

WORKSHOP

Board of County Commissioner **Workshop on the Thornton Road Extension Project**

December 14, 2010
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Leon County Board of County Commissioners' Chambers
Leon County Courthouse, 5th Floor

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Board of County Commissioners
Leon County, Florida
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Workshop Item
Executive Summary

December 14, 2010

Title:

Board of County Commissioner Workshop on the Thornton Road Extension Project

Staff:

Parwez Alam, County Administrator
Vincent S. Long, Assistant County Administrator
Wayne Tedder, Planning Department Director

Issue Briefing:

This workshop item provides background information and analysis on the proposed extension of Thornton Road across Miccosukee Road and the Miccosukee Greenway to connect with Welaunee Plantation. The project is associated with a Planned Unit Develop the City of Tallahassee is working on for a portion of Welaunee Plantation they acquired in 2006. At the time this workshop item was prepared, the City had not requested any specific action from the County. The City also had no official position regarding a selected alignment for the Thornton Road Extension. However, the City has conducted some review of the benefits and impacts of various alignments included in this item. The goal of this workshop is to provide the Board with information on the project.

The presentations identified below will be provided at the workshop.

- Brief History of the Welaunee Critical Area Plan and Introduction of the Issue
(Wayne Tedder: Tallahassee and Leon County Planning Department)
- Long Range Transportation Planning Goals
(Harry Reed: Capital Region Transportation Planning Agency)
- Access Options Evaluated
(Tony Park: County Public Works, City Public Works Staff)
- City of Tallahassee Presentation
(Commissioner Mustian)
- Friends of the Miccosukee Canopy Road Greenway, Trust for Public Lands, and Florida Department of Environmental Protection Presentation (Chuck Mitchell, Trust for Public Lands, and Department of Environmental Protection)

Fiscal Impact:

This item has no direct fiscal impact. However, various alternatives may have a fiscal impact to the County.

Staff Recommendation:

Option #1: Accept staff report and presentations on the Thornton Road Extension Project.

Report and Discussion

Background:

Miccosukee Canopy Road Greenway

The Miccosukee Canopy Road Greenway is a 6.4 mile long linear park approximately 502 acres in size. Purchased by the state in 1998, the land was ultimately subleased to Leon County in 2000.

In July 2001, the Management Plan for the Greenway was completed. The Plan serves as the basic statement of policy and direction for the management of the greenway and is intended to meet the requirements of Section 253.034 and 259.032, Florida Statutes, Chapter 18, Florida Administrative Code. It is also to be consistent with the State Lands Management Plan. Public Works staff utilizes this document to guide all aspects of the park administration and implement specific measures that will meet the management objectives.

Since 2000, the County has submitted, and received, multiple grants to make improvements to the park. In all, \$623,000 in state and federal funding has been awarded for projects on the greenway. Improvements have included bridge and boardwalk construction, installation of fencing, trail construction and maintenance, trail head/parking lot construction, and restroom construction. In addition, the facility has been recognized nationally with the National Association of County Park & Recreation Officials' Award for Environmental/Conservation Outstanding Accomplishment, as well as other distinguished designations (e.g. Forest Stewardship, State Trail System, and National Trail System).

With nearly 10,000 visitors per year, this greenway is considered pristine state land improving the quality of life for Leon County citizens and Floridians at large. Future generations, too, will continue to benefit from its preservation.

City Owned Portion of Welaunee and Roadway Interconnections

In February 2006 the City of Tallahassee Electric Utility purchased 428 acres of the Welaunee property from Powerhouse, Inc. to facilitate an alternate route for the Eastern Transmission Line to avoid conflicts with the Mahan Drive Gateway. The City is now in the process of developing a Planned Unit Development (PUD) to control future development on the site. The process of developing a concept plan for the PUD revealed an inconsistency between the Welaunee Critical Area Plan (CAP) and the Long Range Transportation Plan, both included in the Comprehensive Plan. The Welaunee CAP indicates that access to this portion of the Welaunee Toe shall occur only within an existing easement across the Miccosukee Greenway at Arendell Way, while the Long Range Transportation Plan calls for an extension of Thornton Road from Miccosukee Road to Centerville Road. It is this issue of the most appropriate roadway interconnection location and design that has led to disagreement among various community members (see map in Attachment 1 for orientation). More details regarding this issue are included in the "Analysis" section.

October 2, 2009 Neighborhood Site Visit

An informal site visit was held for the neighborhood at the Miccosukee Greenway Thornton Road parking area to review the issues associated with selecting an access route for the proposed

development on Welaunee Plantation. Materials were distributed depicting routes to connect Thornton Road through the approved crossing area near Arendell Way.

August 6, 2010 Public Site Visit

An advertised site visit was held at the Miccosukee Greenway to provide citizens and Canopy Road Citizen Committee members with basic information regarding potential roadway connections from Miccosukee Road to future development on Welaunee Plantation. In addition to the traditional newspaper advertisement, individual postcards with information on the site visit and the August 23rd public hearing were mailed to all landowners along Thornton Road and Arendell Way.

August 23, 2010 Joint Meeting of the Canopy Roads Citizen Committee and the Friends of the Miccosukee Canopy Roads Greenway

The Canopy Road Citizen Committee invited the Friends of the Miccosukee Canopy Road Greenway to participate in a joint meeting and public hearing on potential roadway connections from Miccosukee Road to future development on Welaunee Plantation. The goal of the meeting was to provide the opportunity for joint review and discussion on the proposed Thornton Road extension by key advisory groups and to seek recommendations from the advisory groups on a general route for the proposed extension. The meeting included the series of presentations listed below and public comments. The meeting was well attended and included many residents from the project area, five members of the Friends of the Miccosukee Canopy Road Greenway organization, and seven members of the Canopy Road Citizen Committee.

Presentations provided at the August 23, 2010 Meeting:

- Brief History of the Miccosukee Greenway
(Rob Lombardo and Chuck Mitchell: Friends of the Miccosukee Canopy Road Greenway)
- Established Greenway Crossing Points
(Matt Kline: Department of Environmental Protection)
- Long Range Transportation Planning Goals
(Harry Reed: Capital Region Transportation Planning Agency)
- Brief History of the City Acquisition of a Portion of Welaunee Plantation
(Rob McGarrah: City of Tallahassee Utilities)
- Options Evaluated and the Proposed Route
(Gabe Menendez and Tony Park: City Public Works and County Public Works)
- Connecting to the City of Tallahassee Owned Welaunee Tract
(Will Butler: Real Estate InSync)

Positions of Engaged Groups

Three citizen groups have been very engaged in the discussions regarding the most appropriate roadway interconnection for the City owned portion of Welaunee Plantation. A description of each of their positions is included below. The City and County have not conducted a larger outreach effort to engage unaffiliated users of the Miccosukee Greenway (such as runners and cyclists) on this specific issue.

Friends of the Miccosukee Canopy Road Greenway

The Friends of the Miccosukee Canopy Road Greenway, a non-profit organization that advises the County on management of the Greenway, has issued a statement that they will “not support any requests for road easements, changes or additions that are not currently articulated in the existing adopted Management Plan for the Miccosukee Canopy Road Greenway.” The Friends of the Miccosukee Canopy Road Greenways official position is included as Attachment 2. The Management Plan mentioned is consistent with the Welaunee CAP and depicts an easement for a roadway crossing near the existing intersection of Arendell Way and Miccosukee Road. This easement, depicted in the Management Plan and referenced in the Welaunee CAP, is part of the Warranty Deeds that conveyed the Greenway property from Powerhouse Inc. to the State in 1998 and reserves the perpetual right to cross the Greenway. If the City and/or County are interested in crossing the Greenway in any locations not identified in the Warranty Deeds, the crossing will require approval by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Governor and Cabinet). Representatives of the Friends group have indicated that altering the roadway crossings identified in the Warranty Deeds would set a statewide precedent for modifying State owned greenways to facilitate transportation projects.

Arendell Hill Home Owners Association

The Arendell Hill Home Owners Association (38 parcels along Arendell Way) has issued a letter indicating they strongly support access to the City owned parcel via a greenway crossing at Thornton Road (Attachment 3). The letter also states that “if there is to be a connection to Miccosukee Road it is our position that a connection at Thornton Road is a better access plan and is the logical point of access to cross the Greenway instead of at Arendell Way.” The attached letter provides maps and the basis for the Home Owners Association position. Arendell homeowners have also indicated on numerous occasions that they are opposed to any design that would direct traffic from Welaunee Plantation down Arendell Way.

Mr. Futch and Dr. Drake live in a home along Arendell Way that would be impacted by roadway extension options that attempt to extend Thornton Road southwest parallel to Miccosukee Road and then cross the Greenway through the existing easement near Arendell Way. Mr. Futch and Dr. Drake provided a letter to the Canopy Road Citizen Committee indicating that they object to the options that extend Thornton Road down to Arendell Way (Attachment 4). They believe access to the Welaunee Toe should be via Welaunee Boulevard, Centerville Road, and a new Interstate-10 interchange. If additional access becomes necessary, it should be via the extension of Thornton Road northward through the existing Greenway parking lot.

Canopy Roads Citizen Committee

On October 18, 2010, the Tallahassee-Leon County Canopy Road Citizen Committee passed a multi-part motion regarding the proposed extension of Thornton Road across Miccosukee Road and the Miccosukee Greenway (Attachment 5). The preferred position of the Committee was that no new roadway be cut through the canopy along this section of Miccosukee Road. However, if the decision is made to construct a new road crossing the Committee recommended the items below.

- Any new crossing should be lined up with Thornton Road and should parallel Interstate-10. This route would have less impact to the canopy than a crossing near Arendell Way.

- Any new crossing should go over or under (preferring under) Miccosukee Road to prevent any motor vehicle access to Miccosukee Road.
- If a new crossing is approved at Thornton Road the existing easement for a crossing at Arendell Way should be abandoned.
- The design for any new crossing at Thornton Road should be coordinated with the Friends of the Miccosukee Canopy Road Greenway and the Canopy Road Citizen Committee to minimize impacts, develop a landscaping plan, create a visual barrier to screen the new road, and select new land to be added to the Greenway.

Analysis:

Planned Development for Welaunee Plantation

The Welaunee Critical Area Plan (CAP) was adopted as part of the Comprehensive Plan in 2002. The CAP guides planned development in both the “Toe” and “Heel” of Welaunee Plantation with a development pattern that includes predominantly walkable neighborhoods, mixed-use centers, a major employment center, diversity of housing choices, protection of conservation and preservation areas, and a transportation system which accommodates both vehicular and non-vehicular transportation.

In the Welaunee “Toe” (area south of I-10 between Miccosukee and Centerville Roads) the CAP allows for 2,712 dwelling units and 435,368 Gross Square Feet of town and neighborhood center development. With an average gross residential density of approximately 5.5 dwelling units per residential acre, this area will be much more compact than the existing residential areas directly north of Centerville Road and directly south of Miccosukee Road. For example, the density of the Residential Preservation area directly north of Centerville Road is approximately 1 unit per residential acre with a mean lot size of 1 acre and the density for the Residential Preservation area directly south of Miccosukee Road is approximately 0.6 units per residential acre with a mean lot size of 1.7 acres.

