# COMMUNICATION PACKAGE

October 2009

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TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members
From: Staff
Date: October 16, 2009 Council Meeting
Subject: Plan Amendment Status Report

Plan Amendments Received/Reviewed

Since the last regular Treasure Coast Regional Planning Council meeting held on September 18, 2009, Council has reviewed the following amendments to local government comprehensive plans:

- 41 Future Land Use Map amendments.
- 101 text amendments.
- Evaluation and Appraisal Report (EAR) amendments from Martin County. These EAR amendments generally include revisions to all elements of the local government’s comprehensive plan.
- Water Supply Facility amendments to the Boynton Beach Comprehensive Plan.

The amendments are from 6 different local governments.

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.

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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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PROJECT NAME: Briger/Scripps Florida Phase II DRI

LOCATION: South of Donald Ross Road, north of Hood Road and east and west of Interstate 95 and east of Florida’s Turnpike in Palm Beach Gardens, Florida

JURISDICTION: Palm Beach Gardens

SIZE: 682 acres

USES:
- Biotech Research and Development 1,600,000 sq. ft.
- Biotechnological/biomedical, pharmaceutical, ancillary office space and other related uses 2,400,000 sq. ft.
- Dwelling Units 2,700
- Commercial Space 500,000 sq. ft.

STATUS:
- Preapplication meeting held on June 24, 2008.
- Expedited Permitting meeting held on October 29, 2008.
- First sufficiency review and comments due out by February 27, 2009.
- Application for Development Approval found insufficient on February 27, 2009.
- Supplemental Information to the Application for Development Approval submitted on July 1, 2009.
- Council’s DRI Assessment Report scheduled for consideration at the September 18, 2009 Council meeting.
- Assessment Report adopted by Council on September 18, 2009 and submitted to the City of Palm Beach Gardens on September 28, 2009.
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 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: Southern Grove Substantial Deviation

LOCATION: West of Interstate 95, north of the C-23 Canal and south of Tradition Parkway

JURISDICTION: City of Port St. Lucie

SIZE: 3,606 acres

USES: The project is currently approved for 7,388 residential units, 1,999,404 sq. ft. of industrial/warehouse, 2,073,238 sq. ft. of office, 2,164,61 sq. ft. of retail, 500 hotel rooms and ancillary uses, such as schools, recreation and open space and infrastructure.

The proposed modifications will increase the nonresidential land use as follows:

3,675,075 sq. ft. – Commercial Retail
2,430,728 sq. ft. – Office
2,498,602 sq. ft. – Research & Development
4,583,338 sq. ft. – Industrial
791 hotel rooms
300 hospital beds

STATUS: Preapplication meeting held on March 24, 2009. Application for Development Approval Substantial Deviation was submitted on September 21, 2009
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

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.
Michael Buscha, Executive Director
Treasure Coast Regional Planning Council
421 SW Camden Avenue
Stuart, Florida 34994

Dear Mike:

Thank you very much for allowing Greg Vaday to come up to Indian River County and discuss Brownfields. He did a fine job before the Board of County Commissioners and personally I can say that I am very happy that he has agreed to put in for the Brownfield assessment grants and do work with Indian River County to help and improve some of our impaired property.

Mr. Vaday did an even better job at the PACE meeting the night before. He was pleasant, clear and extremely positive at the meeting in Gifford. I believe that this is the start of a great partnership among the Gifford community, the TCRPC and Indian River County. I was pleased to be in the audience at the start of this project.

Please let Mr. Vaday know that I will happily do whatever I can to further the project.

Have a great week.

Sincerely,

Bob Solari
Commissioner
Indian River County

Cc: Julianne Price, Statewide PACE Coordinator
Hi, Mike,

Just a quick note to thank you profusely for TCRPC’s help with the EDA grant for the Lake Worth Park of Commerce.

We began this project five years ago after it had languished for many years. The infrastructure needs have always been overwhelming, and have been the most critical obstacle to its success, despite its prime location. Lake Worth has always operated under severe budgetary and staff constraints and we weren’t sure how to take the first steps toward making this POC viable.

We are able to do that now with this EDA grant. It will allow us to identify what infrastructure we have, what we need, and how to prioritize its improvements. This is the step we needed to take before we could do anything else.

We could not have done this without your help. It began when TCRPC ranked us as a SEDS priority. Greg Vaday was invaluable in helping us through the grant application process on a very tight timeline. We expect that this will begin the process of making the LWPOC a regionally significant job center in the foreseeable future.

Thanks again for your assistance. We are excited at the prospects for success that this new opportunity affords the City of Lake Worth and are grateful to you for facilitating it for us.

Regards,
Donna

Donna Brosemer
Special Teams LLC
PO Box 32726
Palm Beach Gardens, FL 33420
561-775-1072
NEWS SERVICE OF FLORIDA

DCA Chief: SB 360 does not pre-empt local restrictions

Florida's top growth manager on Tuesday told a Senate panel that local officials can continue to require tough local transportation infrastructure requirements despite sweeping changes state lawmakers made earlier this year to abolish such rules in urban areas in an effort to spur growth.

