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Re: Minto West Plan Amendment – Palm Beach County

Dear Reviewing Agencies:

This letter is sent in opposition to the Palm Beach County Minto West Application for a Land Use Amendment under Agricultural Enclave, Fla. Stat. 163.3162 and 163.3164. My request is that the State and all of the various agencies review the aforementioned application and find it not in compliance because this development not only affects Palm Beach but also other local municipalities and government entities, including the Village of Royal Palm Beach, the Town of Loxahatchee Groves and the Indian Trail Improvement District and unincorporated communities, including the Acreage that have objected to this development as proposed. It is expected to cost taxpayers over 177 million dollars in taxpayer funded improvements beyond proportionate fair share payments by the developer.

The existing Ag Enclave was purchased out of bankruptcy after it failed to start. The requested increased level of increased residential and non-residential development in this area should not be approved. The existing Ag Enclave more than sufficiently meets the minimum number of units and square footage of non-residential development to surpass the anticipated market in this location. This project will lead to overallocation and depress market conditions causing a real estate “crash.” Without sufficient demand for supply (i.e., commonly called scarcity or demand), additional density will prevent recovery and compatible development in the area. Population projections by the State of Florida BEBR do not support this project.

The development has significant regional and state impacts including, but are not limited to negative economic impacts, negative impacts on water resources, drainage, water quality and wetlands, transportation, public services, taxation, wildlife and environmental impacts. This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

It is my hope that the DEO will review and issue an ORC report with strong objections, and a recommendation for denial, and ultimately find that this project is not in compliance with

Florida Statutes, and inconsistent with the State comprehensive land use plan, the Palm Beach County Comprehensive Land Use Plan, and the Treasure Coast Strategic Regional Policy Plan, as follows:

Fla. Stat. 163.3162 and 163.3164 – Agricultural Enclave:

The amendment application seeks to amend an existing approved Agricultural Enclave under Fla. Stat. 163.3162 and 163.3164, adopted by Palm Beach County in 2008. The previous adoption gave the property an entitlement of 2,996 residential units, and 235,000 square feet of non-residential use. This resulted in a density of 0.8 units/acre. This property remains in the Rural Tier; surrounded by property in the Rural Tier and the Exurban Tier as established by the Tier System under the Palm Beach County Comprehensive Land Use Plan.

This plan amendment seeks to increase the entitlements to 4,546 residential units, 2.1 million square feet of non-residential in the form of retail, professional office, research and development/light industrial, plus 200,000 square feet of civic, PLUS a 150 room hotel, PLUS a 3,000 student university – all in a remote location that is not suitable for this level of development.

Surrounding:

The previous approval already provided this property with more density and intensity than what “surrounds” and “abuts” the perimeter of the property. To the west of the parcel is land in the Rural Tier having a land use of RR 10 and/or RR20. To the south of the parcel is land in the Rural Tier having a land use of RR 5. To the north and east of the parcel is land in the Exurban Tier having a land use of RR 2.5. Calculations provided by Dr. William Louda reflect that at most the density allocated to the parcel should not have exceeded 2,300 units.

A cut-out from this parcel is a small shopping plaza, the square footage of which is unknown; however, I do not believe it exceeds 150,000 square feet. It should be noted that this is a failed shopping plaza with no anchor tenant, and has been in this state for approximately 5 years. Except for a packing plant located on the subject parcel, together with three schools, there are no other non-residential properties surrounding the perimeter of the property.

The definition of “surrounding” in Fla. Stat. 163.3164 (4)(c) should be based on the surrounding perimeter as clearly intended by Florida Statute 163.3164(4)(c) “...surrounded on at least 75 percent of its perimeter...” The applicant seeks to define “surrounding” as 5 miles out in order to achieve higher density and intensity that can be found in the municipalities of Royal Palm Beach and Wellington, and this is incorrect. These urbanized municipalities do not surround the perimeter of the parcel. Based on the density and intensity being proposed, which is heavily weighted because it encompasses far greater area in the outer perimeter between 4-5 miles than the actual perimeter of 1-2 miles this gives undue weight to the density of the outer limits/edges of a 5 mile radius (in a circular fashion), rather than the surrounding perimeter, this application does not comply with the requirements of Fla. Stat. 163.3164(4). Further, if

one wished to include the outer limits of a 5 mile radius, the application ignores the tens of thousands of acres of conservation land comprised of Grassy Waters, the JW Corbett Wildlife Refuge, the Royal Palm Beach Natural Area, and the Pond Cypress Natural Area, all of which have zero (0) density and intensity, yet for intensity purposes, the applicant utilized things such as clubhouses and schools for their analysis. This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