The more compact form, higher overall density and mixed-uses of the Welaunee CAP are features that help make an area more walkable, bikeable and transit friendly. With 36% of CO₂ emissions in Florida being produced by the transportation sector, fostering transportation alternatives and reducing the total vehicle miles traveled is a valuable tool in reducing greenhouse gas emissions. Additionally, more compact development allows us to accommodate future population growth on less land. For example, if the Welaunee Toe were developed at similar residential densities as the existing adjacent areas discussed above, it would take 5 to 10 times the land needed to accommodate the same future population as that accommodated by the development allowed in the CAP. Using less land now for urban and suburban development helps to protect other rural and environmentally sensitive lands and preserves greater options for future generations. The draft Planned Unit Development Concept Plan for the City owned portion of the Welaunee Toe is included as Attachment 6.

Inconsistency in the Comprehensive Plan: Arendell Way vs. Thornton Road

The Welaunee Critical Area Plan (CAP) Policy 13.1.4(2)(B) states that “Road access to the Toe from Miccosukee Road shall occur only within the existing road access easements across the Miccosukee Canopy Road Greenway at Arendell Way and Edenfield Road.” However, the Long

Range Transportation Plan Year 2030 Cost Feasible Plan List of Projects includes a “Thornton Road Extension” from Centerville Road to Miccosukee Road. The Thornton Road Extension is also depicted on the map of projects in the 2030 Adopted Cost Feasible Plan.

Both of these plans, the Critical Area Plan and the Year 2030 Cost Feasible Plan, have been adopted as part of the Comprehensive Plan by the City and County Commissions. Regardless of the roadway alignment selected through the Greenway a Comprehensive Plan amendment will be needed to eliminate this inconsistency. On November 15, 2010 the Capital Region Transportation Planning Agency Board adopted an update to the Long Range Transportation Plan, now called the Regional Mobility Plan, which continues to include the Thornton Road Extension as described above. In December 2010 the amendment process will begin to adopt the Regional Mobility Plan, Cost Feasible Plan as part of the Comprehensive Plan.

The Need for Interconnected Roadways

One of the fundamental concepts of long range transportation planning is that more interconnections between roadways increase the efficiency of the transportation system. A traditional grid of streets, such as in downtown Tallahassee, provides many interconnections between the roads creating multiple route options to get from one point to another. Such a system can have smaller roads (fewer lanes), shorter average trip distances, and more capacity to move vehicles than systems with just a few large multi-lane roads that don't interconnect well (see Attachment 7).

As a local example of the impact of interconnected roadways, the trip lengths from the proposed town center on the City owned portion of Welaunee Plantation to the intersection of Thornton Road and Mahan Drive were measured with and without a connection in the Thornton Road/Arendell Way section of Miccosukee Road (see Attachment 8 for a map depicting this analysis). With an interconnection at Thornton Road or Arendell Way the total trip length was approximately 2 miles. Without the interconnection at Thornton Road or Arendell Way the nearest interconnection is the one proposed at Edenfield Road. The trip length from the town center to the intersection of Thornton Road and Mahan Drive via Edenfield was approximately 3.5 miles long. The lack of an interconnection at Thornton Road or Arendell Way would increase the length of this trip by 75% and result in the use of roadway capacity on the newly widened Mahan Drive for a 1.25 mile segment from Edenfield Road to Thornton Road. This is just one basic example of how providing for new roads that connect the “spoke” roads that radiate out from the center of Tallahassee can increase the efficiency of our transportation system while reducing the vehicle miles traveled and reducing the need to add lanes to our existing roads.

Intensifying Thornton Road and Mahan Drive

In 2008 the Board of County Commissioners provided direction for the Planning Department to create a land use category that would combine the Mahan Residential Corridor and the Mahan Residential Corridor Node land use categories to streamline mixed-use development in these areas. The new “Mahan Gateway Corridor Node” category was adopted by the City and County Commissions on October 13, 2009 and was applied to lands along Mahan Drive at the intersections of Dempsey Mayo Road, Edenfield Road, and Thornton Road. This action increased the development potential at these three “nodes” along Mahan Drive. Residential

densities of 4-16 dwelling units per acre and non-residential uses up to 12,000 gross square feet per acre are allowed.

The Mahan Gateway Corridor Node area at Thornton Road is approximately 130 acres in size and is adjacent to 254 acres of land in the Suburban land use category southwest of Interstate-10 and another 166 acres of Suburban northeast of Interstate-10 (Summit East area). The Suburban land use category allows a wide variety of uses with residential densities of up to 20 dwelling units per acre and non-residential uses from 10,000 to 80,000 square feet per acre depending on the development pattern utilized. With these higher intensity uses in the Suburban category, the Comprehensive Plan recognizes that "Business activities are not intended to be limited to serve area residents; and as a result may attract shoppers from throughout larger portions of the community." The significant intensity of development allowed adjacent to and surrounding the intersection of Thornton Road and Mahan Drive heighten the need to provide an interconnected roadway system that provides multiple routes for accessing the area.

Arendell Way and Mahan Drive Construction: No Turn toward Interstate-10

The intersection of Arendell Way and Mahan Drive will be altered by the Florida Department of Transportation widening project. The intersection changes are part of the access management requirements based on designation as a Strategic Intermodal System (S.I.S.). The new intersection will not allow for a turn from Arendell Way onto eastbound Mahan Drive (Attachment 9). This change will prevent vehicles from exiting Arendell Way and traveling eastbound on Mahan Drive to access the significant potential commercial development at the Thornton Road "Node" and Interstate-10 Suburban areas described in the section above.

The physical alteration to the intersection of Arendell Way and Mahan Drive further reduces the viability of Arendell Way as a connector road between the anticipated employment and commerce centers of Welaunee Plantation and the Mahan Drive intersections with Thornton Road and Interstate-10.

Process for Relocating Access to Cross the Greenway

Florida Administrative Code provides guidance for a process to request easements across state lands or to exchange land with the state. If there is interest in pursuing any roadway extension alternative that does not utilize the existing access easement across from Arendell Way, the City will need to determine if it will request a new easement to cross the Greenway or propose a land exchange to acquire the needed right-of-way. Information on both options is included below followed by discussion.

New Easement Process

If the City wishes to acquire a new easement for transportation right-of-way as a public sector agency they will need to submit a completed Upland Easement Application to the Department of Environmental Protection (DEP), including all required supporting documentation listed (Attachment 10). This supporting documentation includes a statement of written approval from the managing agency (Leon County in this case) along with a statement from the managing agency describing how the proposed easement conforms to the management plan. DEP staff would then conduct a review for completeness and consistency with the Board of Trustees of the

Internal Improvement Trust Fund's (BOT) Linear Facilities Policy (Attachment 11). The Linear Facilities Policy includes the three components listed below.

- *Avoidance* – Avoid location on natural resource lands unless no other practical and prudent alternative is available and all steps to minimize impacts are implemented. The test of practicality and prudence includes the social, economic, and environmental effects of the alternatives.
- *Minimizing Impacts* – Locating the project in areas where less adverse impacts are expected, such as areas which have already been impacted and are less sensitive than other areas; avoiding significant wildlife habitats, natural aquatic areas, wetlands, or other valuable natural resources; selecting areas to minimize damage to existing aesthetically-pleasing features of the lands; employing best management practices in construction and operation activities; designing access roads and site preparation to avoid interference with hydrologic conditions that benefit natural resources and reduce impacts on other natural resources and public use and enjoyment; and; generally selecting areas that will not increase undesirable human activities on the natural resource lands; and generally, not adversely impacting the management of such lands. However, human activities may be encouraged where linear facility corridors are designated as part of a greenway or trail.
- *Compensation*
 - Fair market value of easement (However, DEP staff have indicated this payment is not imposed on public-sector applicants)
 - “Additional Compensation” – Payment (via in-kind goods/services or land donation) intended to offset the adverse impacts to natural resources caused by construction/operation/maintenance of applicant’s proposed facility. Assessed cost is typically 1.5 – 2 times the appraised value of the easement.

After the DEP staff review and analysis the Acquisition and Restoration Council (ARC) will review the easement application at one of the Council’s bimonthly meetings and make a formal recommendation to the BOT for approval or denial. As landowner, the BOT (Governor & Cabinet) have final decision-making authority over whether an easement will be granted. Typically, once a recommendation is made by ARC regarding a public easement, the Division of State Lands will honor the ARC recommendation and finalize the approval or denial via authority delegated from the BOT. However, in this instance, the Division of State Lands is likely to determine that the proposed easement needs to be reviewed directly by the BOT due to heightened public concern.

Land Exchange Process

Alternatively, the City may consider the option of pursuing a land exchange with the State (as opposed to an easement). In such a transaction, the City would take fee-simple title to the State land needed for the proposed road right-of-way (and all appurtenances), in exchange for City-owned land with greater overall conservation value (regardless of appraised value). The State’s guiding principle with regard to land exchanges involving conservation lands is known as “net-positive conservation benefit”, and is codified in both statute and administrative rule (*Ch. 253.034(6), F.S.*, and *Ch. 18-2.021(7)(e), F.A.C.*). The administrative rule dealing with net-positive conservation benefit reads “When surplusing conservation lands as part of a land

exchange, the Council also shall evaluate the lands being offered for exchange to determine if they are of equal or greater conservation benefit than the state lands and whether the exchange would result in a net-positive conservation benefit, regardless of appraised value.” Similar to the easement approval process, a land exchange would be reviewed by agency staff, the ARC, and the BOT.

Discussion

As the managing agency for the Miccosukee Greenway, Leon County will have a significant role in any effort to relocate the access for a crossing of the Greenway. DEP staff has indicated that it would be very difficult for the City gain approval for a new easement or land exchange without the County’s approval of such a plan. Part of the County’s approval would include a statement describing how the proposed easement conforms to the management plan for the Greenway. At this time the management plan for the Greenway identifies access through the Greenway across from Arendell Way, not Thornton Road. If the County is interested in any change to the access easement thought the Greenway, this issue would need to be addressed in the upcoming update to the management plan.

If the County or City Commissions express an interest in pursuing a potential change to the access across the Greenway, additional coordination with state staff will be needed to ensure compliance with “avoidance” and “net-positive conservation benefit” as mentioned above. These concepts are key factors in determining if the state can support and approve a change to the Greenway.

If the City or County intended to use Federal funds for this road project, we will also need to ensure that all Federal requirements are being met for impacts to publically owned parklands, in accordance with 23 CFR 774 (aka “Section 4(f)” of the DOT Act of 1966). These requirements are referred to as “4f” and stipulate that the Federal Highway Administration (FHWA) and other DOT agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:

- There is no feasible and prudent alternative to the use of land.
- The action includes all possible planning to minimize harm to the property resulting from use.

It is the Planning Departments understanding that if the City commits to funding the roadway extension and no Federal funds are associated with the project, the “4f” conditions would not apply to the project as no approval from the FHWA would be needed. All state standards associated with “avoidance” and “net-positive conservation benefit” would still remain as the property is owned by the state.

A key factor for complying with the federal “4f” requirements and the state concepts of “avoidance” and “net-positive conservation benefit” will be how the potential impacts of constructing a road through the already approved access across from Arendell Way will be considered. If the potential social, economic, and environmental impacts of the Arendell Way crossing are allowed to be considered and balanced against the potential social, economic, and

environmental impacts of a Thornton Road extension (plus any mitigation measures) then it may be possible to comply with these criteria.