Tom Pelham, secretary of the Department of Community Affairs, said the new law (SB 360) provides only minimum standards that can be superceded by local government ordinances.

Moreover, in remarks to the Senate Community Affairs Committee, Pelham said the agency has determined that if cities and counties want to do away with "concurrency" restrictions that require new transportation infrastructure to match growth, cities and counties must amend their local comprehensive plans.

Committee chairman Sen. Mike Bennett, R-Bradenton, argued that lawmakers intended that the transportation concurrency requirements were abolished in more than 238 cities and some or all of seven counties.

"I thought that is what we were doing with (SB) 360 already but obviously it didn't turn out that way," said Bennett, a key sponsor of the bill.

The Legislature's plan removed state transportation concurrency requirements in the state's dense urban land areas -- tracts with an average of at least 1,000 people per square mile or in counties with populations of at least 1 million. The provision would directly affect eight of the state's largest counties and nearly 250 municipalities across the state.

The measure exempted from the development of regional impact process those dense urban areas or parcels classified as urban infill, community redevelopment or those that are part of an urban service area. It also created a two-year extension of projects that are otherwise compliant with local and state permits.

Pelham, an early critic of SB 360, continued to oppose doing away with statewide transportation requirements unless lawmakers give local governments that wish to maintain restrictions more time to implement local ordinances to take their place.

"It would be a radical action for the Legislature, frankly, to reach down into every local comprehensive plan in the state and re-write it," Pelham said.

Bennett, however, made it clear that lawmakers will again take up the issue during the 2010 Legislative session, with the intent of clarifying the law to ensure that the growth restrictions are lifted.

"I would look for your office to help me craft some legislation that would abolish the current, existing (transportation concurrency)," Bennett said.
The bill prompted controversy in both chambers. It passed the Senate on a 30-7 vote. The House passed it by a 78-37 tally.

Backers, including Gov. Charlie Crist, said the state's 25-year-old growth management law encouraged the type of sprawl it attempted to avoid. They contended that the new law would encourage growth in urban areas, promote environmentally friendly practices and free up construction projects that are waiting in the wings.

On Tuesday, Pelham said SB 360 could have the opposite effect. Instead of promoting urban growth it could grind development to a halt if local governments fear that the lack of state oversight could lead to unbridled growth.

"It would not be surprising to find local governments imposing development moratoria for a year's time to give them some time to prepares something and put it in place," Pelham said.
Plans considered for South Gifford Road landfill

By Henry A. Stephens

Originally published 05:26 p.m., October 5, 2009
Updated 05:30 p.m., October 5, 2009

Gifford — Where chemical drums were once dumped and huge mounds of dirt now tower, residents may one day buy postage stamps, hit home runs or fuel their cars.

Those were a few early ideas Monday for the former South Gifford Road Landfill, southwest of 43rd Avenue and 41st Street, if the U.S. Environmental Protection Agency approves grants to assess its redevelopment as a "brownfield."

"We could do a post office branch or a convenience store," said Freddie Woolfork, chairman of the unincorporated community's Front Porch Florida board. "But I wouldn't want anything that would put young kids playing outside (on the soil)."

Consultants several years ago discovered high levels of vinyl chloride at the landfill, within a mile of Vero Beach's well field. Vinyl chloride is a by-product of the industrial degreaser trichloroethylene, consultants have said. Both have been shown to cause cancer in large quantities.

The county hired GeoSyntec Consultants of Titusville in 1999 to analyze and clean the pollution after the state Department of Environmental Protection ordered the cleanup.

Since then, the county has paid $2.8 million for GeoSyntec to trace the size of the plume, install monitoring wells, pump and treat contaminated water and other tasks. That includes $877,000 for the biggest project, removing 4,800 tons of contaminated soil by 2005 from the most concentrated site, a 10,000-square-foot area, 12 to 18 feet below the ground surface.

Woolfork hailed the effort by Greg Vaday, with the Treasure Coast Regional Planning Council, to seek a $200,000 grant to assess the former landfill's chances of reuse and a separate $400,000 grant to do the same for various abandoned junk yards and former sewage plants in Gifford.

Brownfield status brings various incentives to the community, such as tax breaks for voluntary cleanup and the creation of new jobs once the land is redeveloped.

Vaday said he needs to submit his application by Oct. 16 and expects to know by the spring whether Gifford gets the grants. He said his agency has received $2.3 million in grants for St. Lucie, Martin and Palm Beach brownfield sites.

The EPA started its Brownfields Program in 1995 to identify, clean up and manage an estimated 450,000 contaminated sites across the country, agency records show.
Nandra Weeks, principal of GeoSyntec and president of the Florida Brownfield Association, said pollution, whether actual or perceived, tends to prevent owners of such lands from being able to reuse them. The program helps land owners and communities find new uses based on how badly a parcel was polluted and whether it can be cleaned.

"If you're building a day care, you might not want it on a site that was contaminated," she said. "But a strip shopping center with a lot of pavement could work."

The key, she said, lies in the community coming together in future workshops and helping officials decide what to do with the contaminated properties.