty evenly phased, now that I'm looking at it.

MR. KILDAY: Yeah. Actually, the non-residential, I have in retail five -- in retail I have 500,000 in Phase 1, 300,000 in Phase 2 and 500,000 in Phase 3. That's the 1.3 million.

In the workplace or industrial I have 300,000, Phase 1; 900,000 in Phase 2; and 800,000 in Phase 3. That's our two million for that.

So it's pretty even. It's a little weighted toward the front on the non-residential and a little weighted toward the back on the residential. But it's pretty --

VICE CHAIRMAN ANDERSON: Is there an area on the map that's more like Phase 1, or is it spotted all over the chart?

MR. KILDAY: No. On the front sheet of the regulating -- we lay out the phases, but essentially there's a portion of the town center built in Phase 1 and then -- and a portion of the residential, and it essentially goes -- on this side of the road it goes counterclockwise that Phase 1 tends to build across this portion of the site and then come back on the north site as to Phase 3, but portions of them are built.

Some of these pods are divided between Phase 2, Phase 3. They aren't all built in one phase.

Likewise, we have the same thing. We have far fewer units on the west side, but Phase 1 starts here (indicating) and works towards the west, Phase 2 and Phase 3.

Now, the roads, let me just say Persimmon

Road -- what we did with Persimmon Road was we split it so that instead of having one main thoroughfare, we could get two.

So we split it coming in here, and we run it through here (indicating). This phase -- Persimmon South would be put in in its entirety in Phase 1 because that's a needed road to provide east-west continuity, not just for our project, but for all this residential project here, which will be using the town center and will be using things as simple as the high school.

Currently, if you live out there to the high school, you have to come up, around over on Orange and back on down on Seminole, and this will allow -- will start allowing some more continuity.

Many of these roads, they all look like a grid, have canals that block them off so a lot of these roads are dead-end roads.

VICE CHAIRMAN ANDERSON: Okay.

CHAIRMAN BARBIERI: Commissioner Brumfield, did you --

COMMISSIONER BRUMFIELD: I was going to ask about Persimmon, but there's also 60 Avenue North --

MR. KILDAY: Okay.

COMMISSIONER BRUMFIELD: -- along the north end --

MR. KILDAY: One of the issues, and this really goes back to some of the questions.

Persimmon comes in here (indicating), 60<sup>th</sup> comes in on the north side. What we have proposed, and ultimately it won't be decided except through the County Commission making a ruling of a thoroughfare corridor, is that we have proposed that 60<sup>th</sup> come through here (indicating) and through these town centers and over to Persimmon.

What's been suggested today by staff is well, take 60<sup>th</sup> and shoot it across as a bypass. What we've come back and said is the whole plan and what we're trying to do is not to have a bypass. We want the traffic that's our traffic, but it's also other people, traffic, to come through and get into the town center area and go through the town center.

You know, the bypasses in small towns has been blamed as what's killed small towns. And so that's what we want.

Ultimately, the County Commission may very well disagree, and if they disagree, then that alignment could run along that canal.

We have provided the right-of-way along that canal, but we've expressed a desire to orient it through the community.

CHAIRMAN BARBIERI: Commissioner Feaman.

COMMISSIONER FEAMAN: Thank you, Frank.

My questions are more conceptual in nature because this is the first time that we've dealt with anything like this so it's going to be more general. It's directed toward the staff, as well as Callery-Judge.

The staff's -- one of the staff's

objection is that it's not really a TTD, that it's too big, it's not compact enough, yet at the same time we heard as part of the presentation was that there has to be some critical mass.

I'd assume by critical mass there has to be enough people, enough diversity of the type of people, enough diversity of use so that you can encourage people to live and work and play in the same general area.

So, therefore, my question to both staff and the applicant, obviously the applicant thinks that it needs to be, I guess, this big to develop that critical mass.

How does the staff view the critical mass issue in terms of if you want it to be smaller and more compact, can you still attract enough diversity of people and uses to have the concept where people are going to live and work and play in the same area.

So I guess I'd like both the applicant and the staff to address that.

MR. DAVIS: I'll go ahead and take the first -- the staff's position.

The reason that we feel that the compaction issue is so critical out here is just the attempt to be sensitive to the surroundings that this is going into.

I mean, yes, I mean we're looking at it from a walkability perspective. That promotes a certain distance like I and everyone else after me seemed to say, acknowledge that that's a certain consideration.

But also the closer in your bring -- I mean one of the things we have to consider with this site is that the entire design is completely manmade. There is no environmental consideration they're responding to. It is completely, you know, plowed field.

There's no real -- you know, we don't have, you know, there's a great wetland bank here that, you know, we're suddenly saying oh, we don't put development there.

I mean this design that you see is one that they've completely come up with on their own.

So it's not necessarily a response to environmental consideration other than what's outside of it, and so the rest of it is in there.

So we recognize that you can do a compaction where their design doesn't necessarily show all of that because they've created the waterways and so forth in a certain way.

I'm not an environmental specialist. I'm not a drainage specialist, but when we talked to the Water Management District, we were told that there is some latitude that you can get on where exactly that goes. You just need certain dimensional criteria, and then there are some other things you can do that help on a relatively small level, as I understood it, improve that.

So we're saying that the water issue is very important, and we recognize that as a benefit, but it doesn't have to be the sole reason

for justifying sort of the spread-out nature where every single piece of land within the entire development boundary is taken up with something, whether it's water, it's a field, it's whatever.

You could put it together, and then you could create all your water, but you still achieve all the traditional town concepts that we were talking about, the walkability, you know, the transit support and so forth, so --

COMMISSIONER HYMAN: Okay. Can I interrupt you just for a minute?

I don't understand what you're proposing. I mean I saw that's -- obviously, staff is saying that they don't like this design, but how would you have designed it?

What would it have looked like if you designed this in order to satisfy the staff's and various objections that you've made?

MR. DAVIS: The staff has felt consistently, both Planning and Zoning, that this needed to be more compact, but I mean, yes --

COMMISSIONER HYMAN: What does that mean? Can you show me what that means?

COMMISSIONER DUFRESNE: Is that the quarter-mile walk versus --

VICE CHAIRMAN ANDERSON: We had one drawing that they were showing.

COMMISSIONER DUFRESNE: -- the mile and a half walk?

COMMISSIONER HYMAN: I just want to see what they're talking about.

MR. DAVIS: All right. The concept there is -- you see these as relatively large blobs. I mean this is -- this is a conglomeration of traditional neighborhoods. Each one of these is roughly the quarter-mile radius.

So once you start to get spread out -- but if you're here (indicating), you've got a relatively small enough -- that's your neighborhood serving commercial. That's your convenience store, maybe your bank, dry cleaner or Starbucks. We understand that.

But if you're in, say, this neighborhood, you're still a mile from here (indicating). That's effectively now a -- that's a trip you've got to take. That's to your regional serving commercial, or you have to go another --

COMMISSIONER HYMAN: Well, we can change that.

MR. DAVIS: The idea is -- I mean each one of these ends up having these interstitial spaces of whatever, I mean --

COMMISSIONER HYMAN: Okay. The question is how do you change that.

MR. DAVIS: -- the idea is effectively to start to push these together.

I mean some of these you see, I mean like the type of break between neighborhoods that we would encourage is if you look at this one, they show several roads that divide one neighborhood from another.

You could take some of these flow ways,

maybe design a more unified system that comes through, but pull this back together so that this neighborhood relates. You can maybe get a little bit more here. The effect then is you push it more this way, a little bit more this way (indicating) --

COMMISSIONER HYMAN: I don't understand that. Okay. We're always saying, you know, we want more water, we want more green areas.

Now we're saying get rid of the water and push these together.

You know, as much as you want to say that people may walk from one neighborhood to the next, they don't. You go to Abacoa. Do you think one -- people in one neighborhood walk to another neighborhood?

MR. DAVIS: Well --

COMMISSIONER HYMAN: I don't think so.

MR. DAVIS: But -- no, I agree, but I think Abacoa, I think a lot of us would agree, is -- that was a -- now a 15-year old design. That was when it still --

COMMISSIONER HYMAN: It's a traditional neighborhood.

MR. DAVIS: It's still a traditional neighborhood, but we've also had 15 years of additional knowledge that this is effectively what you see at Abacoa.

You have one pod, then there is, you know, you've got that, you know, central boulevard that goes through and effectively separates the east from the west half.

COMMISSIONER HYMAN: We -- we live in Florida. I live pretty much downtown West Palm Beach. Okay. I live about a mile from CityPlace.

I could barely bike there the other day. That says it's pretty bad.

But I'm not walking to CityPlace, and we -- you know, this isn't Paris and this isn't New York where you put your sneakers on and you start hoofing it.

Everybody drives, and it's unfortunate, but they do, and we just don't have people walking a mile from one neighborhood to the next.

MR. DAVIS: Well, it's not just about what -- this is really about giving somebody the option. They could bike. They've actually got --

COMMISSIONER HYMAN: They could still bike, can't they?

MR. DAVIS: They -- they could still bike, but I mean realize -- I mean their example was it's going to take you something like an hour and a half, two hours to traverse the five miles. Bicycling it becomes you know, 15, 20, 30 minutes, depending on how fast you pedal.

But it's just to give people options.

A lot of these are designed so that they will carry traffic and the bicycle and the pedestrian. It's not something we get a lot of.

I mean that's the idea as you come out of these neighborhoods. We're just saying to pull this together to be more efficient so that you

don't take all this out, and that these people out here, yes, they've got, you know, seven, 800-foot or whatever 'til they get to the edge of the development area, but they could have more.

They could actually continue to look at groves or nurseries or whatever. They could still maintain some other use on their land. It would be efficient, but they would still get all of the entitlement. It just would be pulled a little bit more together.

You could still achieve all the water quality issues they're talking about, the storage.

We're just saying it's a different approach.

COMMISSIONER HYMAN: So you would just squish the whole --

MR. DAVIS: I don't know if "squish" is the right word.

