COMMUNICATION PACKAGE
June 2008
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TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members
From: Staff
Date: June 20, 2008 Council Meeting
Subject: Plan Amendment Status Report

Plan Amendments Received/Reviewed

Since the last regular Council meeting on May 16, 2008, Council has received 19 Future Land Use Map Amendments and 252 text amendments to review, as well as two new Public School Facility Elements and Evaluation and Appraisal Report related amendments from the City of Boynton Beach. These latter amendments generally include revisions to all elements of the comprehensive plan. The amendments are from eleven different local government.

DCA Findings on Compliance

Since the last Status Report, Council has received the following Notices of Intent from the Florida Department of Community Affairs regarding compliance for local governments in the region.

<table>
<thead>
<tr>
<th>Local Government</th>
<th>DCA Reference No.</th>
<th>Notice Date</th>
<th>Finding</th>
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<td>Indian River County</td>
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Adopted Amendments

Informational reports on the following adopted amendments can be found on the Council website (www.tcrpc.org) under the Agenda for this Council Meeting:

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<tr>
<th>Local Government</th>
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<td>Stuart</td>
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PROJECT NAME: Capron Lakes (formerly known as Indrio)

LOCATION: Located northwest of the intersection of I-95 and Indrio Road in St. Lucie County

JURISDICTION: St. Lucie County

SIZE: 1,938 acres

USES: Residential 3,100 Dwelling Units
Retail 200,000 sq. ft.
Office 200,000 sq. ft.

STATUS: Preapplication meeting held on March 30, 2005.
Application for Development for Approval submitted on November 18, 2005 and found insufficient on January 11, 2006.
Letter received on April 29, 2006 asking for an extension to August 9, 2006.
Supplemental information to the Application for Development Approval submitted on August 3, 2006 and found insufficient on September 12, 2006.
Supplemental information to the Application for Development Approval submitted on January 8, 2007 and found insufficient on February 7, 2007.
Supplemental information to the Application for Development Approval submitted on May 25, 2007.
Council’s DRI Assessment Report scheduled for consideration at the September 21, 2007 Council meeting.
PROJECT NAME:  Cloud Grove

LOCATION:  Located in unincorporated St. Lucie County, Florida, west of I-95 and north of and adjacent to the Florida Turnpike at Minute Maid Road

JURISDICTION:  St. Lucie County

SIZE:  5,944 acres

USES:  
- Residential: 12,000 Dwelling Units
- Office (sq. ft.): 1,000,000 sq. ft.
- Retail/Service (sq. ft.): 950,000 sq. ft.
- Light Industrial (sq. ft.): 1,000,000 sq. ft.

STATUS:  Preapplication meeting held on December 19, 2005. Application for Development Approval submitted on October 12, 2006 and found insufficient on November 17, 2006. Letter received on March 2, 2007 from David L. Powell, Hopping, Green & Sams requesting a 4-month extension (July 18, 2007) to provide supplemental information to the ADA. Supplemental information to the Application for Development Approval submitted on June 1, 2007 and found insufficient on July 6, 2007. Supplemental information to the Application for Development Approval submitted on December 7, 2007 and found insufficient on February 8, 2008. Letter dated June 5, 2008 from David L. Powell, Hopping, Green & Sams withdrawing the Application for Development Approval.
PROJECT NAME: Indian Trails Grove

LOCATION: Located west of Seminole Pratt Whitney Road, and south of Northlake Boulevard

JURISDICTION: Unincorporated Palm Beach County

SIZE: 4,930 acres

USES: Residential 12,325 Dwelling Units
      Retail 207,500 sq. ft.
      Office 42,500 sq. ft.

STATUS: Preapplication meeting held on August 21, 2006.
Application for Development Approval submitted on February 16, 2007 and found insufficient on April 12, 2007.
Letter received from the applicant dated January 11, 2008 requesting that the application status be stayed until such a time as a Comprehensive Plan overlay for the western communities has been formally acted upon by Palm Beach County. Council agreed to a 6-month extension to the review process from February 14, 2008 in order to evaluate the County’s progress in approving the overlay.
PROJECT NAME: **Indiantown**

LOCATION: Located east of Allapattah Road (State Road 609) in Indiantown, Martin County

JURISDICTION: Martin County

SIZE: 804 acres

USES:
- Residential: 1,650 Dwelling Units
- Commercial: 10,000 sq. ft.
- Office: 20,000 sq. ft.

