



TEXT AMENDMENT STAFF REPORT 04-EXPEDITED REVIEW PROCESS (ERP) AMENDMENT

Item Name:	Palm Beach County Scientific Community Overlay (Mecca) CRALLS 8.5 Million Scenario
Element:	Transportation Element (TE)
Item Before the Board:	To hold a public hearing on a proposed amendment to the Transportation Element which will designate several segments and intersections of the following roadways as Constrained Roadway at a Lower Level of Service (CRALLS) facilities: <ul style="list-style-type: none">◆ Indiantown Road◆ PGA Boulevard◆ Northlake Boulevard◆ Orange Boulevard◆ Okeechobee Boulevard◆ Seminole Pratt-Whitney Road◆ Coconut Boulevard◆ Royal Palm Beach Boulevard
Meeting Date:	Final Report , Adopted October 13, 2004
Project Manager:	Khurshid Mohyuddin, AICP, Senior Transportation Planner

MOTION: To *adopt* the proposed amendment.

A. Planning Recommendation: Staff recommends *approval* based on the assessments and conclusions presented in this report.

B. LPA Recommendation: *Approval for both motions, with modifications* (6-5, with Ms. Daversa, Ms. Greenberg, Mr. Merin, Ms. Murray, and Mr. Turney dissenting at the June 11, 2004 hearing. The modifications recommended by the LPA included the following:

1. To insert a new mitigation measure for the Mecca project stating that the project should, "Provide and dedicate appropriate right-of-way for future transit corridors, identify these transit corridors in the master plan, give priority attention to extending Tri-Rail system to project".
2. To modify a mitigation measure for Vavrus North to state the same as Item 1 above.
3. To remove a mitigation measure providing for affordable housing for very low and low income housing.
4. To incorporate a segment of State Road 7 up to PGA Blvd in the CRALLS analysis.

Note that these modifications recommended by the LPA are not reflected in Exhibit 1 of this staff report since it is staff's position that;

1. Appropriate transit measures are already included in Exhibit 1;
2. Provision of affordable housing is consistent with the Mecca and Vavrus North DRI/ADAs;
3. The segment of SR 7 up to PGA Blvd. is not being relied upon in the Mecca and Vavrus North DRI/ADAs.

Board discussion focused on the concern of the use of CRALLS (in terms of the location of CRALLS and use of CRALLS versus other mechanisms such as TCEAs), and the inclusion of affordable housing as a CRALLS mitigation. The individual board members also expressed concern on the following: the monitoring of affordable housing, the “1.5 times” impact fee requirement, and the unavailability of review of the Vavrus site plan. Several members of the public including Acreage property owners and Loxahatchee property owners cited concerns over the cost of providing roadways, effect on their rural lifestyle, and congestion associated with the two projects. Representatives from Vavrus North, Lennar and Centex, and the City of Palm Beach Gardens expressed a concern over some of the mitigation measures and expressed a need to continue working with staff to revise some of the conditions.

C. BCC Transmittal Action: Motion by Commissioner Koons, seconded by Commissioner Aaronson, to *transmit* passed in a 7-0 vote at the June 28, 2004 Public Hearing. Board discussion focused on the inclusion of affordable housing noting differences between the DRI commitments and the CRALLS mitigation measures. Board discussion also focused on the following: the analysis of alternative sites, greater private sector involvement, and the inclusion of the public in suggesting new potential sites. George Webb, County Engineer, pointed out that CRALLS volumes for Test 2 may need to be added at the adoption hearing unless regulations (in ULDC) are changed by that time.

Eleven members of the public spoke on this amendment. Eight members spoke in opposition citing concerns over the traffic lowering the quality of life of the residents, environmental issues, location of the site and the resulting surmounting costs of improvements to roadways still projected to be over capacity, the quantity of affordable housing, potential for unchecked growth, and the County’s perceived premature commitment to this site. 1,000 Friends of Florida submitted letters in opposition to this amendment (see Exhibit 3) and expressed concerns that if the mitigation measures are not met, BCC may decide a course of action, outside the Plan amendment process. Those in support focused on the mitigation provided by the CRALLS.

POST TRANSMITTAL ACTION

- A. ORC Report Findings:** The County has not demonstrated that the proposed temporary CRALLS are based on a long-range capital improvement schedule to correct deficient conditions by 2015 for backlogged segments and 2020 for severely backlogged segments. The statute does not provide for a long-term concurrency management system (CMS) beyond 15 years. For links not designated as CRALLS, the County has not demonstrated that the five-year Capital Improvements Schedule (CIS) includes a financially feasible schedule for the improvements necessary to maintain the adopted level-of-service (LOS) standards through 2010. Therefore any links requiring improvements beyond 15 years should be defines as a permanent CRALLS or a policy should be included to reanalyze the need for additional temporary CRALLS every five years to define new severely backlogged links that can be corrected through improvements programmed in the following 15 years.

DCA offered the Following recommendation: Adopt a financially feasible long-term concurrency management system to correct deficiencies on backlogged and severely backlogged facilities through the build-out of the project. Include the adopted CIS in the amendment package showing all improvements scheduled for the first five-year planning period to maintain adopted LOS standards.

- B. Response to ORC Report:** 1) The temporary CRALLS designations for the long range CRALLS have been removed and are now designated permanent CRALLS. 2) The County is in the process of adopting a new Five Year Road. This Road Program includes funding for improvements to maintain the adopted level of service (LOS) through year 2009 (fiscal year 2008) for links that are not designated as CRALLS. Exhibit 2 of this report contains a draft of this Five Year Road Program. 3) Improvements required beyond year 2009 are included in the Development Order for the Palm Beach County Scientific Community Overlay (Mecca) project. A draft of the Development Order conditions is provided in Exhibit 2.
- C. Revisions Not Previously Reviewed:** Revisions not previously reviewed are shown in double underline and ~~underline strike through~~ format. These revisions include modifications to CRALLS volumes based on changes in traffic projection methodologies as directed by the Florida Department of Transportation and the Treasure Coast Regional Planning Council, and are reflected in updated Tables in Exhibit 2. Additionally, peak hour standards have been added to all CRALLS links as necessary to provide consistency with the County's Traffic Performance Standards. An additional CRALLS link of Northlake Boulevard as a four (4) lane section has been added that will expire upon completion of construction of the extension of PGA Boulevard west of the Beeline Highway.