COMMISSIONER HYMAN: You would just squish it all down and leave more open space on the ends.

COMMISSIONER DUFRESNE: Mr. Chairman.

CHAIRMAN BARBIERI: Barbara.

MS. ALTERMAN: Yeah. And let me just follow up with what Bryan's been saying because I mean the reason we're here is because originally there was a Sector Plan, and there still is a Sector Plan. Whether they're subject to it or not is another whole issue, and that's -- I don't think that's -- we need to get into that.

But the point was that you needed to create an urban community, but you also wanted to protect those rural exurban neighborhoods all around it, so that the idea of leaving a lot of open space between this more compact urban community and the residents around it in order so that you're not affecting them as much by the views, by whatever else it might be.

And one other point I want to make is because we keep talking about the density that's needed or the number of units that's needed within the groves itself to make sure that that commercial and the non-residential is viable, but you've got 40,000 people living out there that you've heard over and over again do not have services.

The point of this development is to provide the services not just to the new residents that will come here, but to all of those existing residences.

So I think you really need to make sure that you consider that when you're looking at the density issues.

COMMISSIONER HYMAN: Okay. Well, these buffers, you know, Kerry, I thought your diagrams before were really effective to show exactly how big this is, and it's hard to conceive of it. It's very hard for me to visualize it, but turn back to -- oh, okay.

There, you're showing the buffers. Those got to -- those have to be huge.

MR. KILDAY: I mean this shows you the number of feet, so -- I mean here we got 650 feet. So that's a football field to a football field



back to back to the north.

And -- but what's inside here, these are these five-acre lots on the inside.

So when we talk about the neighborhood, sensitivity to the surrounding neighbors, and here's the 250 feet that the gentleman talked about, and we'll be happy to meet with him on it -- was taken into -- to a great consent.

But what we did do, we also said what makes a neighborhood a neat place to live, quality of life issue, and part of it is we said if we're going to have these waterways which are beautiful areas, and people go to Grassy Waters all the time, why can't you live and enjoy them, too.

And so that's what we did, and you see on the circles up there, that's the walking distance, the average walking distance everyone says is there. Once you start crossing out of it, you can do it, but you're less likely to do it.

So we said but some things that make you do it, and we have a roadway cross-section running across here with bike paths running along the water's edges to make it desirable. It's like going up Olive isn't all that desirable, but go down and you walk up along Flagler Drive on the waterway, people go a lot longer distance or take it.

So we put those in it, but we always said, going back to what Dan was showing you and he can add to it, is that if you look at West Palm Beach, similar areas, you got a Flamingo Park. You have an El Cid. You have a Pleasant City. You have a Northwood.

They're individual neighborhoods. They're side by side, but it doesn't mean that people are walking back and forth from El Cid to Flamingo Park, but within that neighborhood it's there.

So that's what we tried to do. It's, again, the effect of this being a very large piece of property, but it's a benefit, as well.

So, you know, they say well, we want you to be compact, which we are, and I do have, which I'll pass up because, unfortunately, it's a small copy -- this is one of the neighborhoods, and this shows you the lots to give you a sense of the house tops.

**CHAIRMAN BARBIERI:** You know, I agree with **Commissioner Hyman**. I think if you would have brought us a plan that showed everything shoved up in the middle with all this leftover stuff on the outside, we would have said you got this huge piece of property, why don't you spread out the homes and everything so that everybody gets the advantage of the waterways without just the people who live on the outside edges get to see it, and I don't understand -- I don't understand the compact issue from staff.

I just don't understand why -- I mean like Sherry said, they're not going to walk so I mean if the whole objective to it being compact is to allow them to walk, I don't -- I think that objective is flawed, anyway, because they're not.

So I mean if you've got this huge piece of property and the potential for all this waterways, why would you want to put it on just the perimeter where only the outside people would ever get to see it, and the rest of the people live in like a city that's wall to wall buildings and no green space? I don't understand.

COMMISSIONER BRUMFIELD: I just want to -- just a follow-up before you answer that question.

Isn't the whole purpose of the waterways fashioned that way to enhance the cleansing, the water quality aspects of it so if you would bunch them or make a huge reservoir, you wouldn't have the same environmental impact that you're getting here.

MR. CARY: Exactly. In other words, you heard earlier about the need for edge. In other words, the way these systems work they work best and they have the best habitat value for wildlife, wading birds, wood storks, endangered species, and cleansing value based on moving water through in a marsh-like situation.

This was set up to maximize the cleansing and habitat value with a lot of edge. So there's actually a lot of logic to this environmentally and ecologically and hydrologically.

In other words, this wasn't done really to give pretty views to the neighborhoods. That, however, is a benefit of it.

And I got to tell you that -- and I think I made the point, and I think the confusion may be between what the staff is talking about and what we're talking about is that when the County -- the County's kind of new to this town planning concept, and they've embraced it, and it's commonly used as an infill strategy to retrofit neighborhoods where smaller pieces of land are involved.

What we're proposing here isn't an infill of a little neighborhood along the coast. What we're talking about is building a town, and we're building a town that attempts to balance the large number of large lot single family that are out there that creates enough workplace and enough retail to actually do something and enough diversity of types of people to do something, to actually work in those jobs.

And so if this is much more analogous to the West Palm Beach, Northwood, Pleasant City, El Cid situation where you've got somewhat semi-self-contained neighborhoods that are associated with a town, a town center.

Now, there has to be a certain density in each of these to support the little corner store that sells milk and eggs and the dry cleaner that supports that little neighborhood.

Now, you don't -- you're not going to live your whole life in this little neighborhood or this village, but you could live your whole life in the city as a whole, just like the analogy of West Palm Beach. You know, you can do a lot of your business and never leave West Palm. You can

go to work. You can shop. You can do your Christmas stuff all at home, not your in neighborhood, but as the whole. I mean that's what we're really talking about.

We're talking about different scales here I think is the problem. So when they say -- when they say compress it all, they're missing the point that even if we took out every one of these things and caused some problems for the flow way, and pushed them all over here, you still aren't going to walk from here to there (indicating).

You're going to -- you've got -- but what we've done is create an incredibly linked system where transit -- once this thing develops and has some people in it, you can run a trolley very inefficient -- very efficiently and inexpensively in a loop that connects every one of these centers, and it would be actually possible to live anywhere in this project and not own a car. I mean 'cause you'd really only have to walk, at most, a few blocks.

Now, we're not telling you that you shouldn't have a car, but, interestingly, kids can't drive. Some of us as we get older aren't going to be able to drive. I'm dealing with my uncle right now who just -- he's 90 years old and he probably should have quit driving a long time ago, but that can still live within a community that's planned like this, not have to move into a home if it's done right.

So I think there's a big scale difference, is the problem.

CHAIRMAN BARBIERI: Commissioner Anderson.

VICE CHAIRMAN ANDERSON: Yes, I understand some of staff's concerns about more centralizing the city center, and when I first met with the petitioner, you know, I brought that up, and then we went over the location and the circle, and I can understand it's a compromise between exactly what staff would like as an ideal, although you can never design something exactly like they showed in their presentation where everything starts in the center and goes out in a perfect circle.

I did -- but then when you compare this as, you know, just looking at the project as a whole, not where it's located and the issues with that, I think they've done a commendable job in comparison with anything else we've ever seen.

Some of the comments that I made to the petitioner was if they could -- one, you've got the high school down by all the industrial, which, to me, would make more sense to have more residential down there and split, you know, have some of the commercial at the -- or the industrial at the south and some at the north.

Pardon?

COMMISSIONER HYMAN: You don't put residential by industrial.

VICE CHAIRMAN ANDERSON: Well, what I'm saying is if there would have been a way to put more residential, like if you shrink the

residential that's at the south and made it only the southern half of that south and put more residential on the north part of that industrial, you'd have residential that would have access to the city and some residential that'd have access to the high school.

And my other idea or thought, and, again, I'm not trying to redesign everything, but I just wanted to relate some of my thoughts, is if the center city had pushed a little bit more to the east toward where the waterway is, then more of the people that did want to walk would be able to walk or even if the high school was closer to the college.

But, again, there's a lot of design considerations that could have been done. You could design this a thousand different ways, but I think they have come up with a good compromise.

And the biggest issue is that as long as they're containing the traffic within, I think that is the main consideration. I've heard one person make that comment that this would create 8,000 jobs.

Is that -- that was on the other side. Is that a fair assessment from your side? How many -- you know, we're trying to create places for people to work, and if we're giving you this bonus -- I mean all these things you're doing as far as creating the city center, creating employment centers --

COMMISSIONER HYMAN: Dennis Grady said that.

VICE CHAIRMAN ANDERSON: -- all this stuff with the water --

MR. KILDAY: It was our side said that.

VICE CHAIRMAN ANDERSON: It was your side.

COMMISSIONER HYMAN: Oh, I thought that was you.

VICE CHAIRMAN ANDERSON: Now, to me, 8,000 jobs for this whole area of 50 or I don't know how many people live in this 58,000 -- how big is this area?

MR. KILDAY: Well, you've got -- you got a good 40,000 people out here, and then within here you'll have eventually another 23,000 people, so it's about 60,000 overall in this area, and there's some additional areas that will come with time.

VICE CHAIRMAN ANDERSON: So, to me, the two big issues are capturing as much of the development as you can internally so these people are not having to leave.

As you said, everybody could -- a person could live their whole life in this area with all the facilities that are here, but the other concern is to try -- you're going to be definitely generating more trips on the external roads, so anything you can do to try to capture as many trips from the exterior I think is probably the one major benefit.

And when I looked at this plan, I would have assumed there would have been more than 8,000

jobs on here. Is that -- is that -- and so my question for staff and for this Board, is that a good number? Should it be more? Should it be less, again, related to the whole density thing of having, you know, 2.5 per acre.

MR. KOLINS: I guess -- I guess, and we've got people here who'll correct me if I'm wrong.