STATUS: Preapplication meeting held on March 21, 2005.

Application for Development Approval was submitted on September 23, 2005 and found insufficient on November 11, 2005.

Supplemental information to the Application for Development Approval submitted on March 3, 2006 and found insufficient on May 1, 2006.

Supplemental information to the Application for Development Approval submitted on July 11, 2006.

Application for Development Approval was found to have completed the required sufficiency process on August 25, 2006.

Letter received on November 3, 2006 requesting that consideration of Council's draft DRI assessment report be rescheduled to the December 15, 2006 Council meeting.

Council's DRI Assessment Report scheduled for consideration at the December 15, 2006 Council meeting.


The DO was rendered to Council and the Department of Community Affairs on April 17, 2008. The DCA determined that the DO was not rendered properly because it did not include a copy of Map H, the master development plan.
PROJECT NAME: Provences

LOCATION: Located within the unincorporated boundaries of St. Lucie County, generally to the northwest of the I-95/Midway Road Interchange.

JURISDICTION: Unincorporated St. Lucie County

SIZE: 735 acres

USES: Residential  4,443 Dwelling Units
      Retail       1,435,706 sq. ft.
      Office      1,000,000 sq. ft.

STATUS: Preapplication meeting held on January 11, 2005.
        Application for Development Approval was submitted on January 27, 2006 and found insufficient on March 2, 2006.
        Supplemental information to the Application for Development Approval submitted on June 23, 2006 and found insufficient on July 26, 2006.
        Application for Development Approval was found to have completed the required sufficiency process on September 26, 2006.
        Letter received on October 4, 2006 requesting the public hearing be delayed until the first week in April 2007.
        Assessment Report adopted by Council on March 16, 2007 and submitted to St. Lucie County on April 2, 2007
PROJECT NAME: Quillen

LOCATION: Located in the northwest quadrant of the intersection of Warfield Boulevard (SR 710) and Allapattah Road (CR 609) in Indiantown, Martin County, Florida

JURISDICTION: Martin County

SIZE: 582 acres

USES: Residential 2,250 Dwelling Units
      Retail 150,000 sq. ft.

STATUS: Preapplication meeting held on January 4, 2006.
         Application for Development Approval was submitted on April 5, 2006
         and found insufficient on May 5, 2006.
         Letter received on September 5, 2006 asking for an additional 60-
         day extension to respond to the May 5, 2006 sufficiency.
         Application for Development Approval was found to have
         completed the required sufficiency process on November 3,
         2006.
         Council's DRI Assessment Report scheduled for consideration at
         the December 15, 2006 Council meeting.
         Assessment Report adopted by Council on December 15, 2006 and
         submitted to Martin County on January 5, 2007.
PROJECT NAME: Stewart Mining Industries

LOCATION: State Road 98. The property is located in the Everglades Agricultural Area.

JURISDICTION: Palm Beach County

SIZE: 5,420 acres

USES: Storage reservoirs as part of the surface water management system for the surrounding sugar cane farms owned by U.S. Sugar Corporation

PROJECT NAME: Verde
LOCATION: Northeast corner of Clint Moore Road and State Road 7 in Boca Raton, Florida
JURISDICTION: Unincorporated Palm Beach County
SIZE: 37.39 acres
USES: The proposed development is intended to include retail, office, residential, theatre and hotel uses.
STATUS: Preapplication meeting held on July 16, 2007.
PROJECT NAME: Visions at Indrio

LOCATION: SE Corner of I-95 and Indrio Road

JURISDICTION: St. Lucie County

SIZE: 780 acres

USES:
- Residential 2605 Dwelling Units
- Retail, Service 750,000 sq. ft.
- Office 250,000 sq. ft.
- Hotel 240 Rooms
- School K-8

STATUS:
Preapplication meeting held on June 16, 2004.
Application for Development Approval was submitted on August 20, 2004 and found insufficient on October 18, 2004.
Supplemental information to the Application for Development Approval submitted on December 28, 2004 and found insufficient on January 21, 2005.
Letter received on May 19, 2005 asking for an extension to the 120 day sufficiency response period.
Letter received on November 14, 2005 asking for an extension to December 16, 2005.
Letter received on November 7, 2005 asking for an extension to May 19, 2006.
Letter received on May 3, 2006 asking for an extension to July 19, 2006.
Application for Development Approval was found to have completed the required sufficiency process on August 25, 2006.
Letter received on October 17, 2006 requesting an extension to the 90-day public hearing.
Letter received on May 30, 2007 requesting the 90-day public hearing requirement be waived until such time as the related comprehensive plan amendment issues are resolved and the developer and the County can agree to public hearing dates.
May 15, 2008