Florida Department of Environmental Protection Response

On December 6, 2010 the Florida Department of Environmental Protection issued a letter indicating that it is the Office of Greenways and Trails position that the Miccosukee Greenway is best served by maintaining the proposed future roadway crossing within the existing easement area at Arendell Way verses the newly proposed crossing at Thornton Road. As the letter was received just prior to distribution of this Workshop Item, an analysis of this position is not included. The complete letter from the Florida Department of Environmental Protection is included as Attachment 12.

Proposed Traffic Analysis

Transportation modeling is a useful tool for understanding the potential impacts of improvements or changes to the existing transportation network over time, incorporating forecasted population and economic growth within our community. Using the Capital Region Transportation Planning Agency (CRTPA) transportation model, staff will be able to generate expected transportation demand and impacts based on the location of roadway improvements. As of November 2010, The Florida Department of Transportation (FDOT) is still in the process of reviewing and validating the Capital Area Transportation model for both the base year 2007 and the future year 2035 cost feasible scenario. The 2035 cost feasible scenario will incorporate all recent and committed roadway improvements, as well as population growth estimates for our metropolitan region. Barring any unexpected delays resulting from FDOT validation of the base and future year CRTPA models, staff anticipates that the transportation models will be useful in analyzing the impacts to the transportation network by varying the location of the proposed Thornton Road extension options.

Currently, both the base year and future year models incorporate the existing StarMetro transit system into the transportation network analysis. Reynolds, Smith and Hill, the consultant coordinating the Regional Mobility Plan update scheduled for adoption in early 2011, is in the process of updating the transit component of the models to reflect the Nova2010 route changes, scheduled for implementation in Summer 2011. These changes will allow staff to produce model outputs and present analyses that more accurately reflect future conditions within our local transportation network.

It is important to note that while the transportation model will produce a future picture of the local transportation network which can be useful for understanding changes over time, the picture produced reflects only one possible future scenario. Unexpected economic, population or developmental changes are likely over the next 25 to 30 years, and the impacts of these changes cannot be accurately factored into a transportation model. It is important to remember that there are many other tools and analyses that must factor into the decision making process for significant transportation changes and improvements, only one of which is the results from the transportation models.

City Evaluated Options

Below are several options evaluated by the City for the Canopy Roads Citizen Committee special meeting on August 23, 2010. A brief discussion is included regarding each option. Additional information regarding the benefits and impacts of options will be provided in the workshop presentations.

- 1. Access occurring in the designated area across from Arendell Way with NO roadway extension on the south side of Miccosukee Road over to Thornton Road (Attachment 13: Alignment A-1, A-2, and E).**

This option is consistent with the Critical Area Plan, but would require an amendment to the Regional Mobility Plan to remove the Thornton Road Extension project. Constructing a connection to Miccosukee Road without an extension to Thornton Road would increase traffic on Miccosukee Road between the new connection point and Thornton Road. This increased traffic may result in the future need for turn lanes on Miccosukee Road. Such a connection would also increase traffic on Arendell Way as a connection to inbound Mahan Drive.

- 2. Access occurring in the designated area across from Arendell Way with a roadway extension on the south side of Miccosukee Road over to Thornton Road (Attachment 13: Alignment A, B, and C).**

This option is consistent with the Critical Area Plan and may be considered consistent with the Regional Mobility Plan as it provides for an extension of Thornton Road through the Welaunee Toe and potentially through to Centerville Road. Constructing an extension to connect to Thornton Road would help reduce traffic impacts to Miccosukee Road and Arendell Way by providing a freer flowing route to divert traffic. This option does require the acquisition of new right-of-way to construct the extension which may not be required as part of the Welaunee development.

- 3. Access occurring via the extension of Thornton Road across the Greenway, paralleling Interstate 10, and accessing the Welaunee Toe (Attachment 13: Alignment D).**

This option is consistent with the Regional Mobility Plan, but would require an amendment to the Critical Area Plan and the Greenway Management Plan. Additionally, the City would need to apply to the State for a new easement or land exchange to acquire the right-of-way needed to construct the extension.

- 4. NO vehicular interconnection from Miccosukee Road to the Welaunee Toe between Edenfield Road and Interstate 10.**

This option is not consistent with the Critical Area Plan or the Regional Mobility Plan. This would require a Comprehensive Plan amendment approved by the City Commission, as the area is inside the City Limits. Additionally, the option fails to increase the interconnectedness of our roadway system, as described earlier in this item.

Options:

1. Accept staff report and presentations on the Thornton Road Extension Project.
2. Board Direction.

Recommendation:

Option #1.

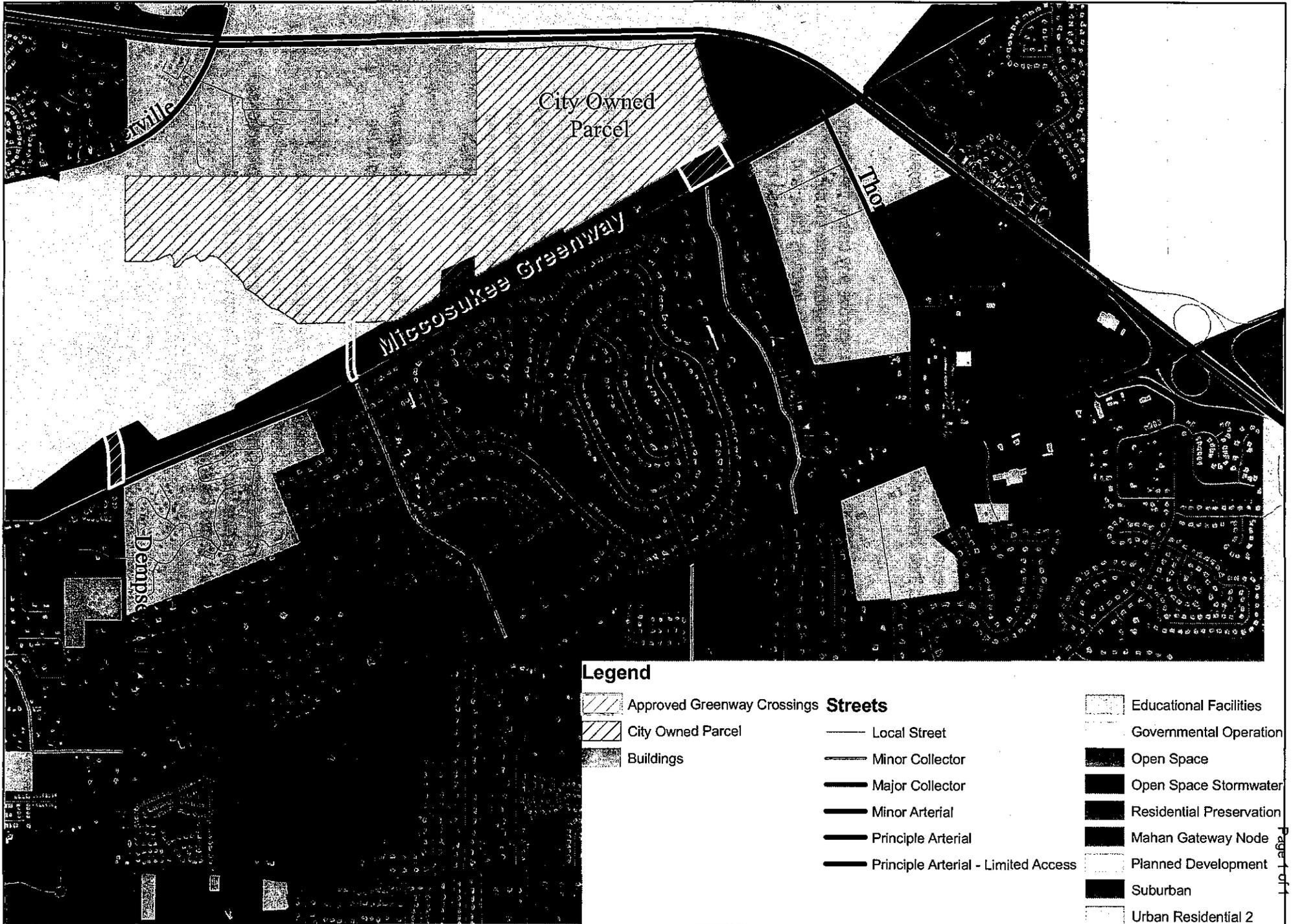
Attachments:

1. Area Map
2. Letter from Friends of the Miccosukee Canopy Road Greenway
3. Letter form Arendell Hill Home Owners Association
4. Letter from Charles Futch and Susan Drake
5. Memo from Canopy Road Citizen Committee
6. Draft Planned Unit Development Concept Plan
7. Network Capacity and Incremental Efficiency
8. Trip Length Assessment With and Without an Interconnection
9. Diagram of the intersection of Arendell Way and Mahan Drive
10. State Upland Easement Application
11. State Linear Facilities Policy
12. Florida Department of Environmental Protection Position Letter
13. Roadway Extension Options

PA/VL/WT/bw

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Orientation Map for Thornton Road Extension Project



Legend

- | | | |
|--|---|--|
|  Approved Greenway Crossings | Streets |  Educational Facilities |
|  City Owned Parcel |  Local Street |  Governmental Operation |
|  Buildings |  Minor Collector |  Open Space |
| |  Major Collector |  Open Space Stormwater |
| |  Minor Arterial |  Residential Preservation |
| |  Principle Arterial |  Mahan Gateway Node |
| |  Principle Arterial - Limited Access |  Planned Development |
| | |  Suburban |
| | |  Urban Residential 2 |

FRIENDS OF THE MICCOSUKEE CANOPY ROAD GREENWAY

October 11, 2010

To the Canopy Roads Citizens Committee:
c/o Brian Wiebler, Senior Planner
Re: City's request to cross the Greenway

The Friends of the Miccosukee Canopy Road Greenway appreciate the opportunity to submit a written statement to the CRCC regarding the City's request for your approval for a canopy cut, in order to build a road to connect their Welaunee property across the Greenway to Miccosukee Road and possibly beyond.

The FMRCG questions whether the CRCC should be asked to approve any cuts in the canopy across lands for which the applicant has no legal access nor permission to use the subject property. We think this particularly true when the property in question involves State land specifically designated for preservation of the very canopy your committee is charged to protect.

The City has the legal access to develop a road to connect their property across the Greenway to Miccosukee Road within the recorded easements at Arendell and Edenfield roads. They have no right to do so elsewhere.

The FMRCG questions whether the CRCC has the right to grant an approval to an applicant/developer to build a road across someone else's land without evidence of legal access or the subject landowner's permission.

The FMRCG was asked by the City to support their request to build a road through the Thornton trailhead and across the Greenway, outside the boundaries of the legal easements and through areas specified for preservation. In response, the FMRCG issued the following declaration and recommendation t on June 23, 2009 to Leon County as the managing agency for the State's property and the Greenway:

"The Friends of the Miccosukee Canopy Road Greenway hereby declare that we do not support any requests for road easements, changes or additions that are not currently articulated in the existing adopted Management Plan for the Miccosukee Canopy Road Greenway."