Continuing Amendments to an existing Agricultural Enclave:

This new pending application seeks to amend an existing Agricultural Enclave. There are no other approved developments in the entire State of Florida under the Ag Enclave statutes, which is setting the precedent for any and all future applications made under these Statutes.

The County Staff has taken the position that the owner of property designated as an agricultural enclave can seek amendments to the agricultural enclave as many times as they wish at the whim of an applicant. This defies the intent of comprehensively planning for the future intended by growth “management” and proper planning – this is a remote area that should not be planned to accommodate additional density and intensity in this location. Such uses should be located more central to the urbanized areas of Palm Beach County that are served by roadways and public services.

Between 2008 and 2014 there have been no changes in circumstance in the area’s surrounding density and intensity. It should be noted that the master plan submitted for this project leaves a large portion of the property for “future build” and “subject of a future application under Agricultural Enclave”, should the County’s position on continuous amendments and expansion of urban enclaves that exceed the density and intensity of the surrounding area become the standard for the State rather than the limits imposed by the legislature. A review of Florida Statutes for Agricultural Enclave do not reflect that this increase in the density and intensity of an existing Ag Enclave should be permitted or encouraged. This project is inconsistent with Florida Statute. This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

Single Owner:

Further, as set forth under Fla. Stat. 163.3164(4)(a), the property should be owned by a single person or entity. Fla. Stat. 163.3164(4)(a) “is owned by a single person or entity”. The property comprising of the parcel under the amended application filed by Minto in late July has two property owners, i.e. Minto PBLH, LLC, and the Seminole Improvement District. Therefore this project does not comply with, and is inconsistent with, the aforementioned provisions of Fla. Stat. 163.3164(4)(a).

Urban Sprawl:

This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services. Due to the fact that the density and intensity far surpasses the surrounding perimeter of the parcel, the presumption that the project is not urban sprawl as set forth under Fla. Stat. 163.3162(4) is clearly rebutted. This property remains in the rural tier. The exurban tier and the rural tier in question here are considered equestrian communities, are located in agricultural/residential areas where there are numerous bona fide and hobby agricultural operations, and are incompatible with such urban type development as is contained in this project. There is nothing "agricultural" about this "agricultural enclave". This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

Public Services:

Under Fla. Stat. 163.3164(4)(d), the property which is the subject of an application should: "(d) Has public services, including water, wastewater, transportation, schools, and recreation facilities, available or such public services are scheduled in the capital improvement element to be provided by the local government..."

The property does not have "transportation" or "schools" which are scheduled in the capital improvement element. There is no bus service in the area, nor is any planned. The three schools available are all either currently or anticipated to be over-capacity, and the Palm Beach County School Board has no scheduled capital improvement for the expansion of the existing schools or new schools. The Applicants, while agreeing to provide land for a new elementary school (which was required under the 2008 approval) have not agreed to provide any funding for expansion of the existing elementary school, existing middle school, and existing high school; or for the construction of new schools.

There are no county parks/recreation in the area to service this project, and there are no scheduled capital improvements to provide the same; whether by Palm Beach County or by the Seminole Improvement District.

The water/wastewater that will supply the project is insufficient to service the proposed residential/non-residential uses anticipated by this project. The applicants indicated that the Seminole Improvement District will be the provider of these services; however, the permit that S.I.D has for providing public water supply with the South Florida Water Management District under Permit No: 50-03711-W - reflects that the total annual allocation of ground water from the surficial aquifer system shall not exceed 64.507 MG, not to exceed a monthly allocation of 7.1702 MG. This is insufficient for providing public water for a project of the magnitude proposed here.