Michael J. Busha
Executive Director
Treasure Coast Regional Planning Council
301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994

Re: 5-16-08 TCRPC Agenda Items 4C (DCA#08-1) and 4D (DCA#08-PFPE1)

Dear Michael:

I am writing this letter to document and express my concerns vis-à-vis the processing of the subject comprehensive plan amendments. I am appreciative of your call this afternoon providing me a "heads up" that the amendment would likely be pulled from the consent agenda and that there will be additional comments from staff and the Board. However, the manner in which this process transpired and the provision of such short notice is completely unacceptable.

As you know, the City of Fellsmere transmitted the amendments to the TCRPC in mid April. Terry Hess, Deputy Director TCRPC, made a request for additional information on 4/30/08 and received a response from Rochelle Lawandales, City Planner, the same day. The City was advised via email on 5/6/08 by Mr. Hess that the two items would be on the Consent Agenda and did not anticipate the items being pulled for discussion, although he noted that there was not guarantee of this. Stephanie Heidt, Administrative Assistant TCRPC, followed up with an email on 5/7/08 containing the staff reports for both agenda items. Both reports noted the absence of comment from affected jurisdictions, consistency with the Strategic Regional Policy Plan (SRPP), and a recommendation to transmit the reports to the Department of Community Affairs (DCA) and that a formal review be forgone by the DCA.

Subsequent to the aforementioned events I was informed by Mr. Hess on 5/13/08 that he had been contacted by Indian River County Community Development staff alluding to some concerns regarding the Agricultural and Rural Land Use classification. Additionally, I was notified by Al Minner, City Manager for the City of Sebastian, on 5/14/08 that his Community Development Director would be appearing before the TCRPC to express some concerns related to the Ag & Rural FLUM designation. Neither the County nor the City of Sebastian ever notified us of any concerns; and, to our knowledge, no written comments have been submitted to the TCRPC by either the County or the City of Sebastian. I believe this is inconsistent with the review process and
certainly undermines the efficacy of the TRCPC, and is an affront to the notion of intergovernmental coordination. I believe the latter issue is mentioned somewhere in our respective Comprehensive Plans.

As you are aware, we had a conversation earlier today, 5/15/08, during which you indicated that not only would these items be pulled from the Consent Agenda, but that the proposed Comprehensive Plan text amendments would be found inconsistent with the SRPP after having been found consistent previously. The City of Fellsmere has been put in the position of having to defend itself before the TCRPC Board with less than 24 hours notice. We have moved from an expectation of support from the TCRPC staff and no written consideration from affected jurisdictions, to suddenly being noticed that our amendments are not consistent with the SRPP and that affected jurisdictions will appear with issues and arguments unknown incommensurate with any semblance of the appropriate process.

I would like to take a moment before closing to comment on the SRPP. It is a document that the City takes seriously, and I believe that actions the City of Fellsmere is taking are consistent with the vision expressed in the document, specifically:

- **preservation of the natural environment and countryside**
- **revitalization of existing urban areas; and,**
- **creation of new towns, cities, and villages.**

On 11/20/07, I inquired to Mr. Hess if the 1995 SRPP was still operative or if there had been an update; and if it had not been updated, when would an update commence. Mr. Hess responded that “there are soon to be discussions regarding a regional visioning process that would include all of the counties of South Florida and the Treasure Coast Regional Planning Councils”. We look forward to the commencement of this process and we will be active participants.

Prudence dictates that our respective staffs get together in the near future to discuss the positive course the City of Fellsmere is taking with respect to our proactive and joint planning efforts. It is beyond the scope of this letter to properly explicate the myriad proactive efforts we are engaged in such as the Joint Planning Agreement we are forging with the City of Palm Bay to the ambitious eco-tourism opportunities we are pursuing that will shape the North County Region. We welcome an open dialogue.