Neither the acquisition of the Greenway nor the creation of the Management Plan were accomplished without significant public and regulatory involvement and approvals—including the City--, over a period of years. Some of the agencies and groups that signed off on the protections and transportation limitations incorporated into the Miccosukee Canopy Road Greenway Management Plan included (italics added for emphasis):

The original landowner (Welaunee Plantation); The Trust For Public Land; The State of Florida, through its Office of Greenways and Trails; The Leon County Commission; *The City of Tallahassee Growth Management Department*; *The Tallahassee-Leon County Planning Department*; Leon County Parks and Recreation Department; Leon County Agricultural Extension Office; Leon County Department of Community Development; Canopy Road Citizens Committee; The Friends of the Miccosukee Canopy Road Greenway; The Southern Trail Riders Association; The Ochlockonee Soil and Water Conservation District; Midyette Plantation; The Arendell Hills Homeowners Association; Little Pond Farm; Capital City Cyclists.

Later, the City accepted Welaunee's detailed Critical Area Plan as the guideline for development of the 1200+- acres from I-10 to Fleishman Road. The CAP specifically references the Miccosukee Canopy Road Greenway and its protections throughout the document. The transportation plan for the CAP incorporated a maximum of four easements from the landowner's property across the Miccosukee Canopy Road Greenway to Miccosukee Road.

Welaunee and its land plan were lauded by the community (including the Mayor) as visionary and yet still consistent with its existing surrounding development. This plan conceived of, among other things, a small, short road running through a low density residential neighborhood near the Greenway, ending at Miccosukee Road, within the Arendell easement.

There was never any plan or intent to build a commercial connector crossing Miccosukee Road and through either the Arendell or Thornton neighborhoods. Welaunee Boulevard, the major traffic artery to be built internally, is to be designed to draw traffic off of the canopy roads and into the development, as referenced multiple times in the CAP and accompanying traffic plan.

The City had already reviewed the MCRG Management Plan and its plans for preservation and limitation on transportation for that area, as evidenced in a letter from Valerie Hubbard, Chief of Comprehensive Planning, to Jena Brooks, Director of the State Office of Greenways and Trails, on July 20, 2001. The letter states, in part: "Staff has reviewed the proposed management plan in relation to the Comprehensive Plan policies and finds it to be consistent with the Comprehensive Plan."

The letter further states that "Staff has reviewed the Management Plan and finds it to be consistent with and furthers the implementation of the following policy: Policy 6.1.4 [C]. Properties acquired to implement the county-wide Greenways network shall be managed to ensure that the resources for which the sites are acquired are protected or restored to the greatest extent practicable while supportive of other objectives such as passive recreation, education, and interpretation."

In short, the City participated in the creation of the Greenway and its Management Plan, and signed off on its preservation standards and other requirements (*including the limitations of the area's transportation system*) as being consistent with the Comprehensive Plan.

The City accepted a Critical Area Plan that followed the guidelines and transportation access points and restrictions outlined in the MCRG Management Plan. The City was fully aware of and endorsed the many preservation components and restrictions imposed by the Greenway. They clearly knew the property restrictions when they bought the property.

The City can currently develop and access their property and use it according to its current land use, within the confines of the existing legal easements, all consistent with the City's current Comp Plan and its policies. They can even use the previous developer's CAP as its land and transportation plan.

But in order for the City to develop its property, it needs some significant approvals in order to proceed, *approvals for which they have not even applied.*

For example, it's not clear that the City can even develop the property without the construction of an interchange at I-10 and the future Welaunee Boulevard, and yet the City has not requested such permission from the Department of Transportation nor committed to building such a road.

Likewise, the City cannot build a road through State preservation lands without the permission of the managing agency (Leon County) or the State. The City has not requested any such approvals.

The City has had informal discussions with both Leon County and the State and were told in both cases that such an application in this case would not be supported or approved.

Specifically, the FMCRG hopes that before the CRCC considers granting an approval for the City or any other developer to cross the Greenway or any State preservation lands, you would want to hear from the State (specifically, Ms. Jena Brooks, Director of the State Office of Greenways and Trails) as to whether the State has received any request by the City for such a roadway, and the likelihood of such an approval being granted.

In the meantime, unless and until the City/applicant can get permission from the State (and possibly Federal Government) to cross the Greenway outside the current legal easements and within areas designated for preservation, then the CRCC should not even consider such a request for a canopy cut. Until then, the City/applicant is premature in seeking your approval.

However, should the City request a cut within the existing legal easement, the FMRCG would like to remind the CRCC that this is an area through which Testarina Church has an easement to build a new road from their property east, within the Greenway and parallel to Miccosukee Road, until it intersects the new north-south road to be built by the City (see the attached map). If the City's road is closer to the western end of the Arendell easement (or not built at all), the impact upon the Greenway and canopy will be minimal. The farther east the north-south road from the City property to Miccosukee Road is located, the greater the impact the construction of the new Testarina Church roadway will have upon both the canopy and the Greenway.

Thanks again for the opportunity to submit our comments.

Sincerely,

Chuck Mitchell, co-chair of the Friends of the Miccosukee Canopy Road Greenway
cc: Friends of the Miccosukee Canopy Road Greenway
Tony Park, Director of Leon County Public Works



TALLAHASSEE – LEON COUNTY PLANNING DEPARTMENT



July 20, 2001

Ms. Jena Brooks, Director
Office of Greenways and Trails
Douglas Building, Room 853
3900 Commonwealth Boulevard MS795
Tallahassee, Fl. 32399-3000

Dear Ms. Brooks:

The Planning Department staff has been asked to review the Miccosukee Canopy Road Greenway Management Plan for consistency with the Comprehensive Plan. Staff has reviewed the proposed management plan in relation to the Comprehensive Plan policies and finds it to be consistent with the Comprehensive Plan.

This is a management plan for the Miccosukee Canopy Road Greenway Park. This linear park runs approximately 6 miles along Miccosukee Road and was purchased by the State with assistance from the Trust for Public Lands and is leased to Leon County. The County will be responsible for the management of the greenway. The management plan sets the goals and priorities for the management of the greenway and outlines the uses that will be allowed in the park, as well as a time table for the development of the passive recreational amenities envisioned for the park. Staff has reviewed the management plan and finds it to be consistent with and furthers the implementation of the following policies:

Objective 6.1 [C]

Local government shall implement a county-wide greenways network. It shall be the intent of the greenways network to provide for integrated natural resources management and protection, resource-based recreation, educational and historical interpretative opportunities, and increased opportunities for alternative modes of transportation with an emphasis on connectivity among these resources.

Policy 6.1.4 [C]

Properties acquired to implement the county-wide Greenways network shall be managed to ensure that the resources for which the sites are acquired are protected or restored to the greatest extent practicable while supportive of other objectives such as passive recreation, education, and interpretation. Such management shall include, but not be limited to, reforestation and replanting of appropriate terrestrial and aquatic or wetland vegetation, removal of noxious exotic terrestrial and aquatic vegetation, and physical modification and biological enhancement of streambeds, ditches and shorelines to improve water quality and minimize erosion.

Objective 1.6 [C]

By 1994, local government shall establish an environmentally significant land acquisition program.

Objective 3.4 [C]

Local Government shall protect, maintain and improve the designated canopy roads.

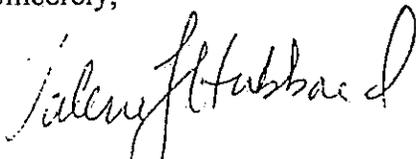
Objective 1.8 [T]

Promote bicycle and pedestrian transportation by incorporating facilities into the existing and future traffic circulation system.

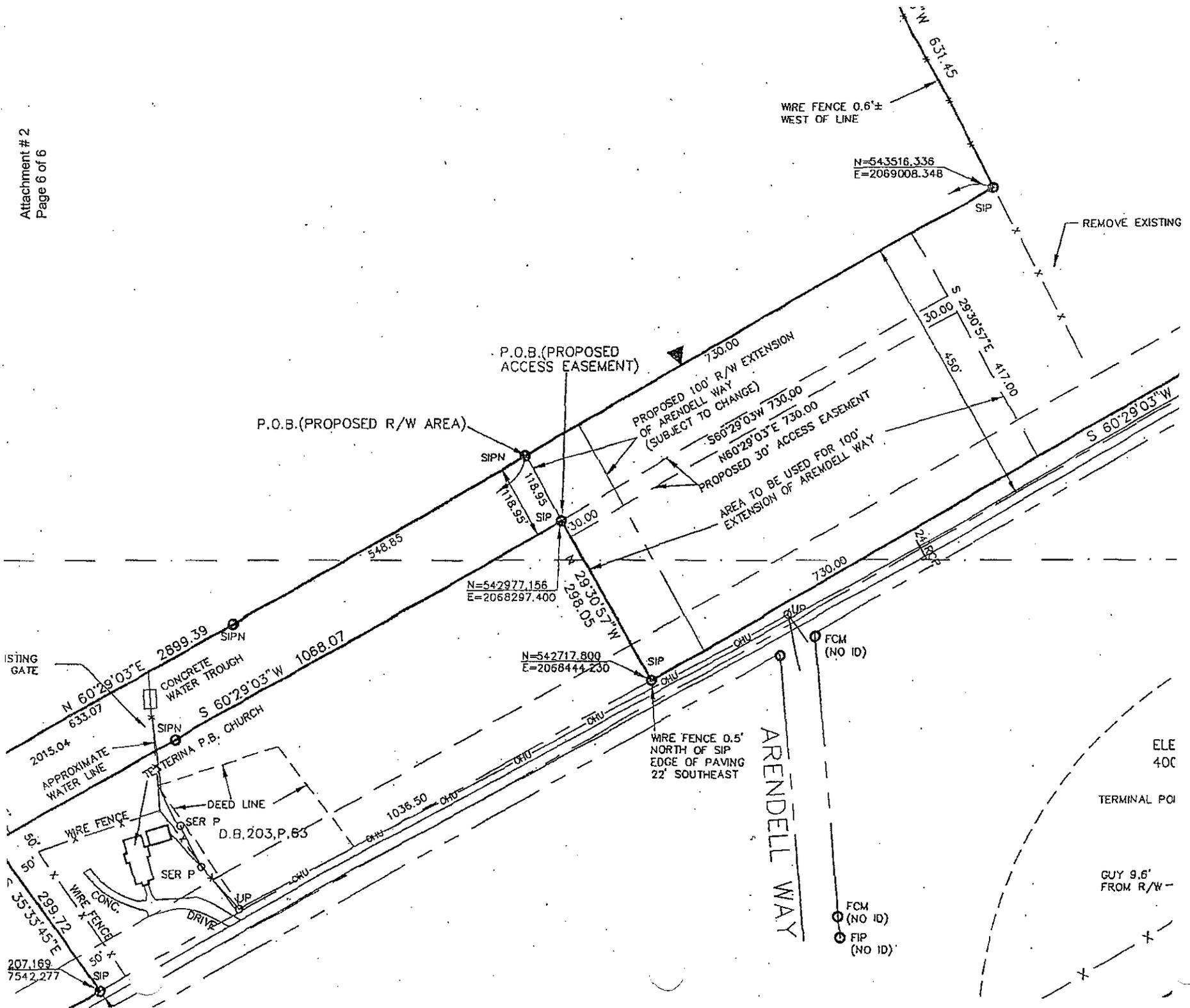
The proposed Greenway management plan is consistent with and furthers the intent of these Plan policies.