Obviously, the number of jobs that are created are a function of the types of businesses and uses that come into the commercial industrial area. I'm sure it could be more than that. We're not going to tell you 'cause we don't know.

I want to make just one or two quick points, and then Kerry has something to say.

When we met with you, you did raise a number of very interesting things for us to think about.

First, though, I want to point out, because I don't think anybody did that I heard earlier, that of our 10,000 units, 3,000 of them are located very close to and around that town center area. So 30 percent are right there to begin with.

Yes, it fans out, but the bulk of them are right there, and there'll be a large number still close enough for perhaps walking, perhaps a bike ride. So there is a lot of -- a lot of compactness.

But you raised another very good point and we talked about it, and to be quite honest, that kind of generated some of our thinking that was said here today, and that is -- and I think Dan Cary spoke about it -- the notion that this place is laid out just right for some kind of internal shuttle system so that people, even if they live at the far edges of it, can, as Kerry or Dan pointed out, can utilize everything and not have to leave the site, just as -- just as you're talking about.

So we took that very much to heart. That was a very good point, and it turns out that we're positioned to do that very, very well.

Kerry, I know, had a point or two to make.

MR. KILDAY: On that same issue I had -- just as part of the Comprehensive Plan amendments and within the DRI itself there is statement saying that beginning with Phase 2 a dedicated shuttle will travel between the town center so that -- that's already planned.

One of the things is -- and I know this, again, it's such a big piece of property. Everything looks teeny on this plan.

This over here is an 80,000 square feet smaller type, we'll call it village center, smaller town center that's going to have, you know, a full array of commercial services, and it was put in specifically because not everyone's going to be going to the main thing.

So we said where's a place for this group of people to be able to get to schools, parks and commercial services and for this group of people who just need to, you know, go and get basic

groceries with not having to traverse the entire project to get it. So we did that.

This is the furthest area out, and this was the source of the compactness discussion.

Initially we had two neighborhoods out here and we had the golf course here (indicating).

We made a change to the plan to put the golf course out here (indicating). We've had some criticism of a golf course, and I'm not a golfer so I can't answer from a golfing aspect, but I can answer that we are right now out at the utility center putting in a recycle water facility, and it will be serving immediately irrigation at the high school.

But one of the reasons we're having a golf course is to have a place to take recycled water and use it, and a golf course obviously is --

VICE CHAIRMAN ANDERSON: Will --

MR. KILDAY: -- a good user.

VICE CHAIRMAN ANDERSON: Will there be enough recycled water to handle the golf course?

MR. KILDAY: Absolutely.

VICE CHAIRMAN ANDERSON: Okay.

MR. KILDAY: Yes.

CHAIRMAN BARBIERI: Commissioner Armitage.

COMMISSIONER ARMITAGE: I just had a -- I had a few questions to follow up on Commissioner Feaman's point.

Seems like one of the baser elements of a TTD is the employment center, and we've heard a lot of numbers bandied about, but no one's really explained how those numbers were generated.

Can you explain to us the methodology used?

MR. KILDAY: I can -- yeah. What I can tell you is that part of the DRI process -- and I have the sheet from the DRI. I did not do it. One of the economic consultants for the DRI did it, is a multiple.

And you take each of the square footages that are planned, office, retail, college, hotel, workplace office square footages, and, again, it was split up by phases, and then it was multiplied out, and that resulted using the multiples of 7,935 jobs. So it's based on national averages.

Now, when the actual tenants come in, that could obviously change the mix, but using national averages, that's where it came from.

MR. KOLINS: And we might point something else out, and I'm going to ask Kerry to do it.

The obvious thing that you see up there in the town center is it's a town center and you can envision offices and stores and things like that to employ people, but there's another very large employment generator area right there, and I'm going to ask Kerry to tell you what's planned to go in there because that, we think, is going to engender considerably more employment.

We didn't want to come in here and give some pie in the sky number to you, and then when you ask that very question, we didn't have an answer. How did you get there; well, we made it

up.

So we've used the formula that's the nationally accepted formula. We think there's going to be much more, and when Kerry gets through with this description, I think you'll understand why.

MR. KILDAY: Okay. Basically, one of the things that we had to somewhat struggle with is that the TMD, that's traditional marketplace development, is very much -- I guess it's verbiage, folksy, you know, it talks about grocery stores and restaurants and dentists and real estate offices, everyday service needs, but it really doesn't allow, and it has constraints on even floor plate and how much you can -- biotech user, laboratories, warehousing, and so we said where are we going to put that, and we have two million square feet dedicated to those larger scale users, a bank processing center, all of which could be significant employment.

The MUPD aspect is what this gray is, and so that's what we put it in, to allow for the flexibility. That's very much part of -- to create employment we needed a significant area, and that's a significant acreage, I can look it up on the map for you, that would provide those services above and beyond services which are more service oriented to the population.

MR. KOLINS: And I think it's important to note that the way that has been conceptually designed is it's not going to look like some kind of industrialized area because we were as careful with that as we've tried to be with the rest of the place.

So the Dover, Kohl people have designed it in such a way that it's going to be a bunch of very attractive buildings around the edge facing out --

MR. KILDAY: It still has a block structure, but right now, because it's going to be done obviously to suit the tenants, the design as far as like the lots I was able to show you, this is very much kind of an open book to allow maximum flexibility.

What we are agreeing to, however, is to front or to -- they call it laminate your building so you front your buildings with similar buildings to up here.

It also would allow for primary retailers who need larger square footage, but, again, we set within design guidelines that those would be internalized.

COMMISSIONER ARMITAGE: I guess following up on that, do you anticipate the job creation to employ residents or -- residents within the project or outside the project?

MR. KILDAY: We --

COMMISSIONER ARMITAGE: Or is it too soon to determine that?

MR. KILDAY: I mean like everything else, people get jobs and where they live isn't necessarily where they get a job initially.

But we anticipate that part of the sales process of getting tenants to come in on this site is the fact we have a ready population of employees available.

If I could, I'd like to let Nat say a few things. For a long time Nat was the only employer, and while it was the citrus operation and the packinghouse, he has considerable experience where he drew his employees from for those businesses.

MR. KOLINS: Just -- if I may, just before Nat gets up, I just want to point out what was said by some of our folks before because I think this is very important.

There are going to be different types and different levels of job opportunities in here, and while in The Acreage or Loxahatchee Groves, the surrounding area, you have basically one category, we're going to have a variety of different living, residential-type units and arrangements for all different sorts of people to live in so that regardless of the pay grade, if you will, and the type of job, we ought to, between the folks that surround it and the folks in the town, be able to staff all these businesses locally.

MR. ROBERTS: Excuse me, I think the answer -- the short answer to your question was yes. I think that, as Kerry said, I have actually created more jobs in that area than anyone else, probably with the exception of the School Board, and they've done it on our property.

I built and ran a packinghouse right here (indicating). We shut it because of citrus canker coming up from Miami, but at peak payroll I employed 300 people in that packinghouse.

It was not all minimal wage work. I had computer programmers. I had sales and marketing people. I had a person who when he left my employ, went to be the number four person at Ocean Spray.

We were doing about \$22 million a year of fruit sales out of that building with a direct marketing and gift fruit operation that was fairly sophisticated.

I had employees from all parts of The Acreage. The woman who ran our accounting for the packinghouse was married to a sheriff's deputy. She chose to live closer to home because her kids were still in school. She wanted some flexibility. She worked 60 hours a week, but she could go home when the kids were coming back.

I had other people in our accounting and marketing departments that lived in The Acreage. They liked the flexibility. They liked being close to home and not having to commute.

Bluntly, I paid them less per hour, which as an employer is always attractive.

I think the other thing we found is, and I'm a perfect example of that. I live about a mile south of here. I live in El Cid. I don't stop on the way to work. The roads are empty the way I use them, and I thank the highway



engineering group for that, but when Nick, who works for the County, lives out west and commutes east, I'm going the other direction in the morning, and there's no one using my side of the road because that side of the road is built for Nick commuting east.

But if we were to employ someone from -- I don't have a county map here, but employ someone here from down in here (indicating) or on Okeechobee Boulevard who is turning west, what a great thing. That is wonderful because they are joining me on an empty road going west and getting off the road going east.

COMMISSIONER HYMAN: That's true.

MR. ROBERTS: So that is a big thing to think about. It is important. Can we create more jobs? I'd like to say we can.

I know when you use this kind of process, you have to have national standards. You have to have absolutely footnote-able standards.

But I would point out to you that one of the things that people said they liked, of Scripps employees about Abacoa, was they had all of the uses in one place.

Caught my attention is one of the CEOs in Wellington told me that BE Aerospace was looking for a place to expand in Wellington. There is no space for them. They expanded in Jupiter.

He's trying to grow his business in Wellington. He would like to be able to expand. He has young employees. Housing is a little bit expensive in Wellington right now.

And so it goes on and on.

Neil Merin (ph), who is a commercial broker, told me that the County vacancy rate is seven percent. You've heard our expert attest to the fact it's one of the lowest in the State.

We believe well-designed, non-residential employment will be very attractive for companies to locate here if they know they have housing nearby, they have retail services nearby, and they have a well thought out plan of what is around them and a mix of employees, everything from the president's housing, mid-level housing, perhaps hourly housing within some of our attainable housing and/or the Glades.

So I think you've got a whole mix, and certainly I would promote the fact that kids in this area right now do want jobs. They want after school work and the rest. Right now they're driving down to State Road 7 to get it, or their parents are driving.

Thank you.

CHAIRMAN BARBIERI: Commissioner Hyman.

COMMISSIONER HYMAN: You know, I was just looking at the plan. Initially when I looked at it -- well, first, I couldn't figure out exactly where it was. Then when I finally figured out where it is and how far out it is and how large it is, I looked at the -- where the commercial development was, and I think when I met with petitioner's counsel is one -- one of the

concerns I had initially, and I expressed it to them, something Mr. Anderson referenced.