Due to the circumstances that have unfolded, I am recommending that our TCRPC Board Member, Councilwoman Susan Adams, not attend the 5/16/08 meeting. I have made prior engagements, as has my staff, based on our understanding of how our items were being presented to the Board. Under the current circumstances, I do not think it is appropriate for our Councilwoman to attend and legitimate this compromised process.
Sincerely,

Jason Nunemaker
City Manager

CC: City of Fellsmere City Council
    City Attorney
    Department of Community Affairs
    Treasure Coast Regional Planning Council
    Indian River County Board of County Commissioners
    City of Vero Beach
    City of Sebastian
Mr. Michael J. Busha, AICP
Executive Director
Treasure Coast Regional Planning Council
Suite 300
301 East Ocean Boulevard
Stuart, Florida 34994

Dear Mr. Busha:

On behalf of the United States Environmental Protection Agency (EPA), I am pleased to confirm that the Treasure Coast Regional Planning Council has been selected to receive supplemental funding in the amount of $350,000 in hazardous substances funds for additional capitalization of its Brownfields Revolving Loan Fund grant.

We are pleased to see the progress the Treasure Coast Regional Planning Council has made, and we wish you continued success. Ms. Margaret Olson, in EPA’s Region 4 Office, will be working closely with the Treasure Coast Regional Planning Council to amend its cooperative agreement to reflect this supplemental award. Ms. Olson can be reached by telephone at (404) 562-8601, should you have questions regarding this award.

We look forward to continuing our cooperative work with the Treasure Coast Regional Planning Council, and applaud your successes in promoting brownfields cleanups and community revitalization.

Sincerely,

David R. Lloyd
Director
Office of Brownfields and Land Revitalization

cc: Margaret Olson, EPA Region 4 Office
Mike Norman, EPA Region 4 Office
Michael Busha
Executive Director
Treasure Coast Regional Planning Council
301 East Ocean Boulevard
Stuart, FL 34994

Dear Mike:

As you know, I was in Colorado skiing the week of February 21st. It has been my experience that the worst part about vacation is coming home. This one was even more so because Saturday morning, when I opened the paper, I read the Governor Bush had decided not to reappoint me to the Council. When I went to the office, I found that you had called the day before to let me know before I read it the paper. I appreciate your effort.

I wanted to take a moment and tell you how much I have enjoyed being a part of the Treasure Coast Regional Planning Council. It has been a pleasure and a privilege to serve. When I first joined the Council, I really didn’t know what to expect. There are still times that I am surprised by what I hear at a meeting; however, it became an experience that fit like a comfortable shoe.

I found myself looking forward to coming to meetings, especially as I rose to leadership positions. Truly, I am flattered by the respect and support of my colleagues on the Council, especially those who have different ideologies. Many members wrote letters or contacted the Governor supporting my reappointment. I am very grateful. One of the best things about being on the Council has been the opportunity to meet and really get to know the elected officials who serve on the Council. I’ve always enjoyed the fact that before and after the meetings, no matter what has been said, the atmosphere was congenial. Without naming names, there are several members that I have grown especially close to, and these are friendships that I hope will continue to grow.

I have also achieved a high degree of respect for you personally, your work and that of your staff. Over the years, our relationship evolved from one of wary sparing partners who cautiously eyed each other while trying to figure out what the other was going to do, to one
as friends and mutual admirers. I see how you want the best for our region, the individual communities, and the people who live in them. That interest is deeply rooted, and is visible in the efforts of your staff as well. I have enjoyed getting to know the staff, and have always been impressed by how hard they work. Frankly, I think you and your staff labor in an impossible environment, as you walk the tight rope between the various actions and governments wanting the Council to support their views. Please keep up the good work.

While I am disappointed that Governor Bush declined to allow me to complete my term as Chairman and to provide St. Lucie County with the leadership position it deserves on the Council, I believe he has given the Council two fine appointees. I have known Harry Gray for about as long as I can remember since I came to this community in 1989. He is a man of good character, and is a strong supporter of property rights and the agricultural industry, which as you know are two interests that are important to me.

I also had the pleasure of serving for a few years on the St. Lucie Planning and Zoning Commission with Tom Whitley. Tom is not just a political appointee, he is someone who understands what the Council does, and has demonstrated an interest to become more involved in the important decisions made in this community. Both Tom and Harry will enrich the Council.

Again, I have enjoyed my time on the Council, and I look forward to attending the meeting on March 17 to say goodbye in person.