If we can assist your office further do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Valerie J. Hubbard".

Valerie J. Hubbard, Chief
Comprehensive and Environmental Planning



EXISTING GATE

207.169
7542.277

N=543516.336
E=2069008.348

N=542977.156
E=2068297.400

N=542717.800
E=2068444.230

FCM (NO ID)
FIP (NO ID)

ELE 400

TERMINAL POI

GUY 9.6' FROM R/W-

**Arendell Hill
Homeowners
Association**

Megan Altavilla, President
2623 N. Arendell Way
Tallahassee, FL 32308
850-878-1245
MeganAltavilla@hotmail.com

November 10, 2010

Mr. Wayne Tedder, Director
Tallahassee-Leon County Planning Department
300 S. Adams Street
Tallahassee, FL 32301

Commissioner Desloge addressed a letter dated October 22, 2010 to area residents providing information on the City owned property and PUD development north of the Miccosukee Canopy Road Greenway, advising them of a County Commission Workshop on December 14. The Commissioner's letter was very informative and he recommended that we forward to you our Homeowners Association and neighbor's concerns regarding access from the City property to Miccosukee Rd so they may be included in the workshop materials consideration in the Commissioner's deliberations on December 14.

We have met on numerous occasions to discuss our concerns and status of the access to the City property at Thornton and Miccosukee roads. We as a neighborhood want the County Commission to be aware of our concerns regarding the Greenway, Miccosukee (canopy) Road and Arendell Way, the only road in our neighborhood, and to let them know of viable other alternates for access to the City property other than at Arendell Way to accommodate the City's PUD development.

We would like to thank you, members of your staff, and the other City and County representatives for their time in considering our concerns and meeting with members of our association and neighbors on numerous occasions. Please include our concerns in the material for the workshop.

We are enclosing for your convenience information that we have presented in the past that the County Commission may not have received.

Please refer to the enclosed plan developed by the City's consultant, Wood Partners Inc dated February 2009 titled "Welaunee Greenway Land Swap Study" and identified as "Original Plan". This was the first plan prepared to access the City property north of the Greenway and adjacent to I-10. The Arendell Hill Homeowners Association strongly supports the access to the property indicated on that plan. We feel that it represents a better plan than the current Arendell Way access plan.

The original plan provides a well planned approach and addresses all the elements that should be considered for a good community addition. The Thornton Road plan provides for a connection to Thornton Road from Welaunee Boulevard across the Greenway at the right of way of I-10 instead of an extension of Arendell Way into the City property.

If there is to be a connection to Miccosukee Road it is our position that a connection at Thornton Road is a better access plan and is the logical point of access to cross the Greenway instead of at Arendell Way. The basis of our position follows:

Mr. Wayne Tedder
November 10, 2010
Page 2

- Thornton Road is the most logical location for multiple reasons and the **only access** that conforms with the objectives of approved I-range Transportation Plan element of the Critical Area Plan.
- Thornton Road is the recommended access by the City's consultant and was selected after considering traffic counts on Arendell Way and Thornton Road.
- Thornton Road is a County Arterial and Identified as CR 0349 on the State's road system. Arendell Way is not.
- Many properties along Thornton Road, especially those close to U.S. 90, are zoned Interstate Interchange Commercial and other high density and commercial uses that are usually adjacent to Arterial roads (see attached aerial photo).
- The properties along Arendell are all residential and are zoned Residential Preservation. The entire length of Arendell is zoned and deed restricted to 4 and 5 acre residential lots.
- Arendell Way is a low-speed and low-traffic-count residential subdivision serving only the residents who live along its length. Arendell is a Local Road, not an Arterial Road.
- The high density zoning pods identified in the County's study of US 90 are now a reality and in place at Thornton Road and not Arendell Way.
- The connection at Thornton Road would preclude a dissection of the Greenway. Integrity of the Greenway is preserved by the elimination of a road crossing at Arendell Way. Connection at Thornton Road will provide a more continuous Greenway trail for bikes, pedestrians and equestrian users.
- The Thornton Road geometry is primarily a straight alignment with no trees within the right of way. This configuration lends itself to Thornton being a very efficient and safe traffic mover for motorists.
- The Arendell Way geometry is very curvilinear and serves as a winding residential road. Arendell Way contains nine curves and lined with a number of championship quality live oak trees.
- The Thornton Road connection will avoid worsening a serious existing storm water problem in the area of the Arendell Way.
- The Thornton Road connection will avoid disruption of the Arendell neighborhood by not having to obtain additional right of way and condemning existing homes and residential properties on Arendell Way.

We support adoption of the enclosed copy of the COT **original plan** which shows a reasonable and acceptable connection to Thornton Road from the City property.

The preferred Thornton Connection crosses the Greenway at Thornton and runs along the I-10 right-of-way connecting into the City property. The proposal that we support includes no loss of land to the

Mr. Wayne Tedder
November 10, 2010
Page 3

Greenway by providing additional land area to the Greenway to take the place of that required for the connection.

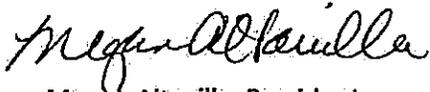
It is our request that the necessary action be taken in the development of the PUD to accomplish the Thornton connection as depicted on the enclosed Original Plan and the necessary coordination with the county, state and the Office of Greenway and Trails to accomplish the plan.

The association pledges its active support of your plan in Planning Commission and City Commission public hearings. In addition, we will play an active role in front of the Governor and Cabinet to accomplish revision to the Greenway access points and Greenway parcel configuration adjustments. We stand ready to actively support you on other elements of your future PUD application to accomplish reasonable and logical plan elements.

Authorized representatives of the Arendell Hill Homeowners Association are available to meet with you, your consultants, the Planning Commission, the City Commission, or the County Commission at any time to assist in case for support of the implementation of the Thornton Road connection.

Thank you for your effort in this regard and for providing this material and our concerns to the County Commissioner for their deliberation at the workshop on December 14.

Sincerely,



Megan Altavilla, President
Arendell Hill Homeowners Association

Attachment

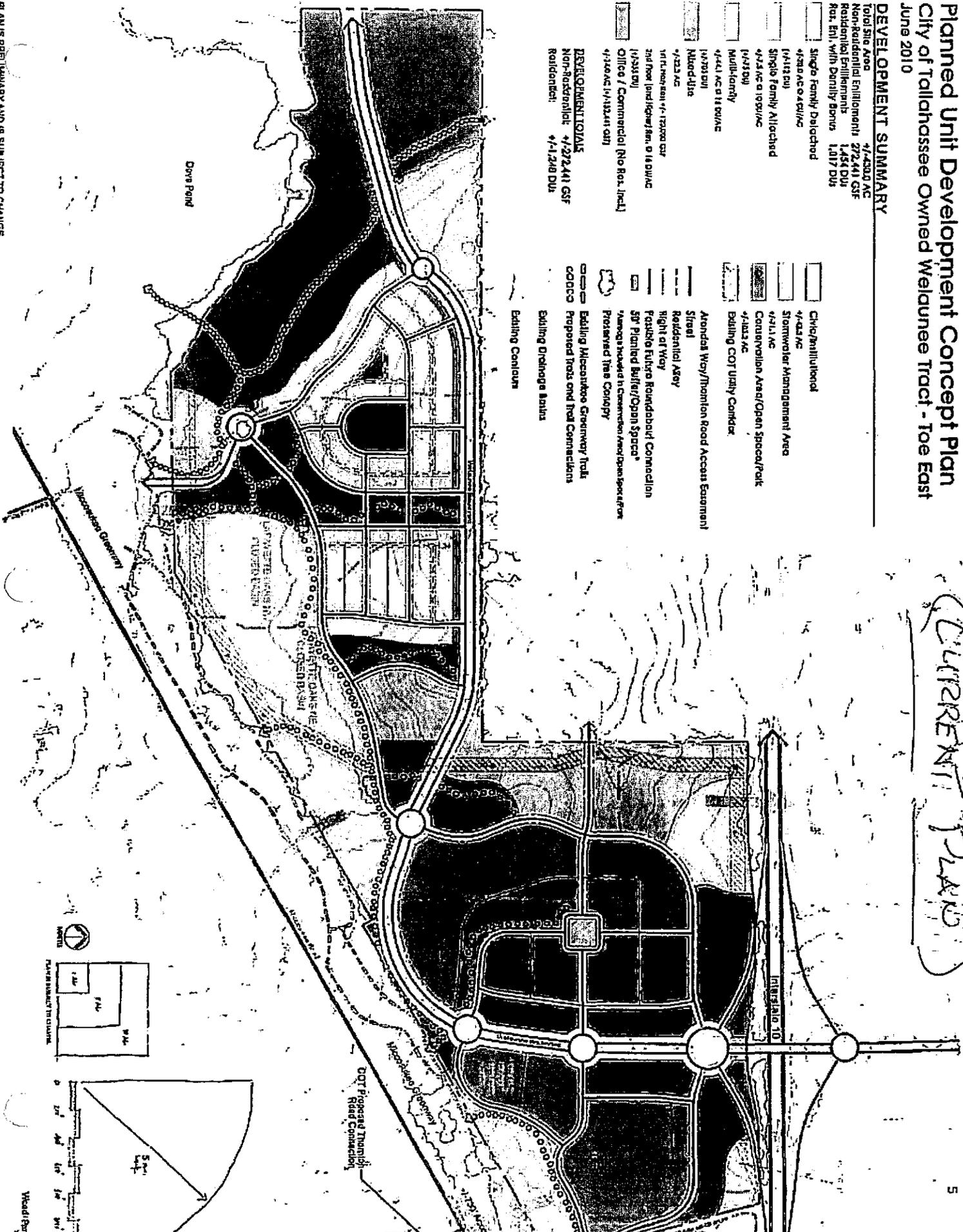
Planned Unit Development Concept Plan City of Tallahassee Owned Welbourne Tract - Toe East June 2010

DEVELOPMENT SUMMARY

Total Site Area 47,430 AC
 Non-Residential Enrollments 272,441 GSF
 Residential Enrollments 1,454 DU
 Res. Enl. with Density Bonus 1,017 DU

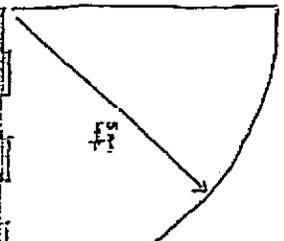
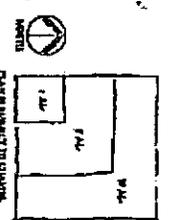
- Single Family Detached 4,329 AC @ 4 DU/AC
- Single Family Attached 14,112 DU
- Multi-Family 4,213 AC @ 10 DU/AC
- Multi-Family 4,441 AC @ 11 DU/AC
- Mixed-Use 14,703 DU
- 1st Floor Retail 47,172,000 GSF
- 2nd Floor Retail/Office/Res. 0.18 DU/AC
- Office / Commercial (No Res. Incl.) 47,120 AC @ 14,324 DU