Based on the foregoing, this application does not comply with the requirements of Fla. Stat. 163.3164(4)(d). This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

Exemption from Policy 3.5-d:

As a result of the 2008 prior Agricultural Enclave, Palm Beach County inserted language into the Palm Beach County Comprehensive Land Use Plan under Policy 3.5-d: "This policy shall not be applicable to an Agricultural Enclave pursuant to Florida Statutes section 163.3162(5)." However, no such exemption was required under Fla. Stat. 163.3162(5) and in fact, the 2013 Florida Statutes does not contain a section (5) under Fla. Stat. 163.3162.

The Staff Report prepared for the 2008 Adoption Hearing – Page 8 contains the following statement:

"County staff agrees with the intensity and density proposed in the [prior] Callery-Judge Grove Ag Enclave land use amendment. Future Land Use Element Policy 3.5-d provides the County "shall not approve a change to the Future Land Use Atlas which results in density or intensity that significantly impact any roadway segment projected to fail to operate at adopted level of service standard "D" based upon the Metropolitan Planning Organization's 2025 Long Range Transportation Plan... or results in a project that fails Test 2 regulations adopted to implement TE Policy 1.1b." It is the opinion of the County Attorney's Office that failure of the Ag Enclave Amendment to meet the Future Land Use Policy 3.5-d should not prevent the Board from approving the amendment... Therefore, the County Attorney's Office recommends **that if the Board of County Commissioners wishes to approve the Ag Enclave Amendment**, [emphasis added] that the Board include an exemption from Future Land Use Element Policy 3.5-d in the Comprehensive Plan amendments adopted to effectuate the Ag Enclave Amendment."

As indicated, there is no requirement under Fla. Stat. 163.3162 that Palm Beach County exempt an Agricultural Enclave from Policy 3.5-d, and the insertion of such language in the Palm Beach County Comprehensive Land Use Plan is contrary to State law.

The prior approval reflects that this exemption was a "choice" that the Board of County Commissioners should make "if" they wished to approve the Ag Enclave amendment. This new amended application also fails to meet the requirements of Policy 3.5-d, as did the prior application. Palm Beach County is not required to approve the amendment under Fla. Stat. 163.3162, nor is the state required to find any amendment to an existing Ag Enclave in compliance. Fla. Stat. 163.3162 only requires transmittal, but not adoption or compliance determinations.

Increased Intensity:

In addition, under the previously mentioned Staff Report for the 2008 Adoption Hearing contains this further information on Page 7, Paragraph 4:

"County staff recommended significantly higher non-residential development for the Callery site during the CWC Sector Plan Remedial Amendment process and

recommended higher intensities during the negotiation process for the Ag Enclave Amendment. **However, the applicant declined to increase square footage since an increase would be above the per capita ratio within the 5 mile study area, and may not be permissible under the Ag Enclave legislation.** [Emphasis added]

Under this new application, the County Staff, utilizing the same (voided) Sector Plan (found not to be in compliance), suggests that 2.1 million square feet, plus 200,000 square feet of civic, plus a hotel and a university fits within the definition of “surrounding”, while clearly, the prior property owner of [prior] Callery Judge Grove felt that the same suggestion would not be permissible under the Ag Enclave legislation. If it wasn’t permissible in 2008, it isn’t permissible in 2014. It should not be approved and should be found not in compliance. This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

This new amended application fails to meet the intention of the Agricultural Enclave statutes. It fails by placing extreme intense types of uses on the property which cannot be found anywhere in the surrounding areas. Therefore, the application is inconsistent with Florida law.

Palm Beach County Comprehensive Land Use Plan

This project is inconsistent with the Goals, Objectives and Policies of the Palm Beach County Comprehensive Land Use Plan, and should not be sanctioned by the State of Florida or any of its agencies.

Section 1 A.

Under Section I A of the Future Land Use Element – Introduction, of the 7 broad principles sustainable land use planning, the following principles can be found:

- (1) Conserve and protect natural and man-made resources, and restore and maintain key ecosystems to provide adequate supplies of clean and safe water for natural, human and economic systems;
- (2) Prevent urban sprawl through establishing urban development areas and encouraging urban revitalization and redevelopment;
- (3) Provide for sufficient open space to protect wildlife, and provide natural and recreational areas for public use;
- (4) Create quality livable communities by balancing, distributing and integrating the relationship among land uses to meet the needs of the diverse communities and their associated lifestyle choices, and improve the quality of life through better housing, recreational, and cultural opportunities for all;
- (5) Manage the development of land and service delivery, so that its use is appropriate, orderly, timely and cost effective;