I wanted to make sure that the -- you had designed the commercial to be on a major arterial road because one of the problems in some of the other traditional neighborhoods, like Abacoa where I work very close by, is that you can't find the commercial. They have other problems, obviously, as well, maybe not enough rooftops to support the commercial.

But, you know, here what impressed me was that you do have the commercial smack in the middle of the project and right on a major thoroughfare.

What also impressed me was the fact that you didn't take a plan like we see so many times and just try to force it on the neighborhood, and when that happens, oh, man, you know, we really hear it, and the buses of people, and rightfully so, are here with people objecting to it.

And even though there may have only been a few hundred people out of the few thousand people that are there, I don't know what the numbers are, obviously, it was the few hundred people that cared, and they were there, and they helped design this.

So for me, I'm not going to sit here and say, you know, I think you should move this to there or that to there because the people who are directly affected by this project, as so beautifully spoken by the gentleman in the back, they're the ones I think who dictated what they want and where they want it, and I was impressed with that.

But the other thing is that, you know, this thing doesn't have a wall around it, and when was the last time we approved a project -- I see, you know, some other large developers here who like walls. When was the last time we approved a project that didn't have a wall around it?

And I know Jupiter, you know, they are against, you know, walling communities and rightfully so. I don't live in a walled community. I mean I think there's a place for them.

But here you've totally integrated this community, this neighborhood, into the surrounding neighborhood. I mean what more can you do?

Somebody else could have come in, we know who they are, and they could have -- and you could have broken up this project, you say it's too big, you could have taken a couple hundred acres here, walled it off, couple hundred acres here, walled it off, and we could end up with the same thing that we have right now.

And then all of these people come out of these walled communities and get on our roads and get on Southern Boulevard and have to go to Publix down the road someplace.

So I don't even understand the objections to this project. I don't understand them.

Here is a project that integrates itself,

has community support, looks like it has a viable commercial center, has employment center, provides jobs, provides housing.

How many times do we have to talk about affordable housing and workforce housing around here? And here's a project that's giving 20 percent.

I mean I thought we were willing to kill for, you know, workforce housing, and here they're going to have how many thousands of units that are workforce housing, and we're going to turn that down?

I don't think -- they can't help the fact that they have such a huge parcel of land, and it seems like we want to try to punish them because they have such a huge parcel of land.

Well, they didn't create that. They had -- they bought it. They had it. They've had it for years, and it's huge, and I can't believe that anybody would say it's too big. It's too big. Cut it up. Make it smaller.

I don't understand these objections, and we say it's premature? It's a 15 -- what'd they say, 15-year build-out. It's not like this thing is going to be built today or tomorrow. If they say 15 years, it's 20 years. Maybe it's 25 years.

You know, I know they're still building neighborhoods in Abacoa. It just takes a long time. Hey, listen, you haven't even gotten your first building permit yet. It may take you 10 years to get that. Okay.

So -- and then there was an objection, too much open space? I don't understand that objection. I don't understand that at all. I mean the waterways, and then the waterways doubling as water cleansing ways and then the golf course.

These are things that we normally force upon people that come before us, and here's a petitioner that says, "I want to provide these. I want to provide these huge buffers."

So I don't understand the objections. I don't understand squeezing a project together. You have huge buffers in this project. To me, this is a win-win all the way around.

CHAIRMAN BARBIERI: Commissioner Kaplan.

COMMISSIONER KAPLAN: Thank you, Mr. Chairman.

Well, I, for one, have an objection. As usual, I know I can tell I'm in a minority, but I'm looking at the entire western corridor.

We have 10,000 units going in here. There's another potential 18,000 units that may go in with Vavrus Farms, Mecca Farms.

I think that this is too intense. I think we have a problem for the future. Where do we go if we have 100,000 trips -- I think it's 94,000 and change, but roughly 100,000 trips, 10,000 times 10, which is the basic formula, and we get another 18,000 units, you got another 180,000 trips. That's 280,000 trips. I don't think that this has been planned for the future for the rest

of the western corridor.

I have absolutely no problem with the jobs, no problem with the compactness, but I think the intensity opens up a Pandora's box for the rest of the community and creates a domino effect.

That's what I'm concerned with. I'm not concerned with the project, per se. It was well planned. They worked hard, but I can't accept the intensity, not only of the units, but of the traffic impact that I see coming down the road.

So there is an objection.

And, in addition, if I understood some of the members of the public, apparently not all of the people in the community agree with this.

There was -- one of the, I think, ladies said a letter or petition of 1200 residents there that oppose this. So that is still a decision --

COMMISSIONER HYMAN: That's not in the record.

COMMISSIONER KAPLAN: -- that we have to make and that I have made, that this project is too intense for the units, for the traffic impact, and, therefore, I will oppose it.

COMMISSIONER FEAMAN: I'd like to just briefly respond.

CHAIRMAN BARBIERI: Mr. Feaman.

COMMISSIONER FEAMAN: As far as a Pandora's box, it's my view that each project stands and falls on its own merit, and we as commissioners, I think, are smart enough to look at each individual project and say this is a good one, this is not a good one, and as far as setting a precedent, no.

This project, for all the reasons that my good Democrat friend enunciated, and I'm a staunch Republican, let the record reflect that Sherry and I agree, perhaps for the first time in western civilization history; correct?

COMMISSIONER KAPLAN: Mr. Chairman, I'm not a Democrat. I'm an independent.

CHAIRMAN BARBIERI: Commissioner Anderson.

VICE CHAIRMAN ANDERSON: Just one more quick question.

On that -- getting back to just a little minutia on that employment center, is there -- and it's a huge area. Will there be like restaurants, some kind of commercial -- retail for those people to -- and can that be --

MR. Mac GILLIS: Maybe I could answer that.

The staff is still -- the Planning staff and Zoning staff are still working on the layout of this thing.

VICE CHAIRMAN ANDERSON: I understand.

MR. Mac GILLIS: The Planning is working on Comp Plan amendments to address this. This center was the concept that came up as part of the Sector Plan, an employment center, and it was introduced in here.

First the plan came in, it was an MUPD, which was a shopping center and your typical restaurants and stuff on there.

Because an MUPD was allowed, and as Mr. Kilday explained, there was uses that they wanted to do, and they're bio-uses and big box stores that the only way you could do them was in an MUPD.

Staff had concerns, I know as the Director I've expressed them, because of the form of -- that an MUPD, the form of the development wouldn't be consistent with the rest of the traditional developments with the built-to lines and the architecture and stuff.

So Planning has currently been working with the applicant on forming the Comp Plan to define what exactly that economic center is.

So right now the Zoning Division needs to wait 'til we get those -- the Comp Plan language that we can actually develop the code language to see what type of uses that are going to be allowed in there and the design that -- the traditional development design of that pod.

So some of that stuff is not completely -- and that's the reason probably why most of it's a blank square there, but I mean the desire is, is to what they're saying on the record, if that is truly to have an economic center, that we will have to put some type of limitations in there or restrictions to encourage certain types of uses in there, minimums and maximums and stuff, so it's just not laid up to where it's all going to be restaurants or big box stores.

VICE CHAIRMAN ANDERSON: What I was getting at is if when they're designing it, we have this traffic corridor, the trolley system, if there's any way to incorporate the employment so if anybody living there wanted to ride the trolley and get to work and/or to the high school or -- and/or to the university, just in your final design plans if there's any way that could be incorporated, I think that would be a benefit to the project.

MS. KWOK: Okay. And just to add to what Jon has explained regarding that -- the development of this Traditional Employment Center, there is a condition -- if the Board chooses to recommend approval of this project, there is a local government conditions, and it's on Page 49 that addresses this Traditional Employment Center. It would be subject to future code amendments.

And also there is a design guidelines, that I anticipate a lot of these design standards of -- pertaining to the Traditional Employment Center in the design guidelines.

CHAIRMAN BARBIERI: Commissioner Dufresne.

COMMISSIONER DUFRESNE: Okay. First, I think the design concept is really well done and laid out nicely.

What concerns me is the impact that we're going to have on the population growth in the area, taking it from roughly 40,000 people to 50,000 people -- actually, more than that. It'll be more like 60,000 people, and the impact that that's going to have outside this immediate

development.

My concern is that -- and I've been in Wellington since 1981, and even with the regional mall, we still have substantial traffic problems going out and coming in because of the employment issue, and I don't think you're going to capture a substantial number of trips from an employment standpoint, and I don't want it to go unrecognized that they can still put 4300 units there.

I mean if -- Peter, with all due respect, if we're going to follow that plan, why don't we give them 10 units an acre because, you know, New York City's got a nice park in the middle and we can go as high as you want.

So it's not just standing on its own. We've got to consider everything in the immediate surrounding area, and that is my concern that the traffic impact is going to be substantial outside the area, and that we're -- and the design can still work, but just with fewer units.

CHAIRMAN BARBIERI: Yes, sir.

MR. UHREN: If I may just interject briefly. My name is Nick Uhren with the County Traffic Division.

And I wanted to clarify a couple of issues that the applicant had mentioned with respect to some of the regional failures or road problems that may be affected by this application.

They identified that the only CRALLS that was necessary was at Okeechobee and State Road 7, and that that was also proposed as a potential urban interchange.

As part of their Comprehensive Plan amendment package they're also requesting an urban interchange designation at Beeline and Northlake Boulevard, which would be another bottleneck intersection that this project would, if approved, further deteriorate.

In addition, I'm not sure how well you captured the deficiency with respect to the DRI traffic study and the fact that our TPS analysis really only addresses a five-mile radius.

The DRI only addressed -- the ultimate assessment report written by Treasure Coast only addressed the Phase 1 development impacts.

If we were to address the build-out impacts of this development request on a regional basis, which means taking it beyond that five miles, I think we would see a number of additional CRALLS needed or failures, deficient roadways, that would be further deteriorated by this development application.

That really hasn't been captured in any of these conditions of approval. That is, through the mediation process that we've been going through with the affected municipalities we've been trying to identify exactly which roads would be further deteriorated where their level of service would be degraded below our adopted standard.