- D. **BCC Adoption Action:** Motion by Commissioner Koons, seconded by Commissioner McCarty, to **adopt an ordinance** passed in a 6-1 (with Commissioner Masilotti dissenting) vote at the October 13, 2004 Public Hearing. Board discussion focused on the number of CRALLS designations created by this amendment, and, generally, the County's reasoning for extending traffic exceptions. George Webb noted that out of 37 links being designated as CRALLS, 25 links are projected to be over capacity even without the Scripps project . Several representatives from concerned environmental groups, including Audubon Society, Sierra Club, and 1,000 Friends of Florida spoke in opposition to this proposed amendment. Several residents of Loxahatchee Groves, the Acreage, and Jupiter Farms also spoke in opposition to this amendment. One representative of adjacent Vavrus property spoke in favor of the amendment.

T:\Planning\AMEND\04-ERP\reports\final\CRALLS Report 8.5M 10-7-04.doc

I. SUMMARY REPORT

A. BACKGROUND

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

Desirous of creating a similar knowledge-based economy in Florida through the creation of a unique international biomedical research institute with the economic multiplier created in such a research cluster, Governor Jeb Bush approached TSRI. After visiting and reviewing several locations throughout the State, TSRI chose Palm Beach County for its new East Coast location. Within Palm Beach County, several sites were assessed to accommodate not only the new Scripps Florida facility, but to also allow sufficient area for the expected new biotech research centers and related businesses and residential needs that are expected to follow TSRI to this location. Adequate land area was also needed for the support facilities including commercial services, educational facilities, civic uses, and residential development to accommodate the workforce. The Mecca and Vavrus North sites meet these needs.

As part of the development of Mecca site the CRALLS designations are requested. The request for the CRALLS designations will allow the character of the area to be maintained. Some of the designations will expire at a certain time and will provide a timing mechanism so that the evolving traffic patterns in the area can be examined and roadway improvements can be delayed to future phases if they are still determined to be required. Monitoring of the area roadways and roadway improvements will be conditions of the developments for Mecca project.

B. THE PROPOSED AMENDMENT

1. Amendment Intent and Summary

The intent of the proposed amendment is to designate the listed segments as CRALLS facilities.

The proposed amendment would revise the Transportation Element (TE) by adding to Transportation Policy 1.2-f, designating as CRALLS facilities:

- ◆ Indiantown Road, between Pratt-Whitney Road and Jupiter Farms Road
- ◆ Indiantown Road, between Jupiter Farms Road and Island Way
- ◆ PGA Boulevard, between Seminole Pratt-Whitney Road and Turnpike
- ◆ PGA Boulevard, between Turnpike and Campus Drive
- ◆ Northlake Boulevard, between Hall Boulevard and Coconut Boulevard
- ◆ Northlake Boulevard, Between Coconut Boulevard and SR 7
- ◆ Northlake Boulevard, between SR 7 and Beeline Highway
- ◆ Northlake Boulevard, between Turnpike and Congress Avenue
- ◆ Orange Boulevard, between Seminole Pratt-Whitney Road and Royal Palm Beach Boulevard

- ◆ Okeechobee Boulevard between Seminole Pratt-Whitney Road to 140th Avenue
- ◆ Seminole Pratt-Whitney Road, between Martin County Line and PGA Boulevard
- ◆ Seminole Pratt-Whitney Road, between PGA Boulevard and Orange Boulevard -60th Street
- ◆ Coconut Boulevard, between Northlake Boulevard and Orange Boulevard
- ◆ Royal Palm Beach Blvd, between Orange Boulevard and Persimmon Boulevard
- ◆ Royal Palm Beach Blvd, between Persimmon Boulevard and 40th Street
- ◆ Intersection of Indiantown Road and Turnpike
- ◆ ~~Intersection of PGA Boulevard and Seminole Pratt-Whitney Road~~
- ◆ Intersection of PGA Boulevard and Turnpike
- ◆ Intersection of PGA Boulevard and Central Boulevard
- ◆ Intersection of PGA Boulevard and Military Trail
- ◆ Intersection of Northlake Boulevard and Beeline Highway
- ◆ ~~Intersection of Northlake Boulevard and Military Trail~~
- ◆ Intersection of Okeechobee Boulevard and Royal Palm Beach Boulevard

2. Unified Land Development Code Implications

This proposed amendment will not result in a subsequent amendment to the County's land development regulations in the Unified Land Development Code (ULDC).

C. ISSUE AND DATA/ANALYSIS SUMMARY

Complete data and analysis for the proposed changes are provided in the attached tables of Exhibit 2. Existing Volumes and volume to capacity ratios are provided. Future AM and PM peak hour directional link volumes with the traffic associated with Mecca project is shown on the tables for Years 2015, 2020, 2025-and 2030. Intersection critical volumes for Years 2020, 2025 and 2030 are also provided.

D. PUBLIC AND MUNICIPAL REVIEW

1. **Intergovernmental Plan Amendment Review Committee (IPARC):** Notification of this amendment will be sent to the Palm Beach County Intergovernmental Plan Amendment Review Committee (IPARC) for review. The IPARC, of which Palm Beach County is a participating member, functions as a clearing-house for plan amendments.