This project violates each of these broad principles. The areas consisting of the Acreage, Loxahatchee and Loxahatchee Groves are all outside of the urban service boundary, being in the rural service boundary pursuant to our Comprehensive Land Use Plan. Our communities are in the exurban and rural tiers. As is contemplated by the Palm Beach County Comprehensive Land Use Plan, these exurban and rural areas consist of low density, low intensity development, with agricultural uses that are utilized by the existing residents of the communities. This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

Many properties in the area are bona fide agricultural operations which include raising livestock of all forms, nurseries, farming operations, equestrian activities, and rescue operations. Roads in the area are generally unpaved. We have a unique country lifestyle that we wish to preserve and maintain. Water is provided by individual potable wells, and sewer by individual septic systems. Most areas of the community have easy access to the amenities that can be found in suburban and urban areas, which can be reached in less than 10 to 20 minutes. This project is incompatible and inconsistent with the area.

This project is especially incompatible and inconsistent with the great equestrian lifestyle enjoyed by many in our rural communities. Equestrians will have a difficult time crossing 6 to 8 lane roads anticipated to be needed to accommodate this project, competing with an additional 70,000 external daily trips.

Section 1 B.

Under Paragraph B of Section 1 can be found:

The protection of the quality of life for present and future citizens is undermined by piecemeal development. This requires a framework as the basis for providing land use decisions that create and maintain sustainable communities and ensure resources are maximized and used cost effectively. The Future Land Use Element addresses actions to correct unforeseen problems and opportunities of development, ensures consistency with State and regional plans and implements the direction provided by the Board of County Commissioners to:

1. Maintain lifestyle choices;
2. Create new land use designations to more closely reflect development patterns in the rural residential areas;
3. Strengthen and facilitate revitalization and redevelopment and infill development programs;
4. Protect agricultural land and equestrian based industries;

This project fails to protect the “quality of life” of present and future citizens, and is a piecemeal development. This project fails to maintain lifestyle choices by placing urban development in the rural tier which abuts the exurban tier. This project is not infill or

redevelopment, and there are many areas of the county in the urban/suburban tier that are in need of infill development and/or redevelopment. This project does not protect or preserve agricultural land and equestrian based industries. This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

Section 1 C.

This project is inconsistent with Section I - Paragraph C, #1, 2, 3, 4, 5, 10, 12, 14 and 15 of the Palm Beach County Comprehensive Land Use Plan. The County should not entertain or adopt a project that is inconsistent with the Palm Beach County Comprehensive Land Use Plan. This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

Section II

This project is inconsistent with Section II – Objective 1.1 and policies thereunder, and specifically Policy 1.1-b, 1.1-c, 1.1-d. This project is inconsistent with Objective 1.3, and all Policies thereunder, and Objective 1.4 and all Policies thereunder. The County should not adopt a land use amendment that is inconsistent with the Palm Beach County Comprehensive Land Use Plan.

This project will place urban development with huge residential and non-residential components in the rural tier, and detrimentally affect the quality of life enjoyed by our residents in the exurban and rural tiers, creating incompatibility and inconsistency of lifestyles. This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

As aforementioned, and as anticipated by Objective 1.3 and Objective 1.4, the exurban and rural tiers feature low density and low intensity types of lifestyle, that are agricultural and equestrian in nature. An urban project such as presented here, with greatly increased density (50%) and greatly increased intensity (800%) hardly can be considered compatible with existing communities and the lifestyle enjoyed by us.

Policy 3.5-d, Palm Beach County Comprehensive Plan – Prohibits Amendment.

As aforementioned, this project should not continue to be exempted from Policy 3.5-d, as there is no statutory requirement for such an exemption at adoption. Adoption of this proposed plan amendment is prohibited by, and would be inconsistent with, Policy 3.5 d of the Palm Beach County Comprehensive Plan.

The traffic study submitted by the applicant or required by the County for this plan amendment is not adequate under the requirements of the Transportation Element of the Palm Beach County Comprehensive Land Use Plan. The County Staff is aware that this project will cause

road failures, traffic congestion, impact existing failing and constrained roadways (Palm Beach CRALLS roadways), and endangers the health, safety and welfare of the area, region and state.