- Child/Playground 47,430 AC
- Stormwater Management Area 47,171 AC
- Conversion Area/Open Space/Park 47,123 AC
- Building CO2 Utility Conflict
- Arundel Way/Thomson Road Access Easement
- Street
- Residential Alley
- Possible Future Roundabout Connection
- SR Planted Buffer/Open Space
- Vegetation Included in Conversion Area/Open Space Area
- Proposed Tree Canopy
- Building Miscellaneous Greenway Trails
- Proposed Trails and Trail Connections
- Existing Ditch/Grass Basins
- Existing Contours



CURRENT PLANS

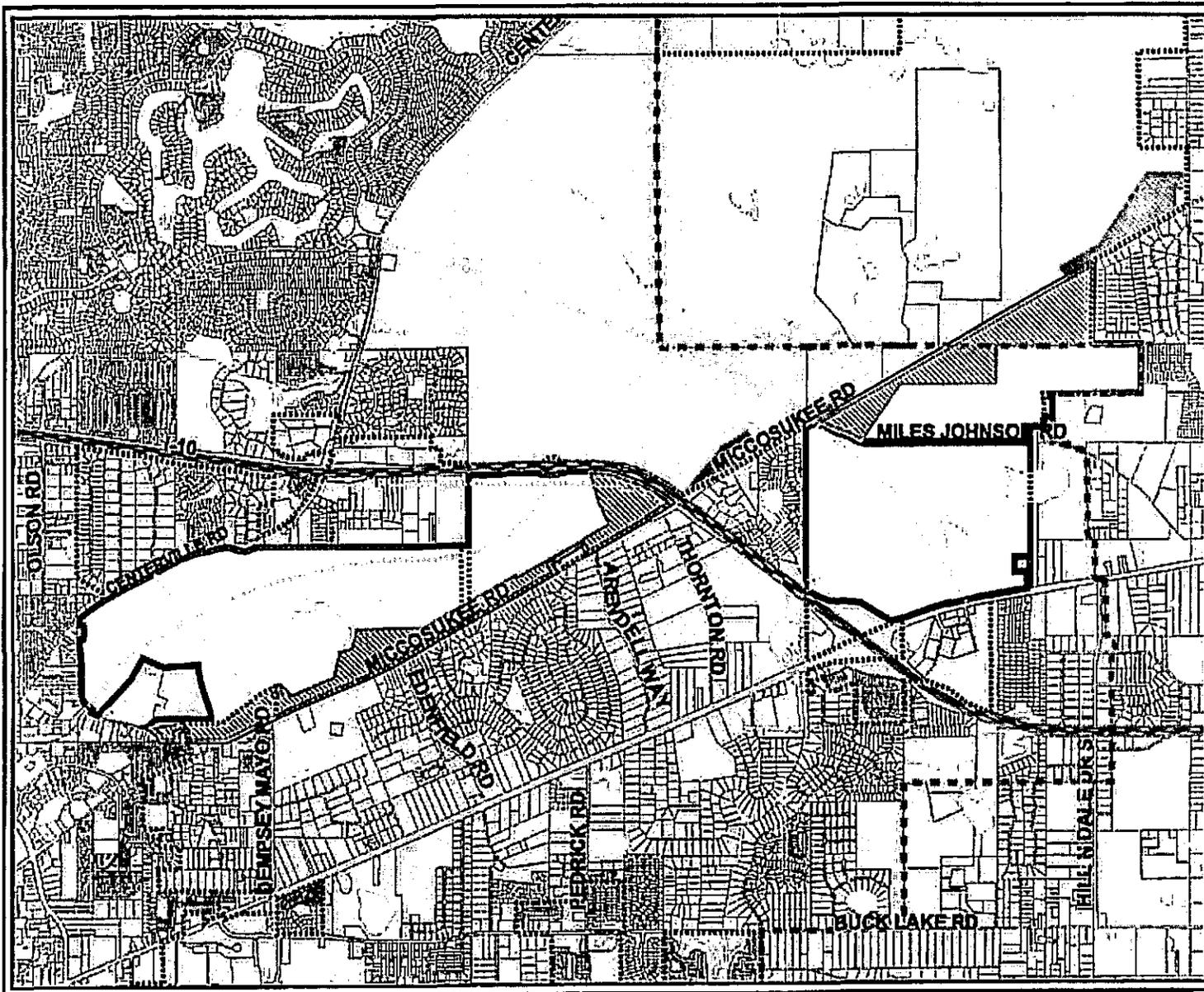
PLAN IS PRELIMINARY AND IS SUBJECT TO CHANGE.

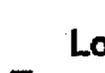


Vertical Curve



Critical Area Plan



	Critical Area Plan
	Park Land
	City Limits
	Urban Service Area Boundary
Long Range Transportation Plan	
	Widen to Four Lane
	Widen to Six Lane
	New Two-Lane
	New Four Lane
	New Interchange

TICPD
 Tipton-Idaho County
 Planning Department



Date Printed: May 12, 2009

Charles R. Futch
Susan H. Drake
2953 N Arendell Way
Tallahassee, FL 32308
October 2010

TO: Canopy Roads Citizens Committee

We have received the notification and agenda of the 18 October 2010 Special Meeting of the Canopy Road Citizens Committee to discuss the proposed Thornton Road extension alternatives presented at the 23 August 2010 meeting. Information relating to the six proposed routes was incomplete and misleading; enclosed is an analysis and comments that speak for themselves. We recognize that public comments will not be accepted at the 18 October meeting. However, since two of the proposed routes place our homestead in peril, and two others interfere with full usage of our property, we trust that you understand our interest in providing this further information, which is both true and complete.

The easement at the north terminus of Arendell Way was, from all information available to us, an arbitrary designation solely to meet conditions of sale of the property by Powerhouse, Inc. for the Greenway **without regard for future transportation needs**. If the Arendell easement is used as currently drawn (Routes A1, A2, B, and C) **for the purpose of routing a heavy flow of traffic to and from the Mahan Drive/I-10 interchange through Thornton Road**, such unanticipated and substantial changes in the general area demonstrate that this easement **will not adequately meet demands of any such future development**.

The most important such change is reflected in Amendment #PCT090221 to the Comprehensive Plan, designating the extension of Thornton Road to the Welaunee Toe shown as Route D on the 23 August map. These changes include construction of the Vineland Publix-anchored strip mall, construction of Farmers and Merchants Bank, relocation of the Antique Car Museum from Mahan Drive to the DeVoe Moore property near the Mahan Drive/I-10 interchange, and the four laning of U.S. 90 from Dempsey Mayo Road to I-10. These factors demonstrate the potential for burgeoning development between Thornton Road and the Mahan Drive/I-10 interchange. It is crystal clear that use of the easement at Arendell Way—a road designated as a "minor collector"—**was never anticipated as a thoroughfare gateway, especially between two foreseeable major developments**.

Attached is a one page issue sheet for your consideration.

In sum, we believe that these issues can best be resolved by only allowing access to the City property in the Welaunee Toe via **Welaunee Boulevard, Centerville Road, and an Interstate 10 interchange**. If additional access becomes necessary, **the existing Amendment #PCT090221 to the Comprehensive Plan** that would extend Thornton Road northward from the existing parking lot is appropriate. Such an alignment will also be less likely to direct additional traffic to Miccosukee Road.

The Miccosukee Canopy Road is unquestionably a beautiful gem of Leon County; we are grateful that you are in a position to protect it. If you have any questions, you may contact us by telephone (850.309.7662) or email (fhs1959@comcast.net). Moreover, you are welcome to visit us for a tour of the Arendell Way easement and our 3.75 acre wildlife habitat.

Encl.

cc: James R. Brewster, Esq.

ISSUES

1. Canopy Road Issues

- An intersection at Arendell Way and Miccosukee Road would require removal of a substantial number of trees to provide sufficient vision for crossing traffic.
- There would be an increase in traffic on Miccosukee Road that could negatively affect the Canopy trees.
- Routing the road through the Morrison property (facing Miccosukee Road and Thornton Road) would result in Canopy trees on the south side of Miccosukee Road having roads on two sides of them. Construction would most likely be harmful to root systems of those trees.

2. Safety Issues

- Traffic signals will be necessary, given the volume of traffic on Miccosukee Road. Having such a signal at the bottom of a short hill is a recipe for many collisions.
- Routing a heavy flow of traffic through a sinuous, winding road to Thornton Road simply is not practical

3. Route E Issues

- This route would dump traffic directly on Miccosukee Road; the afore mentioned issues apply here as well.

4. Route D Issues

- If the purpose of a southern access to and from the City property to Thornton Road is required, ***this is the only reasonable route available.*** This route will require acquisition of land from the State of Florida subject to the approval of Governor and Cabinet.

5. Neighborhood Issues

- Use of the Arendell easement would forever change the character of a well-established neighborhood with strict covenants drawn to preserve property values by restricting development. Moreover, it would destroy our homestead of more than 12 years that we have worked so hard to turn into a wildlife sanctuary.

Arendell Way Extension to the Welaunee Toe
A Review and Comments on a Proposal by the Tallahassee–Leon County
Planning Department
by
Charles Robert Futch and Susan Helen Drake, M.D.
September 2010

BACKGROUND

The City of Tallahassee owns 430 acres in the Welaunee Toe, purchased as right of way for an electric line, and now is in the process of developing a Planned Unit Development for that property. Amendment PCT090221 to the Comprehensive Plan designated an extension of Thornton Road as access to City–owned property in the Welaunee Toe through the existing parking lot and closely paralleling Interstate 10. In late September 2009 property owners in the Arendell Hill subdivision were advised of a meeting to be held on 2 October 2009 at the Thornton Road parking lot. Among the materials handed out at that meeting was a map showing a new access road through our home and gardens, and the Miccosukee Greenway easement at the north terminus of Arendell Way. Despite our objections, another map produced in early 2010 reiterated the route.

CURRENT STATUS

On 23 August 2010 the Tallahassee–Leon County Planning Department made a presentation to a joint meeting of Canopy Roads Citizens Advisory Committee and Friends of the Miccosukee Canopy Roads Greenway to discuss plans for the project. That presentation yielded yet another Planning Department proposal showing six possible routes. They are shown on the attached map (Attachment 1); a descriptive spreadsheet was also provided. Two of these proposals would require condemnation of our property, and two others would take a portion of our property.