E. ASSESSMENT AND CONCLUSIONS

The request for the CRALLS designations will allow the character of the area to be maintained. Some of the designations are temporary and will provide a timing mechanism so that the evolving traffic patterns in the area can be examined and roadway improvements can be delayed to future phases if they are still determined to be required. Monitoring of the area roadways and roadway improvements will be conditions of the developments for Mecca project.

F. ALTERNATIVE ACTIONS

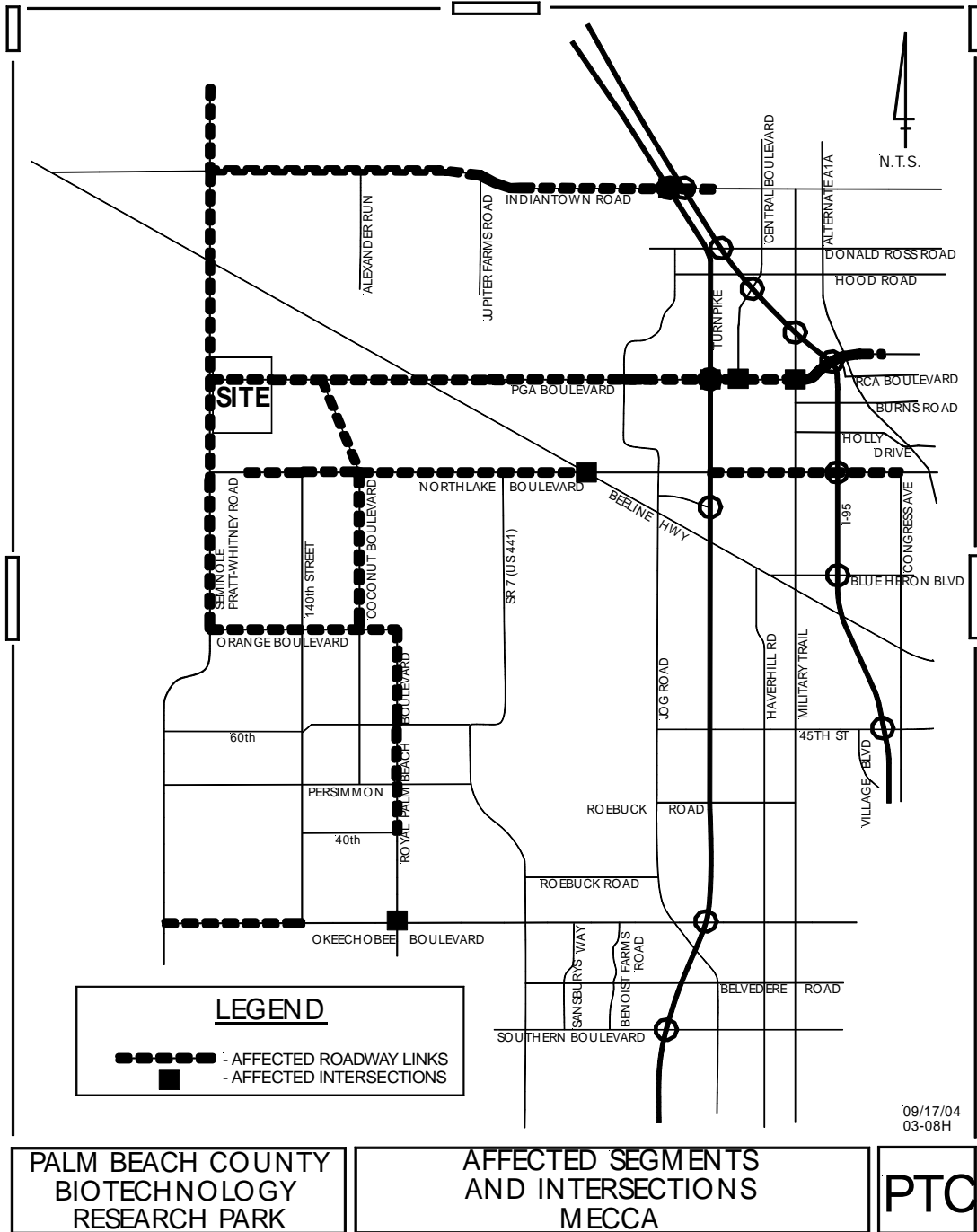
The following courses of action are available to the Board:

1. Recommendation of ***approval***;
2. Recommendation of ***approval with modifications***; or
3. Recommendation of ***denial***.

T:\Planning\AMEND\04-ERP\reports\final\CRALLS Report 8.5M 10-7-04.doc

MAP OF PROPOSED CRALLS SEGMENTS

A. CRALLS designation for the following roadway segments and intersections for Mecca:



II. EXHIBITS

1.	Proposed Text Changes	10
2.	Support Data and Analysis	16
3.	Letters in Support/Opposition.....	21

EXHIBIT 1

A. Transportation Element, Constrained Roadway at Lower Level of Service (CRALLS) for the Mecca project.

REVISIONS: To add language in Policy 1.2-f designating segments as CRALLS facilities. The added text is shown in underlined. Revisions not previously reviewed are shown in double underline and ~~underline strike through~~ format.