And they're also at ultimate capacity, which means we would have to either designate a

CRALLS or do something with the development to mitigate those impacts.

The cities have submitted to you a study that tries to identify those additional deficiencies. We have also worked on an analysis that tries to identify those additional deficiencies.

But to say that it's only one or two CRALLS is really understating the regional impacts of this development application. It is probably more in the vicinity of 10 to 15 failing segments of roadway.

VICE CHAIRMAN ANDERSON: Is there anything that could be done to help as far as more employment and less housing? I mean I don't know. What's your solution?

MR. UHREN: Well, there are -- that's a good question, and, really, when you reach a point where congestion -- where travel demand is matching the ultimate capacity of a roadway, some of those decisions become more political and less technical, and so I would preface any remarks that I make with that -- with that acknowledgment. It -- and some of it is on a corridor-by-corridor basis.

On Northlake Boulevard there really is not a parallel corridor that can be built to relieve congestion. The urban interchange at Beeline will help because that is a highly congested intersection, and separating the east and west through movements would do a lot to improve traffic flow at that intersection.

Okeechobee Boulevard has a parallel reliever corridor that could be constructed. It is not currently a requirement of this development to see that that road is constructed. I'm speaking specifically of Roebuck Road between the State Road 7 extension and Jog Road.

That would be a potential reliever of the east-west demand on Okeechobee Boulevard, but it has not been addressed by the regional analysis and conditions of approval that have been proposed at this time for this development.

Those are the big issues. Those are the two big corridors.

Southern Boulevard with the interchanges that have been constructed, really on the DOT's dime, seems to be -- we are projecting that that corridor will function adequately to the east outside of their radius of influence.

Within the radius of influence, which is Forest Hill to the west, it does need to be widened to a six-lane facility, potentially to an eight-lane facility between Forest Hill and Royal Palm with the potential of even adding an interchange at Forest Hill and Southern Boulevard.

The feasibility of that being done has not been addressed, but that is one potential solution to the bottleneck or congestion at Forest Hill and Southern that has been identified.

CHAIRMAN BARBIERI: Commissioner Hyman, then Commissioner Kaplan.

COMMISSIONER HYMAN: Well, they either have satisfied or are satisfying traffic performance standards or they're not, and if they end up losing the appeal and they don't satisfy them, then this -- they have to start from square one.

So -- but we're assuming, because we've gotten the project this far to us, we have to assume that they have met the traffic performance standards, and in looking at the materials, you know, I do see eight requirements for widening of various roads.

One of my questions was going to be are these all the roads that need to be widened, and I don't even know at this point if you can really tell, but maybe you can.

MS. TETSWORTH: Mr. Chairman, if I can interject here. I'm Kristin Tetsworth, with the County Planning Department.

And if you look on Page 27 of your packet, you'll see that there -- when this project was initially transmitted to DCA, there's five text amendments for the Comp Plan.

Number three specifically deals with some of the levels of service that you're questioning.

Number four actually deals with the CRALLS. Number five would be the TIM, the thoroughfare interchange for the map, the Thoroughfare Identification Map.

So these are really Comp Plan issues that you're raising at this point in time, and when this went to DCA, we were --

COMMISSIONER HYMAN: No, I wasn't raising Comp Plan issues.

I was just asking in terms of the conditions of approval in our packet whether or not, you know, they were comprehensive to address all the traffic concerns, just like any other project that comes before us, and you just told us that --

MS. TETSWORTH: There's about 18, I think.

COMMISSIONER HYMAN: -- some of the roads that probably need to be widened aren't included in here, and they probably ought to be.

MS. TETSWORTH: And that's all I'm saying, is they're going to be dealt with on the Comprehensive Plan amendments.

COMMISSIONER HYMAN: Okay. We don't have to worry about it.

MS. TETSWORTH: The Board of County Commissioners will be -- be working on those and dealing with those, so --

COMMISSIONER HYMAN: Okay. So that's good.

COMMISSIONER KAPLAN: Mr. Chairman, just on the question of CRALLS, just for information purposes, I was a member of the TPS Committee for two, three years, and I can tell you that temporary CRALLS are never temporary.

They always, for some reason, probably political -- as we know, CRALLS are -- is a political situation -- they stay permanent.



So just as a matter of information I want you to know that somebody did say will be a temporary CRALLS. No such animal.

MR. UHREN: Let me respond, if I may --

CHAIRMAN BARBIERI: Sure. Go ahead.

MR. UHREN: -- real quick to Commissioner Hyman's question.

This was said earlier, but I do want to reiterate it and make sure that it's clear.

The TPS requirements address a five-mile radius from the point that your project enters our thoroughfare network.

All of the deficiencies within that five miles have been addressed through the conditions of approval that you have in front of you.

COMMISSIONER HYMAN: Okay.

MR. UHREN: What has not been addressed in these conditions of approval is the regional impacts outside of the five-mile radius on some of the facilities, such as Northlake Boulevard, Okeechobee Boulevard --

COMMISSIONER HYMAN: And is it appropriate for us to address those areas? I mean we don't do that with other projects, do we?

MR. UHREN: Well, and that's what I was just asking --

COMMISSIONER HYMAN: What?

MR. UHREN: -- asking Barbara.

To the extent that I think you are reviewing and giving a recommendation on the proposed DRI, those regional issues are relevant to your discussion.

And I shouldn't say that they have not been addressed at all. I need to point out that in the regional -- proposed regional conditions of approval that would be associated with the DRI, you need to recall that there is a stop condition proposed from the Treasure Coast assessment report that says development cannot continue beyond Phase 1 until they do a new traffic analysis.

COMMISSIONER HYMAN: Right.

MR. UHREN: And that's the point that, really, the municipalities have been appealing, saying don't approve the whole project unless we know what the potential impacts of all three phases of development may be on the regional network.

COMMISSIONER HYMAN: But if they can't build any more than Phase 1. I mean there is a safeguard built in.

MR. KOLINS: Yeah. But may I also address that in another way.

The point was made by our traffic engineers very clearly that the reason why we haven't -- we have actually done, but the reason why they've limited us to Phase 1 is because they want to see -- they, being the various regional agencies, want to see the traffic disbursement after Phase 1 to confirm or develop a precise understanding of how it works before they want to make those determinations.

It becomes a Catch-22. We cannot do it

now because those answers won't be available to them as per their request until after Phase 1 is done and we have experience with it.

COMMISSIONER HYMAN: Okay.

CHAIRMAN BARBIERI: Barbara.

MS. ALTERMAN: And let me just say, because this has been very frustrating because when the DRI was submitted to Treasure Coast, there's a certain number of submissions that Treasure Coast can require, and then beyond that if the applicant refuses to clarify or give further information, Treasure Coast really has no ability to ask for anything further, and it's been frustrating because a lot of these issues hadn't been addressed, which normally would have been addressed up front so your conditions would have addressed all of the traffic impacts that we're talking about.

And I'm not a traffic engineer. You know, Nick and some of these people here can address that, but I think you need to understand that this is not the way a DRI is done. It's usually you address all of it up front, and as part of your -- remember, it's the County Commission that grants these development orders, not Treasure Coast or anyone else. They are Board of County Commissioners approvals.

So normally that would all be addressed and they would have that approval up front, and they would be able to address all of these.

But I think you need to hear some of these other issues 'cause I can't explain them. I'm not a traffic engineer, but I think you need to have the picture, full picture.

MS. SHELLEY: May I respond to that last issue?

CHAIRMAN BARBIERI: Yes.

MS. SHELLEY: Just briefly. In the 20 or so years of experience that I have had with DRIs I would say to you that this stopper condition is what the staff puts in in an abundance of caution.

It is to protect the public. It's very common.

It does not mean that the whole DRI is not entitled. It means let us stop and check.

And so I just wanted to say to you that it is extremely common to do this around the state.

COMMISSIONER DUFRESNE: Can I ask you a quick question?

MS. SHELLEY: Sure.

COMMISSIONER DUFRESNE: How many times have you seen an urban development dropped in the center of a rural area? Just --

MS. SHELLEY: This is really an opportunity.

Usually, the issue is that there's nothing around it and we're dropping something out in the middle of a rural area. That's, unfortunately, very common.

COMMISSIONER DUFRESNE: Uh-huh.

MS. SHELLEY: This is not what I consider to be a rural area. At best, this is a suburban area, and some people would say it might be

urbanizing, depending on other projects that might be coming forward.

So an opportunity to retrofit an infill of this nature just doesn't come along, ever.

COMMISSIONER DUFRESNE: Thank you.

MR. LIGGINS: Thank you. This is -- this argument right here is at the core of our concern. It's the outside the five miles --

CHAIRMAN BARBIERI: Which city do you represent?

MR. LIGGINS: Village of Royal Palm Beach, and what I'm going to comment on is consistent with the study that was paid for by the three cities.

And the reason we got from Treasure Coast why they didn't go beyond Phase 1 is because of the time that they had to transmit, and they didn't have time for Phase 2 and 3.

I'm not going to disagree with the Treasure Coast condition of just here's the -- here's your conditions of approval for Phase 1, stop, and then do two and three.

I would like to add to that, or the cities would like to add to that this traffic engineering is not an art. We can predict it today, and what we would like it to be done is predict it the way you predict every other DRI and come up with the impact.

We have done that and without any new roadways being constructed, when you take the capacity between a six and an eight-lane road and extrapolate that additional capacity, we're looking at 16 lanes on Okeechobee Boulevard for Royal Palm Beach. We're looking at 18 lanes between Jog Road and the Turnpike.

We're talking about significant traffic at eight lanes, and what we had our traffic engineer was use the 2030 feasibility plan, which still needs to be funded at a tune of a half a billion dollars for the existing land use, \$700,000 with the changed land use in accordance with the sector -- \$700 million with the changed land use of the Sector Plan, even more with this land use change.

The -- the inability to see a solution, as was pointed out in the transmittal of this project to DCA, for the traffic, for the travel demand between this new urban area and the existing urban area is where we see no solution, and we think before this project goes on, that that solution should be discussed.