This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services or collector and arterial roadways.

Traffic - Roads:

No traffic study was submitted by the applicant for the July 2014 amended application for a comprehensive land use amendment. The traffic study tendered for zoning purposes shows huge increases in external traffic associated with this project, over 70,000 vehicular trips per day on roads that are already over-capacity; and/or on roads that are privately owned and maintained that today have minimal traffic flow.

There are 16 designated CRALLS that will be impacted by this project, creating and/or worsening the danger to health, safety and welfare of residents and visitors to the State, County and area.

Four State Roads will be impacted by this project, i.e. Southern Boulevard (an SIS road), Okeechobee Boulevard, Northlake Boulevard and the proposed extension of SR 7. As advised by George Webb, Palm Beach County Engineer, Southern Boulevard, Okeechobee Boulevard and Northlake Boulevard have been expanded to their full potential east of State Road 7, and therefore cannot be further expanded. This creates a hazard and endangers the health, safety and welfare of residents and visitors to the State, County and area.

This estimated tax dollars necessary for improvements just for the County and State roads exceed \$177,000,000, which will be left the burden of taxpayers.

In addition, and not calculated in the aforementioned taxpayer costs, this project intends to utilize privately owned roads within the Indian Trail Improvement District. The County is asserting some public right to allow the developer's use of such roads. Residents in the community own to the center of the roads, and pay taxes to the ITID for their maintenance.

Many roads within the community are unpaved. The paved roads in the community have not been built to DOT standards, some simply being constructed with millings, and consist of two lane quiet residential streets that were not built to sustain the type of traffic anticipated by this project. This will further result in cut-thru traffic on other privately owned, quiet neighborhood residential roads.

This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

The developer's position and the County's position that our privately owned roads are free for their taking and use, offers a theory of eminent domain for private developer interest, in violation of our Florida Constitution.

Environmental Concerns:

This project is contemplated for a former citrus grove operation that operated over some 40 plus years. The subject property has an extensive history of violations and fines. The citrus grove operation required decades of pesticides (some of which have since been banned), herbicides and fertilizers.

Soil, Water and Air:

No environmental study has been performed that would indicate what danger might exist to surface water, ground water, and/or the air, once the soil is disturbed for a residential/non-residential project such as is being proposed. There is a potential for causing great harm to the existing residents of the local communities which no one is discussing.

The communities surrounding this project all rely upon individual potable wells for drinking water. In addition to concerns about disturbing the soil and negatively impacting/polluting surface and ground water, this project proposes to utilize deep well injection of sewage.

Dark Sky – Light Pollution:

The rural and exurban tiers enjoy a "dark sky" lifestyle, consistent with sharing the area with wildlife. The communities are surrounded by preserves and conservation areas as mentioned above. No study has been conducted on the harmful impacts to both humans and/or wildlife for an urban project in the rural area, due to light pollution that will be associated with this project.

Noise Pollution:

Due to the anticipated over 70,000 new external vehicular trips expected from the project, the rural residential quiet all in the rural and exurban communities enjoy will be detrimentally impacted by an increase in noise levels by greater than 15 decibels. The noise levels in some instances will exceed the 66 decibel level, which is considered the maximum for residential areas. Under Federal standards this would require mitigation. Noise has not been considered as a factor by the County; however, noise pollution will result negatively impacting the existing communities.

Health Safety and Welfare – Traffic Impacts

No study has been conducted on the harmful impacts to both humans and/or wildlife for an urban project in the rural area, due to unsafe traffic conditions expected by this project. As

indicated, the communities are surrounded by preserves and conservation areas as mentioned above. Further, these are equestrian communities, as well as communities engaged in bona fide agricultural operations, as well as hobby farming, involving the rearing of livestock.

The Department of Environmental Protection should address all of the above concerns by requiring studies of how this project will affect water (surface and ground), air, and soil; the harmful effects resulting from light pollution, and the harmful effects resulting from excessive traffic impacts.