REVISED Policy 1.2-f: The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. (*Unchanged text omitted for brevity*)

31) The following roadway segments are hereby designated as a CRALLS facility for the Palm Beach County Scientific Community Overlay (Mecca) project:

- a) *Indiantown Road from Pratt-Whitney Road to Alexander Run Road as 2 lanes
Peak hour standard 1,670 vehicles per hour
Peak hour directional standard: 1,276 vehicles per hour
- b) *Indiantown Road from Alexander Run Road to Jupiter Farms Road as 4 lanes
Peak hour standard 3,634 vehicles per hour
Peak hour directional standard: 2,286 vehicles per hour
- c) Indiantown Road from Jupiter Farms Road to Turnpike as 6 lanes
Peak hour standard 4,781 vehicles per hour
Peak hour directional standard: ~~3,273~~ 3,264 vehicles per hour
- d) Indiantown Road from Turnpike to I-95 as 6 lanes
Peak hour standard 6,448 vehicles per hour
Peak hour directional standard: ~~4,132~~ 4,126 vehicles per hour
- e) Indiantown Road from I-95 to Island Way as 6 lanes
Peak hour standard ~~7,174~~ 7,164 vehicles per hour
Peak hour directional standard: ~~3,775~~ 3,770 vehicles per hour
- f) PGA Boulevard from Seminole Pratt-Whitney Rd through Site as 6 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: ~~3,709~~ 3,389 vehicles per hour
- g) *PGA Boulevard from Site to Beeline Highway as 4 lanes
Peak hour standard 3,399 vehicles per hour
Peak hour directional standard: ~~2,114~~ 2,348 vehicles per hour
- h) *PGA Boulevard from Beeline Highway to Ryder Cup Boulevard as 4 lanes
Peak hour standard 3,261 vehicles per hour

- Peak hour directional standard: 2,037 2,189 vehicles per hour
- i) PGA Boulevard from Ryder Cup Boulevard to Turnpike as 6 lanes
Peak hour standard 5,339 vehicles per hour
Peak hour directional standard: 2,906 2,888 vehicles per hour
- j) PGA Boulevard from Turnpike to Central Boulevard as 6 lanes
Peak hour standard 6,925 6,855 vehicles per hour
Peak hour directional standard: 3,443 3,814 vehicles per hour
- k) PGA Boulevard from Central Boulevard to Military Trail as 6 lanes
Peak hour standard 6,200 6,156 vehicles per hour
Peak hour directional standard: 3,125 3,489 vehicles per hour
- l) PGA Boulevard from Military Trail to I-95 as 6 lanes
Peak hour standard 6,082 6,042 vehicles per hour
Peak hour directional standard: 3,448 3,630 vehicles per hour
- m) PGA Boulevard from I-95 to Alternate A1A as 6 lanes
Peak hour standard 7,404 7,367 vehicles per hour
Peak hour directional standard: 4,360 4,356 vehicles per hour
- n) PGA Boulevard from Alternate A1A to Campus Drive as 6 lanes
Peak hour standard 6,589 6,552 vehicles per hour
Peak hour directional standard: 3,889 3,885 vehicles per hour
- o) Northlake Boulevard from Hall Boulevard to 140th Avenue as 4 lanes
Peak hour standard: 3,194 vehicles per hour No CRALLS Required
Peak hour directional standard: 2,155 1,956 vehicles per hour
- p) *Northlake Boulevard from 140th Avenue to Coconut Boulevard as 4 lanes
Peak hour standard 3,430 vehicles per hour
Peak hour directional standard: 2,614 2,492 vehicles per hour
- q) * Northlake Boulevard from Coconut Boulevard to SR 7 as 4 lanes
Peak hour standard 4,029 vehicles per hour
Peak hour directional standard: 3,160 vehicles per hour
- r) * Northlake Boulevard from SR 7 to Beeline Highway as 4 lanes
Peak hour standard 4,925 vehicles per hour
Peak hour directional standard: 3,822 vehicles per hour
- s) Northlake Boulevard from Coconut Boulevard to SR 7 as 6 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 3,533 3,006 vehicles per hour
- t) Northlake Boulevard from SR 7 to Beeline Highway as 6 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 3,990 3,675 vehicles per hour

- u) Northlake Boulevard from Turnpike to Military Trail as 6 lanes
Peak hour standard: ~~4,895~~ 4,841 vehicles per hour
Peak hour directional standard: ~~3,527~~ 3,011 vehicles per hour
- v) Northlake Boulevard from Military Trail to I-95 as 6 lanes
Peak hour standard ~~5,704~~ 5,671 vehicles per hour
Peak hour directional standard: ~~3,470~~ 3,289 vehicles per hour
- w) Northlake Boulevard from I-95 to Congress Avenue as 6 lanes
Peak hour standard: ~~5,646~~ 5,639 vehicles per hour
Peak hour directional standard: ~~3,128~~ 3,123 vehicles per hour
- x) Orange Boulevard from Seminole Pratt-Whitney Road to 140th Avenue as 2 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: ~~887~~ 883 vehicles per hour
- y) Orange Boulevard from 140th Avenue to Coconut Boulevard as 2 lanes
Peak hour standard: ~~1,675~~ 1,642 vehicles per hour
Peak hour directional standard: ~~1,022~~ 1,017 vehicles per hour
- z) Orange Boulevard from Coconut Boulevard to Royal Palm Beach Blvd as 2 lanes
Peak hour standard ~~1,733~~ 1,700 vehicles per hour
Peak hour directional standard: ~~1,093~~ 1,067 vehicles per hour
- aa) Okeechobee Blvd from Seminole Pratt-Whitney Road to 140th Avenue as 2 lanes
Peak hour standard: ~~1,792~~ 1,758 vehicles per hour
Peak hour directional standard: ~~1,054~~ 1,049 vehicles per hour
- bb) Seminole Pratt-Whitney Rd from Martin County Line to Indiantown Road as 2 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: ~~1,124~~ 1,031 vehicles per hour
- cc) *Seminole Pratt-Whitney Rd from Indiantown Road to Beeline Highway as 4 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: ~~2,049~~ 2,135 vehicles per hour
- dd) *Seminole Pratt-Whitney Rd from Beeline Highway to PGA Boulevard as 2 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 935 vehicles per hour
- ee) Seminole Pratt-Whitney Rd from Beeline Highway to PGA Boulevard as 4 lanes
Peak hour directional standard: ~~2,124~~ vehicles per hour
- ff) Seminole Pratt-Whitney Rd from PGA Boulevard to Northlake Blvd as 6 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: ~~3,322~~ 3,084 vehicles per hour