Now, what we would like to see is to take our traffic study, come up with mitigating factors to take -- put the system at the appropriate level of service, and when their Phase 2, Phase 3 traffic study is done after Phase 1 and if some of these things come true, then maybe reduce the number of conditions on them because of that, but not just grant the zoning approval for the whole thing today and then hope that it works.

That's not what we want. What we'd like to see it done is like other DRIs where we take

our traffic study, we come up with mitigating strategies for it, and if their traffic study, after Phase 1 is completed, is something different than what we're used to when we have actual trips to -- and origin and destinations to do something with, then at that time start reducing the commitment, the building permit stoppers on their project.

MR. KOLINS: I think we heard that story before, and what we have now is delay and deflect.

Let me ask Chris, one of our traffic folks, to respond to the horror story that you just heard laid out for you so you understand what the realities are.

We have, however, met TPS, and if Palm Beach County Board of County Commissioners has a problem with what's going to come before them on the DRI, they can deal with it, and we need to stop talking about something that really is not directly relevant here, in my judgment.

But some of these things have been raised.

Let me ask Chris to respond.

MR. SQUIRES: Thank you. There are two things. TPS, which you've heard, TPS is a contained thing. There are conditions that mitigate the deficiencies in the TPS in the local system.

The regional conditions were based on Phase 1. It was an agency analysis. They're based on Phase 1 and say after Phase 1, you know, either you do an analysis. If something's broke, you fix it or you don't move on. You address it somehow.

All of that said, you know, go back, this was a -- not to undersell this, I mean Nick and the County have gone through the effort of creating volumes now, they're creating them now through build-out, for this project, and it's based on good information.

I have -- we haven't seen the study that got submitted. We saw a draft of it. It was based on old data, it was based on, you know, information that's not as current as what the County has used.

We've gotten the volumes from the County.

We have just submitted today or yesterday back some analysis that says here are the volumes, what do the volumes mean, and, you know, we're willing to accept what conditions come out of those phase -- those Phase 2 and Phase 3.

I think Nick's summary is a good summary, that this is probably intuitive to all of us, that, you know, here are the set of conditions for Phase 1, the regional conditions, the outside the local, the regional conditions for Phase 1.

What happens with Phase 2 and Phase 3? It's further into the future. There's more project traffic, there's more traffic from other developments. I think we will all expect that there are more conditions that would fall out of that, absolutely, and there'll be more roadway deficiencies and more mitigation required, and

there will be more road -- more traffic, for instance, on a road like Okeechobee.

It's a CRALLS today. It's still going to be a CRALLS. It may need a higher CRALLS. We can do a Roebuck Road extension, widen that extension to four lanes some day, maybe, but there's -- there are going to be roads with more traffic on them that have CRALLS on them today or would have them otherwise, anyway.

But I think the big thing is you've got the -- with the County volumes, we have the picture of what the DRI looks like at build-out, and we can draft conditions that go along with that, or we can stick with the condition that says at the end of Phase 1 you stop, and you do a whole new analysis.

I mean either way -- either way, same thing. You have the same thing in your hand. You have this picture of what the future looks like, and, yeah, maybe plus or minus five percent. We can disagree around the edges or have discussions around the edges, but generally it is what it is.

And Nick's summary is a good summary, that there's deficient roads, there's mitigation that's available for some of them and not for others, but, you know, all of that said, we've got an analysis back into the County based on this new -- the new set of County-generated volumes, and, you know, the DRI won't go forward if it can't address the Phase 2 and Phase 3 conditions. I mean that's the way -- the way it's drafted today.

So I mean I -- you know, regardless of what the cities have submitted, which can be reviewed, I mean, but regardless of that, I think we already have that picture today.

CHAIRMAN BARBIERI: Mr. Banks.

MR. BANKS: No, I just wanted to point out that I can't speak to DRIs around the whole state, but I can state that, you know, there aren't that many DRIs in Palm Beach County, but the County has a DRI. It's actually County-owned property that has a stopper condition that actually has stopped development right now, and that's the north County airport where there had to be a traffic study done by a -- I think it was 2005.

The County hasn't completed the study. So until the study is done, we can't build more facilities at the airport, and we have an industrial piece of property at the airport that we can't get the final zoning for.

So it's not unusual, it, you know, it may not be -- it's not that it -- most of the DRIs in Palm Beach County have had traffic condition -- DRI conditions for the whole ones, but at least the north County airport had a condition that said after a date you do a -- do a new traffic study.

CHAIRMAN BARBIERI: Commissioner Hyman.

COMMISSIONER HYMAN: I don't think it's reasonable to approve this development piecemeal.

I don't ever remember doing that in any project, and I feel very comfortable that there is a stopgap after Phase 1, and they can't move forward

if they can't meet the traffic performance standards that are established by the regulatory authorities.

So I would like to focus in on the variance that we've been requested to vote on, and, Mr. Chair, if you're ready, I'd like to go through them, the various criteria.

Nancy, before I say --

MS. STROUD: Before you -- before you vote, I would like an opportunity to rebut --

CHAIRMAN BARBIERI: Okay.

MS. STROUD: -- what's been --

CHAIRMAN BARBIERI: All right.

MS. STROUD: -- discussed.

CHAIRMAN BARBIERI: Commissioner Anderson, why don't you make your comments.

We'll go to Nancy, then back to

Commissioner Hyman.

VICE CHAIRMAN ANDERSON: Oh, just one quick question.

Will this -- if we approve this today, will this project ever come back to us? Are there more things down the road --

COMMISSIONER HYMAN: Oh, I bet.

VICE CHAIRMAN ANDERSON: -- that we would have to make approvals on?

MR. Mac GILLIS: Any requested use, there's conditions on there.

The requested use will have to come back before this Board.

So if there's any requested uses in those pods -- they're objecting to that condition, but it's a condition that staff has imposed on the local DRI, that any of the requested uses that you typically see, you -- they would be coming back to this Board to see, but -- unless they do a DOA to amend the overall master plan, you would obviously see that, as well.

So requested uses and any modification to the master plan.

VICE CHAIRMAN ANDERSON: Okay. Second quick point.

Traffic being the biggest issue, I have heard no real discussions of mass transit or of commuter lots, things to help mitigate that situation, and then the last comment.

Many of the experts came here with this -- and Ron Kolins, when I met, this idea of critical mass, and just -- in the last comment it seems to me that there is sufficient residential in the area for the amount of commercial that they're talking about, that to get the correct critical mass, to me, I would again see more jobs and less homes, and from what I've heard, that would still give you that critical mass, but that's what I'm looking for.

MR. KOLINS: Well, let me -- let me address just two things real quickly.

Mass transit, you don't have to be a traffic engineer or guru to know that you can't have mass transit without density. If you have light density, it's impossible to have mass

transit.

Secondly, in your last point, I said to you earlier on when I began this discussion that these are a bunch of parts that work together much like an engine, and if you change one part, the engine doesn't work, and it's like that with, really, the density.

First of all, I want to reiterate what was said by our experts, that it's not only the number of people in the town, but the number of people in the town living a different lifestyle than the people who live around it that create the ability to have the people to fill the various kinds of jobs.

And, secondly, there is a laundry list of public benefits to this project, and they cost millions and millions and millions and millions of dollars, and you can't take away the density and expect a project to still be able to provide those benefits.

I said to you earlier help us make this a town, and either it's going to be a town or it's not going to be a town, and I don't remember the exact word that Mr. Trepp used when he was up here speaking to you, but he said words along the lines of you need to be bold. You need to be able to have the conviction to do something a little bit different.

I urge that you do so because the alternative is a sea of additional sprawl with no services, with no place for lots of people to live, with -- with nothing that can be provided here.

We've had the best people we can find tell you why this is such an important and good thing, and we hope you will understand that.

VICE CHAIRMAN ANDERSON: All I'm asking is for you to ask your experts that came up with the critical mass if a few less residents and a few more job creation is not possible. That's all.

MR. KOLINS: We certainly would do that, and quite frankly --

VICE CHAIRMAN ANDERSON: You know, all your experts think along that line --

MR. KOLINS: You betcha.

VICE CHAIRMAN ANDERSON: -- to help the traffic.

MR. KOLINS: You betcha, and just as we talked about in response to Mister -- I forget the name, Mr. Armitage's question, we're hopeful for substantially more employment opportunity than the number we gave you, but we felt kind of bound to use that number because we could at least relate it to some kind of commonly accepted formula, but we will do that, yes, sir.

CHAIRMAN BARBIERI: Yes, ma'am.

MS. STROUD: Thank you.

CHAIRMAN BARBIERI: You're welcome.

MS. STROUD: Commission, today is the day that you make the policy decision. Whatever comes back to you will be minimal changes.

Today's the day you need to decide if you

want to recommend three things to the County Commission, all of which will create a new city in the far western part of the County.

The recommendation is whether the DRI should be approved. This is your duty, recommendation to the Commission about the -- Commission about the DRI. You're not just tossing it to them and saying, okay, you decide it. It's your responsibility today to decide whether the DRI is properly ready to go before them; have all the mitigation requirements of this project been taken care of?

And one of the conditions of the DRI is the Comprehensive Plan. That's also within your responsibility to be looking at. It's not something that you just toss to the Commission because the DRI cannot be approved unless the Comprehensive Plan amendments are made.

So you should be thinking about the policies of the Comprehensive Plan. Mr. Kolins is entirely incorrect to say that that's not something you should be worried about.

And the third thing that you're doing is looking at the rezoning, and the rezoning is necessary, in addition to the DRI, to make this Comp -- this city out there work, and it's clear from your discussion today and from what the staff has told you and from what Callery-Judge has told you, that the traffic impacts of this project have not been completely reviewed, and traffic is one major problem with this project.

If we're talking about 15 CRALLS, potentially, that means more traffic congestion. That means saying that instead of building an 18-lane road on Okeechobee, we're going to allow the congestion to get as much as 200 percent what the capacity should be.

