



January 6, 2016

Mayor Eric Jablin and Council Members
City of Palm Beach Gardens
10500 N. Military Trail
Palm Beach Gardens, FL 33410

RE: Comments on Proposed Avenir Plan Amendment

Dear Mayor Jablin and Council Members:

On behalf of 1000 Friends of Florida, I am submitting these written comments for the January 6, 2016, Avenir plan amendment transmittal hearing. While we find significant improvement over the initial proposal, we do identify several issues we ask be addressed prior to any future adoption hearing. We are currently reviewing the transportation and traffic concurrency documents and expect to issue our comments on that aspect of the project in the next few weeks.

Of primary importance is the consistency of this project with any CERP related Everglades restoration project(s) in the area. Rather than a stated commitment to such activity, we would ask that any necessary work be specifically noted in the comprehensive plan amendment and made a condition of any subsequent development order.

We understand that the applicant's proposal is tied to projected costs and benefits based on the level of residential and non-residential development. However, we believe there is some room to negotiate on a reduced number of residential units and an increase in conservation acreage.

We do not believe it is appropriate to include the designated conservation area as part of the City's urban growth boundary (UGB). Rather, any expansion of the existing UGB should end along the border of such areas to help ensure their ongoing status as non developable conservation lands. It is vitally important that the designated conservation area not be subject to future development, and that the proposed conservation easement eliminates any development rights for this area in perpetuity. Such a provision must be enforceable by a named third party, preferably a nonprofit organization, associated with such an easement.

With respect to future site drainage improvements and re-establishing historic Everglades, Loxahatchee River and Slough, Sweet Bay Natural Area and connecting wetlands, such improvements should be specifically included in the plan amendment text and SFWMD approval secured prior to any final adoption consideration. As part of the related Zoning Ordinance consideration, the applicant's Preliminary Surface Water Management Report of September, 2015, should be referenced in Section 4 of Resolution 4, 2016, so that necessary work is required prior to the consideration of various phasing schedules and sub-basin projects. We are not suggesting that the necessary permits be secured as part of the plan amendment, but that given the importance of the drainage improvements, that they be conditioned so that the project could not move forward without them.

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While the applicant agrees that conservation areas should be managed by a government entity such as Palm Beach County's department of Environmental Resource Management, a formal agreement with this or a similar entity needs to be in place as part of the plan amendment itself. Such an entity should also have easement enforcement authority if it does not hold title outright. It would be helpful that some degree of financial assistance be provided to the appropriate entity to help in its management of the more than 2,400 acres of conservation lands.

The provision of affordable housing units is positive, but we would ask that those units be provided permanently and consistently with the phasing schedule so that a proportionate number is provided gradually rather than at the end of the project.

Thank you for making our comments part of your public hearing record tonight.

Sincerely,



Charles G. Pattison, FAICP
Policy Director