Population Increases and Crime:

The existing population of the communities that will be impacted is approximately 40,000, all of whom reside in the rural/exurban areas 110 square miles in size. This project, on a much smaller parcel of land (3,800 acres), will greatly increase the overall area population by an estimated 15,000 to 20,000 new residents. No study has been conducted on the negative health impacts resulting from urbanizing a rural area.

The rural and exurban areas representing our communities suffer from relatively low amount of crime. This urban project, both with adding new population, as well as with its incredible intensity of 2.1 million square feet, will negatively impact the communities by increasing the crime rates. Commercial activities are well known to result in greatly increased crime.

Education:

As previously mentioned, the elementary, middle, and high school are all projected to exceed their expected capacity. The Palm Beach County School District has no funds available for the expansion of existing schools or the building of new schools.

Local children may indeed be forced to be bussed outside of the area due to the over-capacity expected to be generated by this project; therefore displacing children of the existing communities.

Placing local schools in a state of over-capacity fails to meet the educational standards of the County or the State. The financial burden of expansion or construction will be placed on the taxpayers of the County and the State.

Drainage – Water Resources – SFWMD and DEP:

This project offers promises that can never be fulfilled. The benefit of additional drainage to the Indian Trail Improvement District is minimal. The potential for flooding actually increases due to higher elevations required for the new residential and non-residential components.

The applicant, in the M2 basin, promises drainage to ITID for the M1 Basin, while during the 2012 Tropical Storm Isaac incident, the M2 basin itself flooded for extended periods of time. No study has been conducted concerning drainage issues.

It is noted that the developer will desire, for purposes of aesthetics, to keep the lakes full, thereby leaving little capacity for runoff and drainage needs generated by their own project, much less provide additional capacity to areas outside of the project. Neither the applicant nor the County has made an inquiry of the SFWMD, U.S. Army Corp. or the FL DEP for the proposals of drainage of this property in the C-51 Basin.

Promises of providing surface water supply to the City of West Palm Beach, and the Loxahatchee Slough have not been the subject of any study. The "M" Canal servicing the City of West Palm Beach is a Class I water body. No evidence has been proffered that would reflect the drainage waters would be of sufficient water quality for environmental or drinking water purposes.

The applicant proposes the construction of a lake system on property used for decades as a citrus grove operation. The applicant claims this lake system will serve as a filtering agent in generating good water quality. The lake system is not an STA. There is no evidence that the water quality will meet Class I standards which could be utilized for environmental and/or drinking water purposes.

Existing testing of surface water on the site reflect extremely high levels of phosphorus. The City of West Palm Beach would not and should not desire to be the receiving entity of discharges of this nature into the Grassy Waters Preserve. The County and the State further should not desire that environmentally sensitive areas needing water supply be the recipient of such water discharges.

The applicant in addition to promising the City of West Palm Beach surface water, also promises the Town of Loxahatchee Groves to its south with surface water, while also promises to provide water supply for the Loxahatchee Slough. No study has been conducted that would support such promises.

The SFWMD is currently in the process of building a reservoir on the Mecca Farms parcel for supplying the Loxahatchee Slough. In addition, the SFWMD, the State, and ITID are having discussions concerning the Moss parcel, a wetland that has been cut off from hydrologic flow. The Moss parcel could substantially benefit from the clean water discharges of the ITID, thereby creating a true public benefit totally unassociated with this project.

As previously mentioned, the existing permit for public water supply is insufficient to meet the public water supply that will be demanded by the new residential and non-residential components of this project.

Jobs – Economic Promises - Public Benefits:

The applicant claims that some 3,000 jobs paying an average in excess of \$100,000 per year will be generated by the project. The proposal of new residential units numbering 4,546 (an estimated population increase of some 10,000 working age new residents) reflects that the project will be adding new population to the area that far surpasses any number of jobs promised to be created, thereby increasing the net deficit of jobs for existing residents of the area, county and state.

The promised average annual salary is just ridiculous on its face, and should simply be ignored. There have been no studies provided as to the viability of the proposed area to support R&D or light industrial as shown in the Minto plans. Due to the isolated nature of the parcel with respect to other county industry, offices, and universities it should be a requirement to determine viability of such claims. Additionally there has not been any specific company(ies) come forward expressing an interest in the area for the fulfilling these Minto stated demands. The county has negotiated no guarantees regarding the number and/or quality of the proposed jobs and thus simply providing a claim of 3,000 jobs at any specific salary is highly skeptical.