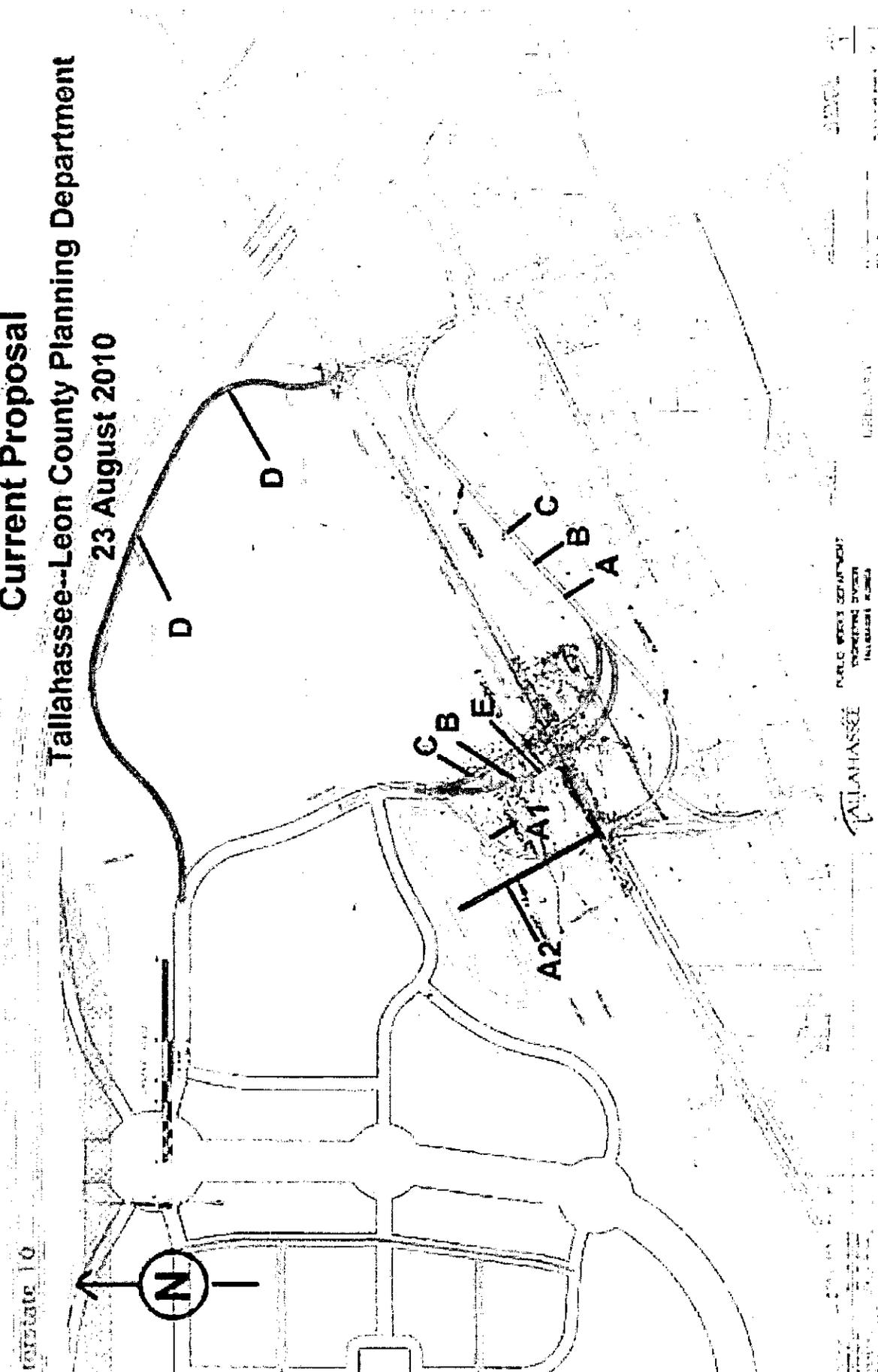
We dispute the facts and conclusions which serve as the basis of this proposed action. Our Attachment 2 is that spreadsheet, with additional information regarding costs, and number of trees affected.

Attachment 3 is an analysis of the modified spreadsheet (Attachment 2). The original spreadsheet is labelled "ALIGNMENT ALTERNATIVE ANALYSIS"; our modification is shown as "ADDITIONAL CONSIDERATIONS."

CONCLUSIONS

- None of the six proposed routes are necessary. The Planned Unit Development Concept Plan dated June 2010 (Attachment 4) shows access to the Welaunee Toe at Edenfield Road, Welaunee Boulevard, an unnamed access to the west, and an I-10 interchange. There is an *existing* Amendment to the Comprehensive Plan that provides access through an extension of Thornton Road.
- It will harm citizens by changing the character of adjacent neighborhoods and not provide the needed safe traffic access to the Welaunee Toe.
- The costs of this project by the Planning Department are *substantially* underestimated by failure to include costs of land acquisition, legal costs and stormwater management facilities.
- Damage to trees on City and private property is grossly underestimated.
- Damage to driveways of adjacent properties is not assessed.
- This destructive, costly proposed road is entirely designed to increase the saleability of City of Tallahassee Property to a private developer for the benefit of homes that do not yet exist.
- ***We are not willing sellers.*** Accordingly, additional legal costs of eminent domain will be borne by Leon County. This proposal is nothing more than taking private property and giving it to a developer, similar to the case of *Kelo v. City of New London*. However, this proposal is worse than the *Kelo* case, as here the City of Tallahassee made its investment into the Welaunee Toe, now seeks its sister government to use its public powers to enhance the resale value of City of Tallahassee land acquisition to the blatant detriment of private citizens who are not located in or otherwise subject to the City of Tallahassee's authority.

Current Proposal
Tallahassee--Leon County Planning Department
23 August 2010



ATTACHMENT 1

ALIGNMENT ALTERNATIVE ANALYSIS

ATTACHMENT 2

		ALIGNMENTS					
		A1	A2	B	C	D	E
CANOPY TREES IMPACTED:	North	12	12	8	25	10	8
	South	3	3	3	19	0	0
	Sub-Total Trees	15	15	11	44	10	8
	Sub-Total Debits	53	53	36	202	72	20
GREENWAY TREES	Trees	3	2	5	7	0	5
	Sub-Total Debits	108	92	134	40	0	134
	Total Trees	18	17	16	51	10	13
	Total Debits	161	145	170	242	72	154
GREENWAY AREA	Length Impacted:	597 L.F.	414 L.F.	469 L.F.	445 L.F.	2755 L.F.	469 L.F.
	Area Impacted:	1.1 Acre	0.76 Acre	0.86 Acre	0.82 Acre	5.06 Acre	0.86 Acre
ROADWAY COST	Length	4330	3902	3021	2849	2755	600
	Roadway cost only; excludes pond cost and ROW cost	Cost	\$1,894,375	\$1,707,125	\$1,321,688	\$1,246,438	\$1,205,313
PRIVATE PROPERTY IMPACT	Parcels Impact (Non-public)	3	3	3	3	0	0

ADDITIONAL CONSIDERATIONS

FUTCH/DRAKES TREES		189	189	30	30		
MARKET VALUE OF AFFECTED PROPERTIES							
		\$605,004.00	\$605,004.00	\$582,145.00	\$582,145.00	0	0
LEGAL COSTS OF EMINENT DOMAIN (33.3%)							
		\$201,466.33	\$201,466.33	\$193,854.29	\$193,854.29	0	0
REAL COSTS		\$2,902,311.66	\$2,715,061.66	\$2,291,541.07	\$2,216,291.07	\$1,205,313	\$262,500

Notes: A1 and A2 refer to Morrison and Futch/Drake properties

B and C refer to Morrison and Hay properties

Value of Futch/Drake property affected by B and C are undetermined.

ATTACHMENT 3

ALIGNMENTS A1 AND A2

- TREES
 - ✓ There has been no official inventory of trees on Morrison, Futch/Drake properties, nor on City property where a stormwater pond would be built. There are at least 81 species of trees and 189 individual trees to be affected on the Futch/Drake property.
- STORMWATER CONSIDERATIONS
 - ✓ There has been no consideration of stormwater on the south side of Miccosukee Road,
- COST
 - ✓ The most egregious omission is that Attachment 4 shows: "*Roadway cost only...excludes pond cost and ROW costs.*" These proposed alignments would occupy the entirety of Morrison and Futch/Drake properties, valued at \$605,004 (Attachment 4) by the Leon County Tax Assessor. At a bare minimum, a more accurate cost estimate of these alignments would be \$2,902,311, and \$2,715,061, excluding pond construction, inverse condemnation, and eminent domain litigation costs.
- OTHER AFFECTS
 - ✓ Driveways of at least four adjacent property owners would be affected.

ALIGNMENTS B AND C

- TREES
 - ✓ There has been no official inventory of trees on Morrison, Futch/Drake properties, nor on City property where a stormwater pond would be built. There are at least 30 individual trees to be affected on the Futch/Drake property.
- STORMWATER CONSIDERATIONS
 - ✓ There has been no consideration of stormwater on the south side of Miccosukee Road.
- COST
 - ✓ This proposed alignments would occupy the entirety of Morrison and Hay properties, valued at \$582,145 (Attachment 4) by the Leon County Tax Assessor. At a bare minimum, a more accurate cost estimate of these alignments would be \$2,291,541.07, and \$2,216,291.07, excluding pond construction, inverse condemnation, and eminent domain litigation costs
- OTHER AFFECTS
 - ✓ Driveways of at least four adjacent property owners would be affected. Futch/Drake property would be affected to some degree.

ALIGNMENT D

- COST
 - ✓ No property condemnations would be necessary with this route; the property is already in County ownership. The only cost not shown is that of stormwater management facilities.

ALIGNMENT E

- COST
 - ✓ No property condemnations would be necessary with this route; the property is already in County ownership. The only cost not shown is that of stormwater management facilities.

Planned Future Development Concept Plan

City of Tallahassee Owned Welaunee Tract - Toe East

June 2010

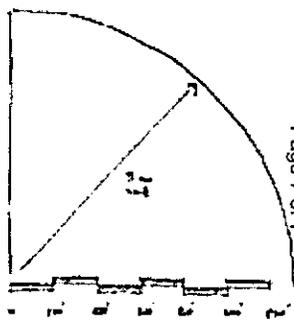
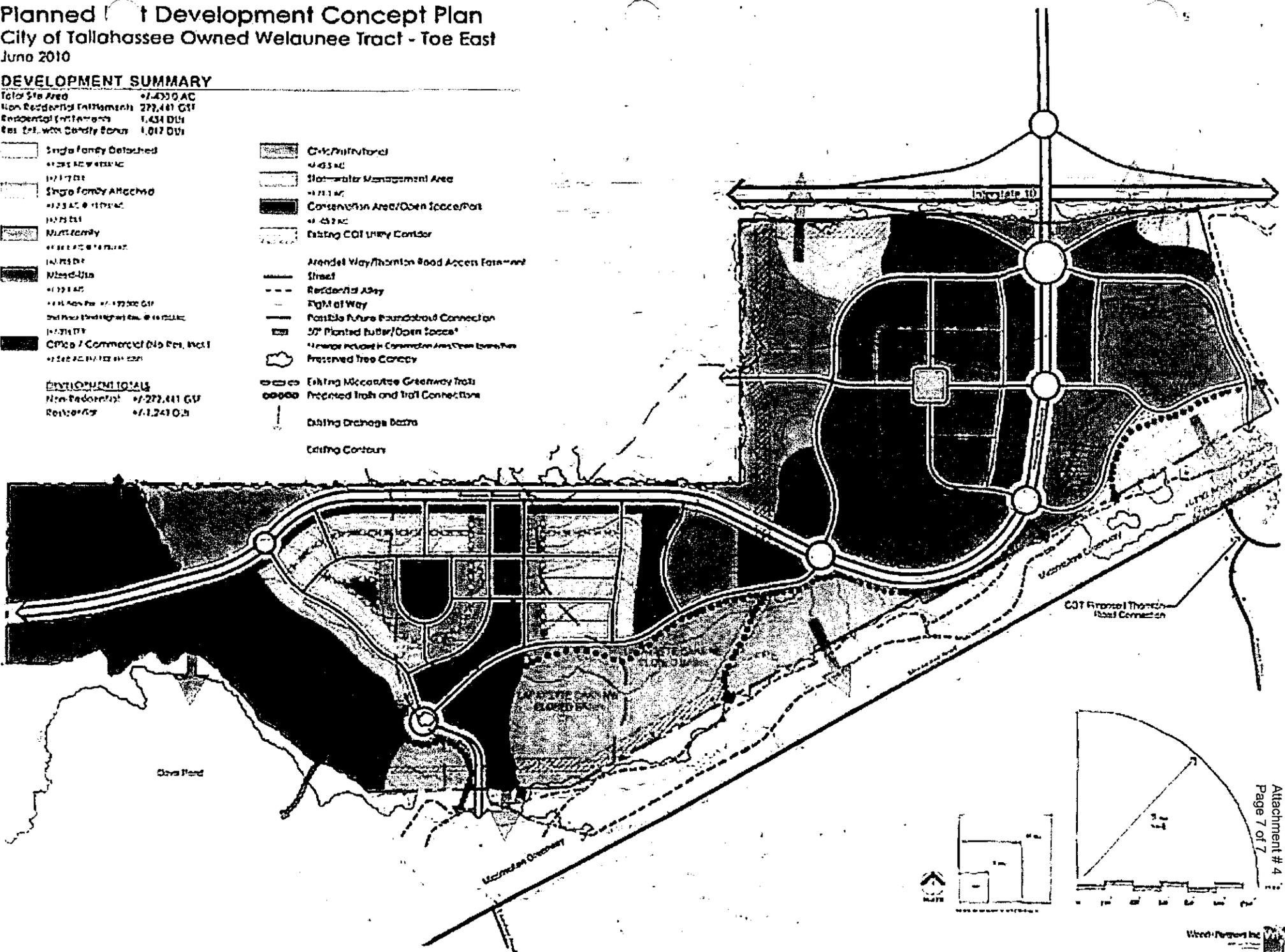
DEVELOPMENT SUMMARY