Very truly yours,

[Signature]

Robert N. Klein

RNK/bh
Editorial: Put regional railroad study on fast track

Skyrocketing gasoline prices fueling renewed interest in re-establishing passenger rail service

By TCPalm Staff

Wednesday, May 7, 2008

The average price of a gallon of gas isn't the only thing rising on the Treasure Coast.

So is interest in re-establishing passenger rail service.

There is a direct correlation between the two.

The average price of regular-unleaded, self-service gasoline stood at $1.54 a gallon in March 2000 — the last time local and regional officials entered into meaningful discussions with Amtrak about the possibility of creating passenger rail service in Martin, St. Lucie and Indian River counties.

Fast-forward to today. The national average for regular-unleaded, self-service gas is more than $3.50 a gallon — slightly higher in South Florida. Consumers are seriously beginning to consider alternate forms of transportation.

If the price goes to $5 a gallon — as some economists speculate — consumers will be doing more than looking for cheaper ways to commute. They'll be pleading for it.

The Treasure Coast now has an opportunity, at the very least, to restart the dialogue.

Amtrak recently launched the Florida East Coast Corridor Transit Analysis Study. The objective? To examine the feasibility of and demand for passenger rail service along Florida East Coast Railroad's 85-mile rail corridor between Miami-Dade and Palm Beach counties.

Amtrak officials have told Treasure Coast regional planners they would expand the study to include Martin, St. Lucie and Indian River counties — if either Gov. Charlie Crist or state Transportation Secretary Stephanie Kopelousos tenders the request.

The Governor's Office should request the study — especially given the fact Amtrak will pay for it. The Treasure Coast Regional Planning Council already has requested the governor's signature.
Our region may be a long way from regaining passenger rail service, which was discontinued by the FEC in the 1960s. Even if the study demonstrates both the economic viability of and public demand for the project, a myriad of issues would need to be addressed, the biggest of which is the potential cost to local taxpayers and commuters.

However, in light of the new economic realities at the gas pump, the time is right — after four decades — to pursue re-establishment of passenger rail service along the Treasure Coast.
## Upcoming Meetings

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<tr>
<th>Date</th>
<th>Event Description</th>
<th>Location</th>
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<tr>
<td>June 20 – 12:00 pm</td>
<td>Treasure Coast Regional Planning Council Energy Committee</td>
<td>Wolf High-Technology Center</td>
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<td>IRCC Chastain Campus</td>
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<td>June 21 – 27</td>
<td>Lake Worth Transit Oriented Development Charrette</td>
<td>Lake Worth Shuffleboard Building</td>
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<td>Lucerne Avenue</td>
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<td>June 25</td>
<td>State Regional Evacuation Study Work Group</td>
<td>East Central Florida Regional Planning Council</td>
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<td>June 26 – 27</td>
<td>Florida Regional Councils Association (In conjunction with Florida League of Counties Annual Conference)</td>
<td>Miami</td>
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<td>July 2</td>
<td>St. Lucie Transportation Planning Organization Board</td>
<td>Fort Pierce Commission Chambers</td>
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<td>July 8</td>
<td>St. John’s River Water Management District – Governing Board</td>
<td>Headquarters</td>
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<td>July 9</td>
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<td>10:00 a.m.</td>
<td></td>
<td>Conference Room B1-501</td>
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<td>Vero Beach</td>
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<tr>
<td>July 9</td>
<td>Regional Business Alliance</td>
<td>South Florida Regional Planning Council</td>
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<tr>
<td>2:00 p.m.</td>
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<td>Hollywood Blvd</td>
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<td>Hollywood</td>
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<tr>
<td>July 9 – 10</td>
<td>South Florida Water Management District – Governing Board</td>
<td>SFWMD Headquarters</td>
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<td>Building B-1</td>
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<td>West Palm Beach</td>
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<tr>
<td>July 17</td>
<td>Palm Beach Metropolitan Planning Organization Board</td>
<td>County Governmental Center</td>
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<tr>
<td>9:00 a.m.</td>
<td></td>
<td>Twelfth Floor Conference Room</td>
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<td>West Palm Beach</td>
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<tr>
<td>July 18 – 9:30 a.m.</td>
<td>Treasure Coast Regional Planning Council Board</td>
<td>Wolf High-Technology Center</td>
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<td>IRCC Chastain Campus</td>
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<td>Stuart</td>
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</tbody>
</table>

* Meeting dates, times and/or locations are subject to change