Palm Beach County was recently called “over-retailed” due to the ever increasing excess retail space available and approved. The Villages of Royal Palm Beach and Wellington are both finding their businesses and commercial areas under-utilized and struggling.

Many thousands of square feet of existing professional office and light industrial exist as vacant built and/or unbuilt without demand for such non-residential components. An additional 2.1 million square feet, in an area that is already inundated with built and/or approved unbuilt square footage lacks vision, offers promises that will not be met now, or in the future. Development for development sake rather than need is sprawl, and is harmful to the economy and lacking in any recognizable public benefit. Indeed, the negative of economic disruption is a very real possibility.

As reflected, the public benefits of this project are ill-defined, lack any supportive study, and should therefore be ignored.

Taxpayer Costs:

In road costs alone, the Minto West project is anticipated to result in a net deficit of \$177,000,000 for county and state roads; this after deducting proportionate share/impact fees associated with this project. This deficit does not include the burden that would be borne by residents and taxpayers of the Indian Trail Improvement District on privately owned and maintained roads.

In addition to roads, this project will not generate sufficient revenue to cover public services in the form of fire rescue, schools, sheriff’s department, public water utilities, recreations/parks, libraries, and other governmental services that will be demanded by new population.

This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

Please visit:

<http://www.priceofsprawl.com/blog/2014/08/21/minto-west-sprawling-into-the-everglades-spirals-taxpayer-deficits-3/>

which projects estimated taxpayer costs. Development does not pay for itself, and does not for Minto West!

Overburdening taxpayers for a developer's profit should not be the goal of the County or State.

Overallocation of Density and Intensity:

The existing Ag Enclave was purchased out of bankruptcy after it failed to start. The requested increased level of increased residential and non-residential development in this area should not be approved. The existing Ag Enclave more than sufficiently meets the minimum number of units and square footage of non-residential development to surpass the anticipated market in this location.

This project will lead to overallocation and depress market conditions causing a real estate "crash."

Without sufficient demand for supply (i.e., commonly called scarcity or demand), additional density will prevent recovery and compatible development in the area.

Population projections by the State of Florida BEBR do not support this project.

Palm Beach County Staff have verified that more than enough residential has been approved to be built in the County that will meet all projected population projections beyond the year 2035. There is no need for approval of this level of increase in dwelling units for residential uses in this particular area of Palm Beach County.

Palm Beach County Staff have verified that there are thousands of acres of already approved yet unbuilt non-residential development, both in the immediate area, the surrounding area, and County for retail, professional office, light industrial, and research and development. Shopping Centers have vacancies and have not been filled, others have not been built. There is no need for approval of more non-residential square footage in this area at this time. Over-allocation will depress an already struggling real estate market for residential and commercial markets – this is too much too soon and will hinder economic recovery.

Attached to this letter please review the information submitted to Palm Beach County showing adequate existing entitlements to meet the minimum “need” for population growth which must be balanced against economic market recovery.

Continued approval of development lacking need, endangers property values and is harmful to the economy and tax base of the County and State.

Further, this project, in the rural areas, will set off a domino effect where other large landowners would seek the same sort of density and intensity being sought with this project.

Conclusion:

This is a leap frog development which creates an urban enclave that exceeds the density and intensity of the surrounding area and is not served by public services.

This project is inconsistent with Florida Statutes; inconsistent with the Palm Beach County Comprehensive Land Use Plan; inconsistent with regional needs and state needs; endangers quality of life; is incompatible with the surrounding areas and communities; is incompatible with equestrian activities and bona fide and hobby agricultural operations; will result in huge negative traffic impacts; will overburden existing infrastructure; lacks available infrastructure; will overburden taxpayers; lacks any true identifiable public benefit; lacks economic benefit; is likely to result in local, regional and state economic disruption; endangers property values; will result in greatly increased crime; will result in harmful environmental impacts; and does not fulfill any existing or anticipated future “need”.

The quality of life of existing residents should never be ignored, and is required to be protected! Please find this Plan Amendment “not in compliance” with Florida Statutes Chapter 163, and Florida Statutes Sections 163.3177 and 163.3162.

Sincerely,

Patricia D. Curry