- gg) *Seminole Pratt-Whitney Rd from Northlake Blvd to Orange Boulevard as 4 lanes
Peak hour standard 3,480 vehicles per hour
Peak hour directional standard: 2,181 vehicles per hour
- hh) Seminole Pratt-Whitney Rd from Northlake Blvd to Orange Blvd as 6 lanes
Peak hour directional standard: 3,070 vehicles per hour
- ii) Seminole Pratt-Whitney Rd from Orange Blvd to 60th Street as 4 lanes
Peak hour directional standard: 1,870 vehicles per hour
- jj) *Coconut Boulevard from PGA Boulevard to Northlake Boulevard as 2 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 1,075 920 vehicles per hour
- kk) Coconut Boulevard from Northlake Boulevard to Orange Boulevard as 2 lanes
Peak hour standard 1,633 vehicles per hour
Peak hour directional standard: 1,446 vehicles per hour
- ll) *Royal Palm Beach Blvd from Orange Boulevard to 60th Street as 2 lanes
Peak hour standard 2,196 vehicles per hour
Peak hour directional standard: 1,174 1,152 vehicles per hour
- mm) Royal Palm Beach Blvd from 60th Street to Persimmon Boulevard as 2 lanes
Peak hour standard 2,417 vehicles per hour
Peak hour directional standard: 1,544 vehicles per hour
- nn) Royal Palm Beach Blvd from Persimmon Boulevard to 40th Street as 4 lanes
Peak hour standard 3,229 vehicles per hour
Peak hour directional standard: 2,263 2,259 vehicles per hour

* The CRALLS designation shall no longer be in effect after 2015 for segments bb), hh) and jj and after 2020 for segments p), and ee) and after 2025 for segments a), b), g), h) and aa) above.

* The CRALLS designation shall no longer be in effect after completion of construction for the extension of PGA Boulevard from Seminole Pratt-Whitney Road to the Beeline Highway for segments q) and r) above.

The following intersections are hereby designated as a CRALLS intersections for the Mecca project:

- a) Intersection of Indiantown Road and Turnpike
Critical Sum: 1,850 vehicles per hour
Intersection Delay: 100.4 seconds per vehicle
- b) Intersection of PGA Boulevard and Turnpike
Critical Sum: 2,095 1,784 vehicles per hour
Intersection Delay: 178.9 seconds per vehicle
- c) Intersection of PGA Boulevard and Central Boulevard

Critical Sum: 1,937 vehicles per hour
Intersection Delay: 192.9 seconds per vehicle

d) Intersection of PGA Boulevard and Military Trail

Critical Sum: 1,864 vehicles per hour
Intersection Delay: 160.8 seconds per vehicle

e) Intersection of Northlake Boulevard and Beeline Highway

Critical Sum: 4,534 1,789 vehicles per hour
Intersection Delay: 187.8 seconds per vehicle

f) Intersection of Northlake Boulevard and Military Trail

Critical Sum: 1,592 vehicles per hour

g) Intersection of Okeechobee Boulevard and Royal Palm Beach Boulevard

Critical Sum: 1,591 vehicles per hour
Intersection Delay: 143.3 seconds per vehicle

CRALLS Mitigation Measures to be implemented and to be included in the concurrency approval and Development Order (D.O.) conditions for the Mecca project, in conjunction with this CRALLS include the following:

- 1) Connectivity Measures – Extensions of; a) Seminole Pratt-Whitney Road from Northlake Blvd to Beeline Highway, b) PGA Boulevard from Seminole Pratt-Whitney Road to Beeline Highway, and c) SR 7 from Okeechobee Blvd to Northlake Blvd.
- 2) Connectivity Measures – Expansions (widening) of Major Thoroughfare roads including; a) Indiantown Road, b) PGA Boulevard, c) Northlake Boulevard, Okeechobee Boulevard, d) Beeline Highway, and e) Seminole Pratt-Whitney Road.
- 3) Connectivity Measure – Provide frontage road along PGA Boulevard.
- 4) Land Use / Site Planning Measure – Provide mixed/multiple land uses based upon the Master Development Plan dated May 2004 of the DRI/ADA process.
- 5) Land Use / Site Planning Measure – Concurrent with obtaining each certificate of occupancy for a non-residential building, implement parking strategies that provide preferred parking for alternative vehicles and car pool vehicles.
- 6) Land Use / Site Planning Measure – Provide/construct non-vehicular corridors throughout the development as each phase (based upon the DRI/ADA dated May 2004) is developed.
- 7) Land Use / Site Planning Measure – Allow home occupation, accessory uses, and work/live units.
- 8) Land Use / Site Planning Measure – Apply access management techniques along all roadways.
- 9) Land Use / Site Planning Measure – Affordable housing;

- a. Each phase of the Mecca shall contain a minimum of three housing types. For each phase of the Mecca, at least 10% of the residential units to be constructed must be attainable for very low and low income households, and another 10% of these residential units to be constructed must be attainable for moderate income households. Units meeting this requirement shall include both renter occupied units and owner occupied units. The renter occupied units must continue to be attainable for a period of at least 20 years, and the owner occupied units must continue to be attainable for a period of at least 10 years. Attainability shall be assured through deed restrictions on these properties.
 - b. Of the residential units specified immediately above that must be attainable for very low and low income households, a maximum of 40% of these units must be renter occupied units, and the remaining units must be owner occupied units, and of the residential units specified immediately above that must be attainable for moderate income households, a maximum of 30% of these units must be renter occupied units, and the remaining units must be owner occupied units.
- 10) Transit Measure – Coordinate with Palm Tran to provide a bus route(s) to/from the site by 2015 or at the end of Phase 2 of the DRI/ADA, whichever comes first.
 - 11) Transit Measure – Provide onsite bus stop facilities (intermodal facility), within one year of provision of a bus service, capable of handling two or more buses at a time with a covered waiting area of sufficient size to accommodate at least 2% of the employees.
 - 12) Transit Measure – Provide an annual financial incentive in the form of a subsidy of at least 50% of the annual ticket cost to at least 15% of the persons employed at the project site for riding Tri-Rail and/or Palm Tran.
 - 13) Transit Measure – Provide annually a proportionate share of the local transit service (trolley/shuttle) in conjunction with the Gardens Scientific and Technology Community (Vavrus North) project.
 - 14) Transportation Demand Management (TDM) Measure – Provide an on-going ride-sharing information service to persons employed at the project site.
 - 15) Transportation Demand Management (TDM) Measure – Proportionately and annually fund an Employee Transportation Coordinator position that will coordinate the individual businesses in both Mecca and Vavrus North projects.
 - 16) Transportation Demand Management (TDM) Measure – Require businesses of 500 employees or more to have a Transportation Coordinator position.
 - 17) Transportation Demand Management (TDM) Measure – Require businesses of 500 employees or more to accommodate alternate work hours and telecommuting.
 - 18) The project will provide an additional contribution above the established road impact fee to help cover some of the funding shortfall for the various transportation related