That's what you do when you say it's okay, you can go forward with this project. We understand that you have to get Comprehensive Plan amendments for so many CRALLS, but that's okay with us.

That's what you're doing if you approve this project and recommend it to the Commission, and I -- it doesn't seem to me -- the County hasn't finished its study. The stopper by the Regional Planning Council was put there.

And I understand the stopper is on the airport DRI, but also on the airport DRI are a series of conditions through build-out. So we don't object to a stopper, as long as all of the conditions for full build-out are also taken care of, and that is not the case today.

Now, the developer's telling you that we're not subject to the Sector Plan, don't even think about the Sector Plan. The Sector Plan is something that the County and the County staff have been working on for years to try and get a good, complete picture of the western part of the County, and they don't have to be part of the Sector Plan, but they also don't have to get a Comprehensive Plan amendment.



If the Commission denied them a Comprehensive Plan amendment, if you recommend it, a denial, then Callery-Judge would be before you again at some point asking for another Comprehensive Plan amendment, and that's something that they might have to look at in terms of the Sector Plan.

So I think from what I'm hearing today, and forgive me if I've misunderstood it, it seems to me that you're not thinking about the big picture and about the full range of your responsibilities. It's not just a little Planned Unit Development that you're looking out there.

CHAIRMAN BARBIERI: Nancy.

MS. STROUD: It's a -- it's a major city.

CHAIRMAN BARBIERI: We've been -- we've been advised by staff that we do not have -- we do not review the Comp Plan amendment. That's not our responsibility today, and it's not part of our authority.

We are to review the DRI and the rezoning, requested use application, so the Comp Plan changes are not within our purview, and those things are going to be dealt with by the BCC.

MS. STROUD: Don't -- don't misunderstand me. The -- I understand that you don't review the Comp Plan, but except as the Comprehensive Plan amendment changes are conditions to your approval of the DRI. They are attached to them, just like every other traffic impact condition, every other wastewater and water treatment condition.

And so to put blinders on and say that's not our concern, it is indeed part of your review, even though formally you're not giving a recommendation on the Comp Plan.

CHAIRMAN BARBIERI: All right.

MS. STROUD: It's a major city out there.

That's all I can end with. Thank you.

CHAIRMAN BARBIERI: All right. Thank you. Mr. Banks.

MR. BANKS: You are not the review agency for the Comprehensive Plan.

In all of these development orders will have language essentially saying that the development orders or the rezoning, none of those things will be effective unless and until the Comprehensive Plan amendments become effective.

That essentially is kind of the link between the Comp Plan and the DRI and the zoning in this case.

CHAIRMAN BARBIERI: Okay.

MR. BANKS: So we're following the process that's kind of established by law, you know, by the statutes and by your ordinance, you know, the ULDC that creates your -- this Board, and you're reviewing what you normally review.

You will be -- make the final decision regarding the variances. You'll offer recommendations regarding the DRI, the rezoning and the requested uses.

CHAIRMAN BARBIERI: All right. Thank you. Commissioner Hyman.

COMMISSIONER HYMAN: I appreciate everybody's comments. I started off looking at this project askew, and I was -- I think there's just not substantial competent evidence. I think there's overwhelming competent evidence to approve this project, and I'm going to make the motion to recommend approval of the Development of Regional Impact as the first motion.

COMMISSIONER BRUMFIELD: Second.

CHAIRMAN BARBIERI: Motion was made by **Commissioner Hyman**, seconded by Commissioner Brumfield.

Is there any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONER HYMAN: Aye.

COMMISSIONER BRUMFIELD: Aye.

VICE CHAIRMAN ANDERSON: Aye.

COMMISSIONER FEAMAN: Aye.

CHAIRMAN BARBIERI: Aye.

All opposed.

COMMISSIONER KAPLAN: Aye.

COMMISSIONER DUFRESNE: Aye.

CHAIRMAN BARBIERI: Commissioner Kaplan and Commissioner Dufresne opposed.

Motion passes, 5-2.

COMMISSIONER HYMAN: I'm going to move for adoption of a resolution approving a Type II zoning variance to deviate from the required TDD cross-sections and subject to all the conditions of staff, as modified.

COMMISSIONER BRUMFIELD: Second.

CHAIRMAN BARBIERI: Motion made by **Commissioner Hyman**, seconded by Commissioner Brumfield.

Any discussion?

MR. BANKS: We just want --

CHAIRMAN BARBIERI: Mr. Banks.

MR. BANKS: I would just want you to add to the motion that they met all the criteria for a variance.

COMMISSIONER HYMAN: Oh, and I will -- let me just go through. I was going to do that.

On the variance findings I think special -- special conditions and circumstances exist that are peculiar to the parcel of land, building or structure that are not applicable to other parcels of land.

I mean there's nothing clearer than that.

Special circumstances and conditions do not result from the actions of the applicant.

I think they -- that's true.

Granting the variance shall not confer upon the applicant any special privilege denied by the Comp Plan and the code to other parcels of land.

That's absolutely true. This is a unique parcel of land.

Literal interpretation and enforcement of the terms and provisions of the code would deprive the applicant of rights commonly enjoyed by other parcels of land, I think that's true.

Grant a variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure. I say yes.

Grant of the variance will be consistent with the purposes, goals, objectives and policies of the Comp Plan and this code, and I think certainly that's true.

And the grant of the variance will not be injurious to the area involved or otherwise detrimental to public welfare.

I think that's obviously true, and will provide substantial benefits to the surrounding area.

MR. KOLINS: Excuse me. I must interrupt on a critical matter. I hate to do that.

But the staff report for each of these variances contains conditions which nibble away at them which is not acceptable.

I hope you will find your way clear to -- in your motion to approve the variances without these conditions, or else it's -- and Kerry can explain them in greater detail if you want.

COMMISSIONER HYMAN: I can't do that. We normally would go through each of the conditions that --

MR. KILDAY: Okay.

COMMISSIONER HYMAN: -- you have a problem with.

MR. KOLINS: Okay.

MR. KILDAY: I need to do that. There's only a few of them on --

COMMISSIONER HYMAN: Then you need to do that.

MR. KILDAY: -- on that one.

Condition 1 is a condition that would require us to take our entire TMD and move it to the east side --

VICE CHAIRMAN ANDERSON: Which page are you on?

MR. KILDAY: -- of Seminole Pratt --

MS. KWOK: This is Page 76.

MR. KILDAY: Seventy-six.

COMMISSIONER HYMAN: Okay. Well, I don't --

MR. KILDAY: And I think what we have said we want to have the TMD on both sides of Pratt Whitney Road.

COMMISSIONER HYMAN: Okay. Specifically, which condition is that?

MR. KILDAY: Okay. Condition 1.

CHAIRMAN BARBIERI: Seventy-six.

COMMISSIONER HYMAN: Okay. I don't agree with that. I would delete that one.

MR. KILDAY: Condition 2 is saying that we will put the bypass on the north property line.

COMMISSIONER HYMAN: I don't think that's reasonable, either. I would in my motion delete that.

MR. KILDAY: Condition 3 talks about building the bypass.

COMMISSIONER HYMAN: I don't recommend that, and I would include that -- delete that as

part of my motion.

MR. KILDAY: Condition 4 is acceptable to the applicant. That's that we give details for crossovers.

COMMISSIONER HYMAN: I'm sorry. Don has a question.

COMMISSIONER DUFRESNE: I'm sorry. We need to address 2.b, also, not just 2.a.

MR. KILDAY: Right.

COMMISSIONER DUFRESNE: No building permit shall be issued for development that generates more than 3253 net external p.m. peak hour trips.

MR. KILDAY: I don't know where that came from.

Nick, you'll have to explain -- I never saw it.

MR. UHREN: That's the Phase 1 trip threshold associated with the Phase 1 development.

VICE CHAIRMAN ANDERSON: That's relating to the road that we're not going to build.

COMMISSIONER HYMAN: Oh, you're on --

MR. UHREN: What's that's saying is 2.b would say that if you approve of Condition 2.a, the applicant would be required to construct that facility prior to beginning construction of Phase 2.

COMMISSIONER HYMAN: I would delete that.

VICE CHAIRMAN ANDERSON: Well, is there another road that should be substituted?

COMMISSIONER HYMAN: Well, the road you --

MR. KILDAY: Well, we have a road.

COMMISSIONER HYMAN: You're going to put Persimmon --

COMMISSIONER DUFRESNE: No.

COMMISSIONER HYMAN: -- through, right?

MR. KILDAY: Yeah.

COMMISSIONER DUFRESNE: Well, we're talking about 60<sup>th</sup> here, and we're only talking -- and 2.a only address where 60<sup>th</sup> is going to be located.

COMMISSIONER HYMAN: Oh, 60<sup>th</sup>.

MR. KILDAY: Yes.

COMMISSIONER FEAMAN: So if 2.a goes, 2.b goes automatically.

COMMISSIONER HYMAN: Right.

COMMISSIONER DUFRESNE: I mean I'm not concerned that 60<sup>th</sup> doesn't go along the north property line --

VICE CHAIRMAN ANDERSON: But it goes somewhere.

COMMISSIONER DUFRESNE: -- if it goes through, I'm okay with that, but I want 60<sup>th</sup> built before permits are issued.

COMMISSIONER HYMAN: Well, you voted against the motion, anyway.

COMMISSIONER DUFRESNE: No, you're going through your objections.

COMMISSIONER HYMAN: Oh.

COMMISSIONER DUFRESNE: You're going through your rationalization in the conditions of approval.

COMMISSIONER HYMAN: So part of my

motion --

COMMISSIONER DUFRESNE: I want us all to understand that the location of 60<sup>th</sup> is one thing. Whether 60<sup>th</sup> is built first before permits are --

MR. KOLINS: But it automatically comes out.

COMMISSIONER DUFRESNE: -- issued is another thing.

MR. UHREN: Just to clarify, I believe 2.a and 2.b both pertain to specifying the location, and 2.b, while it does require construction prior to Phase 2, commencement of Phase 2, it is really intended to specify the location.

