TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2014-05

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, OPPOSING THE AMENDMENTS TO THE PALM BEACH COUNTY COMPREHENSIVE PLAN PROPOSED FOR THE MINTO WEST DEVELOPMENT ON PROPERTY ABUTTING THE TOWN OF LOXAHATCHEE GROVES AND FORMERLY REFERRED TO AS CALLERY JUDGE GROVES; URGING THE PALM BEACH COUNTY COMMISSION TO DENY THE PROPOSED AMENDMENTS; PROVIDING FOR COPIES OF THIS RESOLUTION TO BE DISTRIBUTED TO AFFECTED ENTITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Loxahatchee Groves borders on a 3,791 acre parcel, formerly owned by Callery Judge Groves, whereon in 2008 the Palm Beach County Commission approved development that would permit 2996 dwelling units at a density of 0.80 units per acre and 235,000 square feet of non-residential development on property designated as an "Agricultural Enclave" in the Palm Beach County Comprehensive Plan (the "Property"); and,

WHEREAS, in 2013, the Property was conveyed to a new owner, Minto SPW, LLC ("Minto"); and,

WHEREAS. Minto has filed an application with Palm Beach County to amend the Palm Beach County Comprehensive Plan to permit the development of 6500 residential units, 1.4 million square feet of non-residential uses, as well as a college campus, hotel and a baseball stadium; and,

WHEREAS, the pending application more than doubles the currently approved residential density on the Property, and would increase the non-residential uses on the Property more than six times that of the currently approved plan; and,

WHEREAS, the Town's comprehensive plan provides that the residential density in the Town is 1 unit per 5 acres; and,

WHEREAS, if the proposed amendments are approved, the residential density on the Property will be approximately twenty (20) times that of the Town of Loxahatchee Groves; and,

WHEREAS, as a designated Agricultural Enclave, the development has a statutory preemption that it is not urban sprawl if its land uses and densities include those that surround the property; and,

WHEREAS, considering the Town of Loxahatchee Groves, the uses and intensities in the Indian Trails improvements District, and in the area generally known as the "Western Communities," the proposed amendment would be urban sprawl; and,

WHEREAS, the approval of the proposed amendment would result in an urban enclave, with uses and intensities of use disproportionate to those that surround the Property; and,

WHEREAS, Okeechobee Boulevard vital to the Town of Loxahatchee Groves, as it is located generally in the middle of the Town; and,

WHEREAS, if the proposed amendments are adopted by the County Commission, Okeechobee Boulevard is likely to become a thoroughfare, similar to Southern Boulevard, which would physically divide the Town, contrary to the desires of the Town of Loxahatchee Groves, and its residents; and,

WHEREAS, the Town of Loxahatchee Groves is seeking to protect and maintain the rural lifestyles for which people live in the Town and which is vital to the Town's vision and future; and,

WHEREAS, if the proposed amendments are adopted by the County Commission, it would result in a massive development on the Town's border, and Okeechobee Boulevard being converted into a thoroughfare for traffic from new developments to the west and north of the Town, which would permanently alter the rural lifestyles of the Town and the Western Communities; and,

WHEREAS, when the County Commission approved the rezoning for the Highland Dunes development in 2013, many Commissioners publicly recognized the value to Palm Beach County

of diverse lifestyles and intensities in Palm Beach County, including the rural lifestyle of the Western Communities, and stated that careful consideration must be given when applications for development in the area are considered; and,

WHEREAS, Minto is not entitled to any additional development rights, as the current approved densities and uses were reviewed by the County in 2008 and approved consistent with the Property's designation as an Agricultural Enclave at that time, the uses and intensities of use in the Western Communities have not changed since those 2008 approvals, and Minto purchased the Property knowing full well the extent and scope of the permitted development on the Property; and,

WHEREAS, denying the proposed applications would be in the best interest of the residents of the Town and the Western Communities, as well as throughout the County by preserving the diversity of lifestyles that includes the rural and agricultural uses that are predominant within the Town of Loxahatchee Groves.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, AS FOLLOWS:

Section 1. That the foregoing "WHEREAS" clauses are confirmed and ratified as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The Town Council of the Town of Loxahatchee Groves hereby opposes the pending applications filed by Minto to increase the currently approved uses and intensities of uses for the Property.

Section 3. The Town Council of the Town of Loxahatchee Groves urges the Palm County Commission to deny Minto's applications to amend the Palm Beach County Comprehensive Plan, and deny all efforts to increase the currently approved densities and uses for the Property.

Section 4. The Town Clerk is directed to provide a copy of this Resolution to each member of the Palm Beach County Commission, the County Administrator, the Indian Trials

Improvement District, the Palm Beach County League of Cities, and other entities as may be determined by the Town Council or Town Management from time to time to be affected by the future development of the Property.

Section 5. Effective Date. This Resolution shall take effective immediately upon its adoption.

ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, FLORIDA, this 3rd day of June, 2014.

ATTEST:

Janet K. Whipple

Janet K. Whipple, Town Clerk

APPROVED AS TO LEGAL FORM:

Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES, FLORIDA

David Browning

Mayor David Browning

Ronald Jarriel

Vice-Mayor Ron Jarriel

recused himself

Council Member Tom Goltzené

absent

Council Member Ryan Liang

Council Member Jim Rockett