improvements, at 0.5 times the applicable impact fee to be used towards off-site roadway improvements.

Beginning March 1, 2010, the Mecca project shall submit an annual report to the County's Planning Director to demonstrate compliance with the mitigation measures required from Mecca by this policy. In the event that any of the mitigation measures above are not fulfilled the annual report will be submitted to the Board of County Commissioners (BCC) for consideration. The BCC may then amend or rescind any or all provisions of this policy.

Conditions may be required in order to meet the concurrency requirements of Palm Beach County. These shall be determined at the time of issuing the concurrency reservation. In addition, these CRALLS mitigation measures shall be detailed and included in the concurrency reservation and the Mecca D.O.

EXHIBIT 2

ULDC REVIEW CRITERIA AND ANALYSIS

Article 12 of the Palm Beach County Land Development Code specifies eleven Determination Criteria that shall be addressed when considering a change to the adopted level of service standards on any roadway.

Criteria:

- A. Cause of the constraint; e.g., Whether the laneage or geometrics are insufficient to accommodate projected traffic as a result of concerns relating to physical limitations, fiscal limitations, environmental areas, aesthetics, historically significant development, or the character-of-area, or neighborhood, and the impact of adding lanes or changing the geometrics on such concerns.**

The various CRALLS designations incorporate physical limitations, fiscal limitations, environmental areas and community character of the area issues.

- B. When more than one cause is identified, the extent to which each contributes to the constraint shall be considered.**

Staff Analysis/Comment: Maintaining the community character of the area is the primary cause of many of the area constraints for the 2 lane and 4 lane facilities. A physical limitation for many of the 6 lane facilities is the primary cause.

- C. Existence of or proposed “reliever” facilities and the proximity and continuity of such, and the extent to which they presently, or are projected to, relieve the Constrained Link.**

Staff Analysis/Comment: The PGA Boulevard, Coconut Boulevard and SR 7 extensions act as reliever facilities for many of the CRALLS designated facilities.

- D. The existing and projected volume-to-capacity ratios given the adopted Future Land Use Elements of Local Governments’ Comprehensive Plans.**

Staff Analysis/Comment: The attached tables with Exhibit 2 provide the existing and projected volume to capacity ratios.

- E. The extent of vested Development Orders, and non-vested land use, zoning designations, or Development Orders.**

Staff Analysis/Comment: Background traffic projections follow the methodologies as presented in the DRI/ADA’s transportation response for the Mecca property. Committed developments to be included in the background projections were agreed upon by the review agencies.

F. The impact on the ability of Local Governments to allow development consistent with their comprehensive plans, and the inter-jurisdictional compatibility of the various Local Governments' comprehensive plans as related to the Constrained Facility.

Staff Analysis/Comment: If these CRALLS designations are adopted, Mecca will be developed in a manner that will provide the impetus to complete many roadway projects that are consistent with local government comprehensive plans as being amended concurrent with this proposed amendment.

G. The practicality of adjusting land uses, zoning districts, and uses therein.

Staff Analysis/Comment: No properties have been identified where it would be practical to adjust land uses.

H. The ability of the overall major thoroughfare system in the area affected to function at the Generally Adopted Level of Service.

Staff Analysis/Comment: The attached tables with Exhibit 2 show the existing and projected traffic volumes on area roadways.

I. The length of the Constrained Link(s):

Staff Analysis/Comment: See below:

Indiantown Road, between Pratt-Whitney Road and Jupiter Farms Road - 6.1 Miles

Indiantown Road, between Jupiter Farms Road and I-95 - 2.7 Miles

Indiantown Road between I-95 and Island Way – 0.6 Miles

PGA Boulevard, between Seminole Pratt-Whitney Road and Turnpike – 10.3 Miles

PGA Boulevard, between Turnpike and Campus Drive – 3.1 Miles

Northlake Boulevard between Hall Boulevard to 140thAvenue – 1.0 Miles

Northlake Boulevard, between 140thAvenue and Coconut Boulevard – 1.4 Miles

Northlake Boulevard, Between Coconut Boulevard and SR 7 – 2.0 Miles

Northlake Boulevard, between SR 7 and Beeline Highway – 2.8 Miles

Northlake Boulevard, between Turnpike and I-95 – 2.0 Miles

Northlake Boulevard between I-95 and Congress Avenue – 1.0 Miles

Orange Blvd between Seminole Pratt-Whitney Rd and Coconut Blvd – 3.5 Miles

Orange Boulevard, between Coconut Blvd and Royal Palm Beach Blvd – 0.8 Miles

Okeechobee Blvd between Seminole Pratt-Whitney Rd and 140thAvenue – 2.6 Miles

Seminole Pratt-Whitney Rd, between Martin County Line and PGA Blvd – 8.0 Miles

Seminole Pratt-Whitney Rd, between PGA Blvd and Orange Blvd – 4.4 Miles

~~Seminole Pratt-Whitney Road between Orange Blvd and 60th St – 1.6 Miles~~

Coconut Boulevard, between Northlake Blvd and Orange Blvd – 2.3 Miles

Royal Palm Beach Blvd, between Orange Blvd and Persimmon Blvd – 2.1 Miles

Royal Palm Beach Blvd between Persimmon Blvd and 40th Street – 1.0 Miles

- J. The option of modifying the Plan, (including the Thoroughfare Right-of-way Identification Map), or other regulations to add lanes, improve geometrics, or reliever facilities.**

Staff Analysis/Comment: Modification of the Plan, including the Thoroughfare Right-of-Way Identification Map, to add segments and lanes is apart of the overall development plan for Mecca project and is being processed concurrently.