COMMISSIONER HYMAN: Yeah, I --

MR. UHREN: The applicant will in no way be permitted to commence development of a phase without legal access to that area --

COMMISSIONER HYMAN: Okay. One --

MR. UHREN: -- whether it's provided on the internal road or along the M canal.

COMMISSIONER HYMAN: One, two and three would be out.

MR. CHOBAN: We have a -- we have a condition later in the conditions that require the alignment to be done with Phase 2.

So are you asking the alignment for that be moved up to the first phase for 60<sup>th</sup>?

COMMISSIONER DUFRESNE: No, no.

COMMISSIONER HYMAN: He's not making a request like that. Are you adding another condition?

MR. CHOBAN: No.

COMMISSIONER HYMAN: Okay.

MR. KILDAY: No.

COMMISSIONER HYMAN: So keep going.

MR. KILDAY: Okay. Four is fine. Four -- just so you know what it is, that talks about us giving detailed plans for Seminole Pratt Whitney and how we safely get people across the road.

Five. Five, if -- I'd say let's delete it.

It -- this has been -- for the scope of this thing we are talking about the parallel parking spaces on the side.

We show a 10-foot space, which is eight-foot of asphalt and a two-foot gutter, and it meets code, and if it doesn't meet code, we'll do it to meet code, but we don't need five 'cause if it's in the code, we'll do it, and I -- we don't even know how it got added in again.

I mean we've talked blue on the silliest topic --

COMMISSIONER HYMAN: What? I don't understand. What did you just --

MR. KILDAY: Five has to do with -- they're saying that they want 10-foot wide parallel parking spaces, and I'm telling you we are providing 10-foot wide spaces, and they're saying as permitted by the code, and we are doing that, so we don't need a condition, and I don't know why it's in here.

COMMISSIONER HYMAN: Well, if you're doing it, why don't you just leave it?

MR. KILDAY: Because staff's going to come in, and they're going to make us put in what becomes 12-foot wide spaces. They're going to say a two-foot gutter, which we have --

COMMISSIONER HYMAN: Oh. You don't want --

MR. KILDAY: -- and a 10-foot space, and the code says specifically for that section that the gutter and the space is included in the width of the space.

It's so clear in the code it drives me nuts, and here it is a condition in the DRI.

COMMISSIONER HYMAN: If it's --

MS. OWENSBY: I'm sorry, can -- can I explain?

COMMISSIONER HYMAN: If it's in the code, we normally just delete it.

MS. OWENSBY: Right. We are contemplating some code revisions that would clarify it in the code and make it more clear.

COMMISSIONER HYMAN: Okay. So let's take it out. Okay.

Kerry, what's the next one?

MR. KILDAY: The last one is -- this is a philosophical one.

It says that we have a six-inch curb against our median. What we have is a 12-foot curb so that coming off the median you come down and you go over a little concrete and then the asphalt.

The theory behind it from one of the Zoning people is that if you take away the one-foot, then you're going to be worried more about scraping against the medians, and it'll slow you down, and the normal curb is a curb that comes out, and we would ask that we have -- allow a normal curb, rather than a six-inch straight to asphalt curb.

It helps people to drive to see the bands of concrete on the side of the road.

COMMISSIONER HYMAN: I would recommend that we delete that, too.

MR. KILDAY: And that's it as it relates to the zoning.

MS. KWOK: I think that Zoning staff believes that if you add that two-foot curb and gutter, which is one component, it will actually increase the room for the traveling lane, and that will force a higher speed on the road.

I think the whole idea is we wanted to have a slower speed -- slower speed on the traveling lane.

So I think that's why we wanted the typical Type D curb, rather than your two-foot curb and gutter.

COMMISSIONER HYMAN: I'm not comfortable adding that. I mean you're going to be massaging a lot of these things when they're -- bring their plans in.

You've got a huge road that's going through here so I'm not sure how slow the --

MR. KILDAY: Let me say on that --

COMMISSIONER HYMAN: -- car's going to be

going, anyway.

MR. KILDAY: -- delete it. We promise we'll meet with staff on it. If it makes sense --

COMMISSIONER HYMAN: You need to work that out with staff.

MR. KILDAY: -- we'll do it the way they want to do it.

I just don't want to agree to something that ultimately is going to be an unsafe driving condition.

MS. KWOK: Why don't we leave it like that as is, and we will agree to work it out between now and BCC?

MR. KILDAY: No. I can't because these conditions don't go to BCC.

MS. KWOK: Oh, sorry. This is a decision. I can't remember that this is a -- the final decision. Okay.

MR. KILDAY: Yeah.

COMMISSIONER HYMAN: I would --

MS. KWOK: Okay.

MR. KILDAY: So let's take it out, and we agree to work on it.

MS. KWOK: Thank you.

COMMISSIONER HYMAN: Is that it?

MR. KILDAY: That's it.

COMMISSIONER HYMAN: Okay. That's my motion.

MR. KILDAY: I just -- when you take a vote on that, I just want to say one thing for the record when you're done this.

Thank you.

COMMISSIONER HYMAN: Okay. This is the motion on the zoning variance.

CHAIRMAN BARBIERI: Commissioner Brumfield, do you agree to the --

COMMISSIONER BRUMFIELD: Secunder, as stated by **Commissioner Hyman**.

CHAIRMAN BARBIERI: Okay.

Is there any discussion on this motion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONER HYMAN: Aye.

COMMISSIONER BRUMFIELD: Aye.

VICE CHAIRMAN ANDERSON: Aye.

COMMISSIONER FEAMAN: Aye.

CHAIRMAN BARBIERI: Aye.

All opposed.

COMMISSIONER KAPLAN: Aye.

COMMISSIONER DUFRESNE: Aye.

CHAIRMAN BARBIERI: Commissioner Kaplan and Commissioner Dufresne opposed.

Motion carries, 5-2.

MR. KILDAY: All right. Just, as I said, for the record, on the other two items that go before the Board, there are some conditions, and I met with staff earlier in this meeting, that depending on your recommendation, will have to be tweaked, but we decided that was going to be so long, complicated, that we'd meet with staff on those, and it's essentially they'd have to be tweaked to the decision you made today --

COMMISSIONER HYMAN: Okay.

MR. KILDAY: -- where they conflict with that decision.

Thank you.

COMMISSIONER HYMAN: All right. I'm going to move for approval of the official zoning map amendment from Agricultural Residential Zoning District to the Traditional Town Development District.

CHAIRMAN BARBIERI: Is there a second?

COMMISSIONER BRUMFIELD: Second.

CHAIRMAN BARBIERI: Second by Commissioner Brumfield.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONER HYMAN: Aye.

COMMISSIONER BRUMFIELD: Aye.

VICE CHAIRMAN ANDERSON: Aye.

COMMISSIONER FEAMAN: Aye.

CHAIRMAN BARBIERI: Aye.

All opposed.

COMMISSIONER KAPLAN: Aye.

COMMISSIONER DUFRESNE: Aye.

CHAIRMAN BARBIERI: Commissioner Kaplan and Commissioner Dufresne opposed.

Motion carries, 5-2.

COMMISSIONER HYMAN: Move approval of the requested use to allow more than one of each of the following uses: Assembly non-profit; institutional/membership; automotive service station; college/university; congregate living facility, Type 3; convenience store with gas sales; dog daycare; daycare, general; entertainment, indoor; fitness center; flea market, enclosed; golf course; hospital/medical center; hotel, motel, single room of occupancy, rooming and boardinghouse; lab, research; lounge, cocktail; manufacturing and processing; marine facility; parking garage, commercial; parking lot, commercial; place of worship; restaurant, Type I and II; school, elementary/secondary; water management plant, subject to all the conditions, as modified and to be finally worked out between the petitioner, staff and the County Commission.

COMMISSIONER BRUMFIELD: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Hyman, second by Commissioner Brumfield.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONER HYMAN: Aye.

COMMISSIONER BRUMFIELD: Aye.

VICE CHAIRMAN ANDERSON: Aye.

COMMISSIONER FEAMAN: Aye.

CHAIRMAN BARBIERI: Aye.

Opposed.

COMMISSIONER KAPLAN: Aye.

COMMISSIONER DUFRESNE: Aye.

CHAIRMAN BARBIERI: Commissioner Kaplan and Commissioner Dufresne opposed.



Motion carries, 5-2.

COMMISSIONER HYMAN: I think that's it. I think we're done.

CHAIRMAN BARBIERI: Staff, do you have any further comments?

(No response)

MR. KOLINS: Well, I do. I just want to say thank you for your time and -- and for your interest, and we appreciate it very, very much.

CHAIRMAN BARBIERI: You're welcome.

All right. We're adjourned. Thank you. I'm sorry, Maryann, did you have something?

MS. KWOK: Well, actually, I want to get some clarifications.

There are really a lot of conditions of approval tied to the DRIs. There are at least 6 pages of them, and also the local government conditions, there's over 120 of them, and your direction is to work that out between now and Board of County Commissioners?

CHAIRMAN BARBIERI: Yes.

Meeting's adjourned. Thank you.

(Whereupon, the meeting was adjourned at 3:55 p.m.)

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C E R T I F I C A T E

THE STATE OF FLORIDA )

COUNTY OF PALM BEACH )

I, Sophie M. Springer, Notary Public,  
State of Florida at Large,

DO HEREBY CERTIFY that the above-entitled  
and numbered cause was heard as hereinabove set  
out; that I was authorized to and did report the  
proceedings and evidence adduced and offered in  
said hearing and that the foregoing and annexed  
pages, numbered 4 through 129, inclusive, comprise  
a true and correct transcription of the Zoning  
Commission hearing.

I FURTHER CERTIFY that I am not related to  
or employed by any of the parties or their  
counsel, nor have I any financial interest in the  
outcome of this action.

IN WITNESS WHEREOF, I have hereunto set my  
hand and seal this 2nd day of May, 2007.

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Sophie M. Springer, Notary Public