- K. Whether modifications can be made that would add capacity, and how much capacity would be added.**

Staff Analysis/Comment: The attached tables with Exhibit 2 show the existing and projected traffic volumes on area roadways and intersections. Link improvements and the additional capacity added are also shown on the attached tables.

Additional Considerations (Policy TE 1.2-q)

- 1. Identify specific mitigation measures.**

Staff Analysis/Comment: Specific roadway link improvements will be required as part of the Mecca project. The Design Guidelines developed as part of the Mecca project incorporate many of the mitigation strategies.

- 2. Evaluate measures to encourage the use of alternatives to the Florida Intrastate Highway System.**

Staff Analysis/Comment: The proposed extensions of PGA Boulevard and Seminole Pratt-Whitney Road will encourage the use of alternatives to the Beeline Highway that is a part of the FIHS.

- 3. Determine timing and responsibility of the implementation of mitigation measures**

Staff Analysis/Comment: The timing of the mitigation strategies will be established as part of the development orders for the Mecca development. Through the DRI/ADA review process and completion of development orders for Mecca project, the timing and responsibility of the mitigation measures will be established.

- 4. Identify methodology to relate the anticipated impacts of the development to the mitigation measures**

Staff Analysis/Comment: The increase in laneage on Indiantown Road, PGA Boulevard, Northlake Boulevard, Okeechobee Boulevard, and Seminole Pratt-Whitney Road will increase capacity and reduce the v/c ratio. Through the DRI/ADA review process and completion of development orders for Mecca project, the timing and responsibility of the mitigation measures will be established.

- 5. Demonstrate coordination with appropriate agencies**

Staff Analysis/Comment: A pre-application conference was held on May 17, 2004 for this CRALLS. Invitations for this pre-application conference were sent to Palm Beach

County MPO, Florida Department of Transportation (FDOT), Treasure Coast Regional Planning Council, Palm Tran, and area municipalities.

EXHIBIT 3

LETTERS IN SUPPORT/OPPOSITION



June 26, 2004

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

RE: Plan Amendment Comment for 2004-ERP Package, **Item 3.C.1—Palm Beach County Scientific Community Overlay (Mecca) and Gardens Scientific and Technology Community (Vavrus North) CRALLS**

Dear Commissioner Marcus:

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

1000 Friends of Florida maintains that the proposed transportation amendments, which define Constrained Roadway at Lower level of Service (CRALLS) facilities violate section 163.3180, F.S., and Chapter 9J-5, F.A.C. Chapter 163 defines very limited circumstances where transportation concurrency exemptions are allowed:

■ A transportation concurrency exception area under 163.3180(5) (b) and (c) for urban infill and redevelopment areas and a long-term transportation concurrency management system under 163.3180(9)(a), F.S.;

■ A concurrency management area may be designated in a local plan which sets an areawide level of service based on an analysis that provides for a justification for the areawide level of service, how urban infill development or redevelopment will be promoted, and how mobility will be accomplished; and

■ Projects that promote public transportation as defined in Section 163.3164(28), F.S.

Both of the above techniques are tied to urban infill. No such justification for CRALLS segments are identified in the plan. We also note that in most cases where the CRALLS designation has been used, it has been for this very purpose, i.e., to direct growth toward the east and away from sensitive areas such as the J.W. Corbett Wildlife Management Area. We also note that unlike other CRAALS designations, these do not have clearly defined temporary applications, no estimates for the numbers of trips being reduced, and no provision for ever reaching or maintaining roadway Levels of Service "D" or even "F".

BOARD OF DIRECTORS

Timothy Jackson
President

Vice President

Stephen Cutright
Treasurer

F. Gregory Barnhart
Secretary

Lester Abberger
Kathy Castor

Robert S. Davis
F. Allison DeFoor

Joel Embry
Mike Garretson

Robert W. Hopkins
Allen N. Jelks, Jr.

Alex Jernigan
Ralph B. Johnson

Curtis Kiser

Jim Nicholas
Sibille Pritchard

Victoria J. Tschinkel
C. Allen Watts
Susan Summerall Wiles

Nathaniel P. Reed
Chairman Emeritus

John M. DeGrove
President Emeritus

Charles G. Pattison, AICP
Executive Director

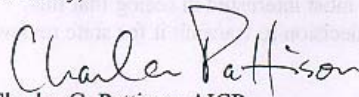
1000 FRIENDS OF FLORIDA
Post Office Box 5948
Tallahassee, Florida
32314-5948
Telephone: (850) 222-6277
Fax: (850) 222-1117

Commissioner Karen Marcus
June 26, 2004
page 2

1000 Friends appreciates the attention given to affordable housing as a mitigation measure. While we are most supportive of having on-site housing of this type, and while the 10% per phase allowance seems reasonable, no supporting data and analysis was provided that shows that this is an appropriate figure.

As noted in a previous comment made regarding other transportation amendments, we find that the extensive use of the CRAALS policy to designate roadways that would otherwise not meet concurrency requirements is a testament to the problems associated with the Mecca site. We believe the county would best be served by looking for another site, and suggest that the amendment not be transmitted for this reason. Thanking you for your time and considerations, I am

Sincerely,



Charles G. Pattison, AICP
Executive Director

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

Approved + Filed

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

October 12, 2004

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

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

Dear Commissioner Marcus:

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

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

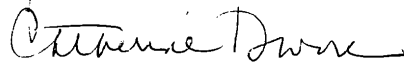
I also believe that I will be affected by the traffic congestion that will result from these amendments. Even though most of the local roadway system will need to be expanded to accommodate the trips generated by the Biotechnology Park, these roads will still be operating over capacity with a CRALLS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

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

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

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Catherine Dwore".

Catherine Dwore

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

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

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

Dear Commissioner Marcus:

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

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

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

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

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

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

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

I . d

0096-977-196

10/4/04

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

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

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

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

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

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

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

Sincerely,

Pamela Bates

October 4, 2004

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

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

Dear Commissioner Marcus:

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

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

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

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

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

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

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

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

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

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

Sincerely,



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



**FOWLER WHITE
BOGGS BANKER**

ATTORNEYS AT LAW

ESTABLISHED 1943

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

September 28, 2004

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

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

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

Dear Mr. Aghemo:

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

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

FOWLER WHITE BOGGS BANKER P.A.

BONITA SPRINGS • FORT MYERS • NAPLES • ORLANDO • ST PETERSBURG • TALLAHASSEE • TAMPA • WEST PALM BEACH
101 N. MONROE STREET, SUITE 1090 • TALLAHASSEE, FL 32301 • P.O. BOX 11240 • TALLAHASSEE, FL 32302
TELEPHONE (850) 681-0411 • FAX (850) 681-6036 • www.fowlerwhite.com

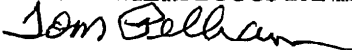
Lorenzo Aghemo
Planning Director
September 28, 2004
Page 2

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

Thank you for your attention to this request.

Sincerely yours,

FOWLER WHITE BOGGS BANKER P.A.



Thomas G. Pelham

TGP/dg/9040139

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

#1652160v1

FOWLER WHITE BOGGS BANKER P.A.

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



September 30, 2004

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

BOARD OF DIRECTORS

Timothy Jackson
President

Lester Abberger
Vice President

F. Gregory Barnhart
Secretary

Stephen Cutright
Treasurer

Kathy Castor

Robert S. Davis

J. Allison DeFoor

Joel Embry

Mike Carretson

Robert W. Hopkins

Allen N. Jelks, Jr.

Alex M. Jernigan

Ralph B. Johnson

Curtis Kiser

James C. Nicholas

Sibille Harc Fritchard

Victoria J. Tschinkel

C. Allen Watts

Susan Summerall Wiles

Nathaniel P. Reed

Chairman Emeritus

John M. DeGrove

President Emeritus

Charles C. Pattison, AICP
Executive Director

RE: Plan Amendment Comment for 2004-ERP Package, Item 2.A.5—Palm Beach County Scientific Community Overlay (Mecca) CRALLS

Dear Commissioner Marcus:

1000 Friends of Florida asks that these comments be made part of our record for the October 5, 2004, commission meeting which will consider this and other Scripps Project comprehensive plan amendments. As a statewide non-profit, 501(c)(3) growth management organization, with a large percentage of our membership in Palm Beach County, we are most interested in seeing that this project complies with all state and local planning requirements. We have reviewed the amendment, the staff report, and the DCA ORC report, and continue to believe that this amendment remains inconsistent with these requirements.

1000 Friends of Florida maintains that the proposed transportation amendments, which define Constrained Roadway at Lower level of Service (CRALLS) facilities, violate section 163.3180, F.S., and Chapter 9J-5, F.A.C. Chapter 163, F.S., which defines very limited circumstances where transportation concurrency exemptions are allowed:

- (1) A transportation concurrency exception area under 163.3180(5) (b) and (c) for urban infill and redevelopment areas and a long-term transportation concurrency management system under 163.3180(9)(a), F.S.;
- (2) A concurrency management area may be designated in a local plan which sets an areawide level of service based on an analysis that provides for a justification for the areawide level of service, how urban infill development or redevelopment will be promoted, and how mobility will be accomplished; and
- (3) Projects that promote public transportation as defined in Section 163.3164(28), F.S.

The above techniques are tied to urban infill. No such justification for CRALLS segments are identified in the plan. We also note that in most cases where the CRALLS designation has been used, it has been for this very purpose, i.e., to direct growth toward the east and away from sensitive areas such as the J.W. Corbett Wildlife Management Area. We also note that unlike other CRAALS designations, these do not have estimates for the numbers of trips being reduced, or provisions for ever reaching or maintaining roadway Levels of Service "D" or even "F".

1000 FRIENDS OF FLORIDA
 Post Office Box 5948
 Tallahassee, Florida
 32314-5948
 Telephone: (850) 222-6277
 Fax: (850) 222-1117
 www.1000friendsofflorida.org

Commissioner Karen Marcus
September 30, 2004
page 2

1000 Friends appreciates the attention given to affordable housing as a mitigation measure. While we are most supportive of having on-site housing of this type, no supporting data and analysis was provided that shows that the 10% per phase is an appropriate figure.

As noted in a previous comment made regarding other transportation amendments, we find that the extensive use of the CRAALS policy to designate roadways that would otherwise not meet concurrency requirements is a testament to the problems associated with the Mecca site. And as we have stated in other comment letters, we do not believe the type of infrastructure proposed to service the Mecca Farms site, especially roadway improvements, are in keeping with the Rural Tier provisions of the comprehensive plan. We believe the county would best be served by looking for another site, and suggest that the amendment not be adopted for this reason. Thank you for considering these comments.

Sincerely,



Charles G. Pattison, AICP
Executive Director

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