Total Site Area 47,455 AC
 Non-Residential (Fut. Plans) 277,441 GSF
 Residential (Fut. Plans) 1,434 DUU
 Res. Proj. with Sandy Beach 1,017 DUU

- Single Family Detached
41,285 AC @ 1.15 AC/lot
1,017 DUU
- Single Family Attached
4,170 AC @ 1.15 AC/lot
1,017 DUU
- Multi-Family
4,170 AC @ 1.15 AC/lot
1,017 DUU
- Mixed-Use
4,170 AC
41,285 GSF @ 1.15 AC/lot
2nd Floor (Strategic) Use @ 1.15 AC/lot
1,017 DUU
- Office / Commercial (No Res. Incl.)
4,170 AC @ 1.15 AC/lot

DEVELOPMENT TOTALS
 Non-Residential 47,277,441 GSF
 Residential 47,1,241 DUU

- City/Industrial
4,455 AC
- Stormwater Management Area
4,170 AC
- Conservation Area/Open Space/Park
4,455 AC
- Existing COJ Utility Corridor
- Arendel Way/Thornton Road Access Easement
- Street
- Right-of-Way
- Possible Future Foundation Connection
- 50' Planted Buffer/Open Space*
*Range included in Conservation Area/Open Space/Park
- Preserved Tree Canopy
- Existing Moccasin Greenway Trail
- Proposed Trail and Trail Connections
- Existing Drainage Basin
- Existing Contour



MEMORANDUM

To: Board of County Commissioners and the City Commission

From: Eduardo Robles, Canopy Road Citizen Committee Chairman

Date: October 19, 2010

Subject: Canopy Roads Citizen Committee Recommendation on Proposed Extension of Thornton Road

On October 18, 2010, the Tallahassee-Leon County Canopy Road Citizen Committee passed a multi-part motion regarding the proposed extension of Thornton Road across Miccosukee Road and the Miccosukee Greenway. The components of the motion are included below.

1. The preferred position of the Canopy Road Citizen Committee is that no new roadway be cut through the canopy along this section of Miccosukee Road.
2. If the decision is made to construct a new road crossing in this section of Miccosukee Road we recommend that it be contingent on the items below.
 - a. Any new crossing should be lined up with Thornton Road and should parallel Interstate-10. This route would have less impact to the canopy than a crossing near Arendell Way.
 - b. Any new crossing should go over or under (preferring under) Miccosukee Road to prevent any motor vehicle access to Miccosukee Road.
 - c. If a new crossing is approved at Thornton Road the existing easement for a crossing at Arendell Way should be abandoned.
 - d. The design for any new crossing at Thornton Road should be coordinated with the Friends of the Miccosukee Canopy Road Greenway and the Canopy Road Citizen Committee to minimize impacts, develop a landscaping plan, create a visual barrier to screen the new road, and select new land to be added to the Greenway.

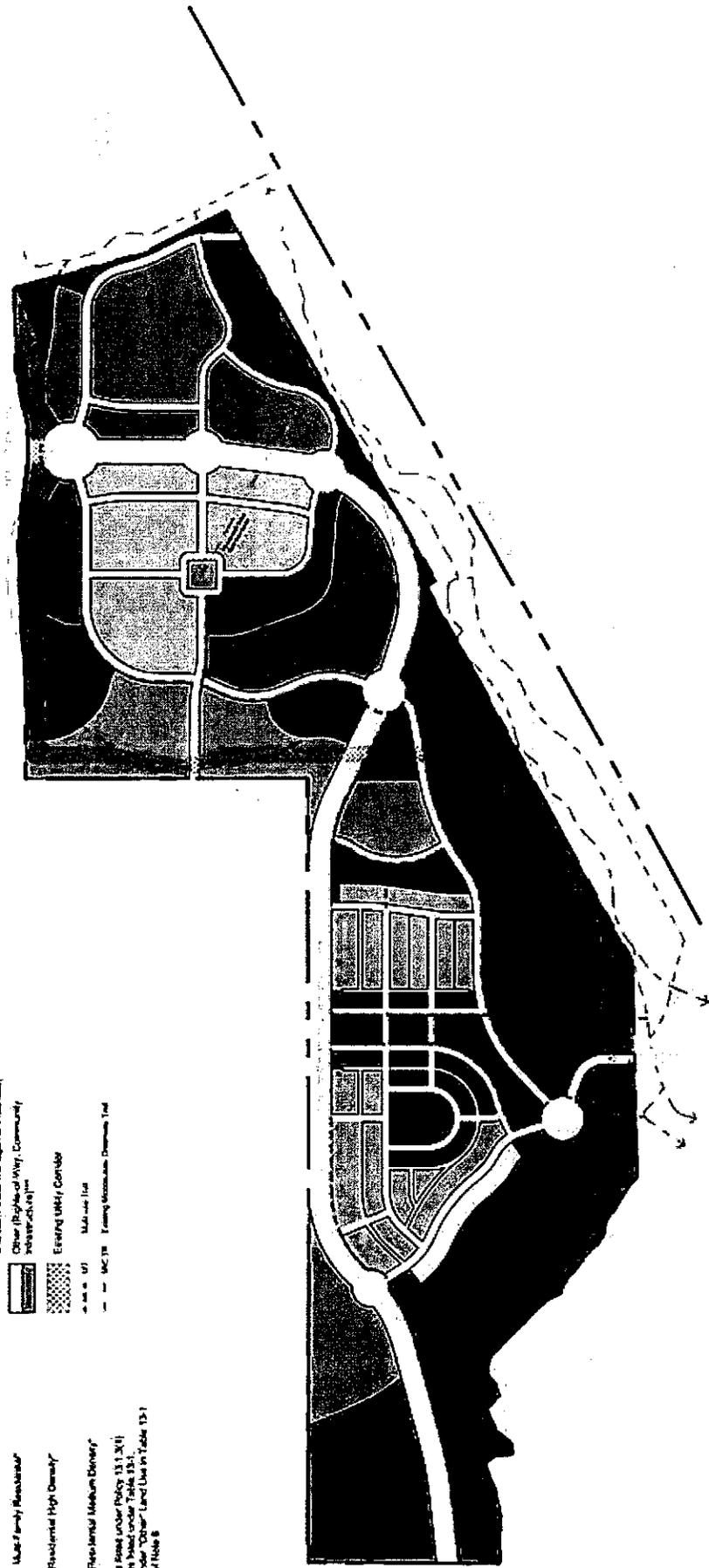
Welaunee PUD Concept Plan

August 2010

LAND USE LEGEND:

	Town Center*		Residential Low Density*
	Neighborhood Center*		Primary Open Space and Recreation** Provides open space, conservation areas, and stormwater management facilities
	Multi-Family Residential*		Other (Right-of-Way, Community Infrastructure)**
	Residential High Density*		Existing Utility Corridor
	Residential Medium Density*		Multi-Use Trail
			Future Maximum Density Trail

* Categories listed under Policy 13.1, 13.11, 13.12
 ** Land Uses listed under Table 13.4
 *** Listed under "Other" Land Use in Table 13.1
 by way of Note 8

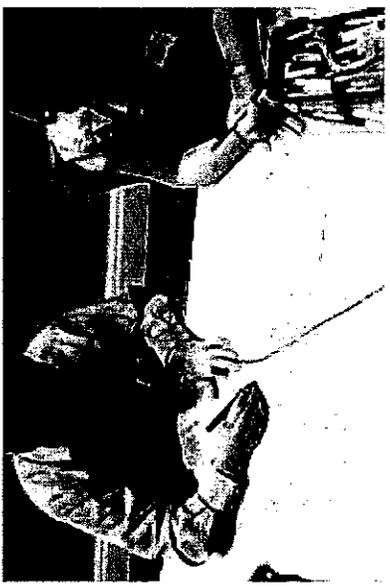




HIGHWAY CORRIDOR STUDY

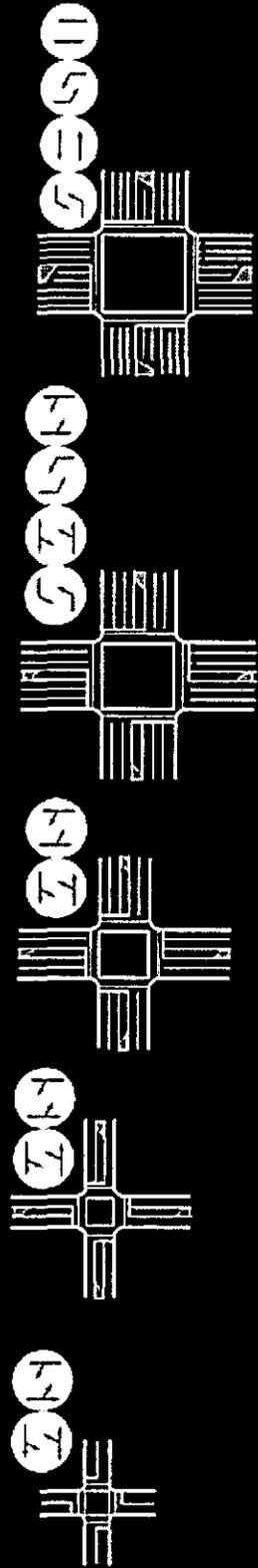
Public Design Workshop

September 21, 2010

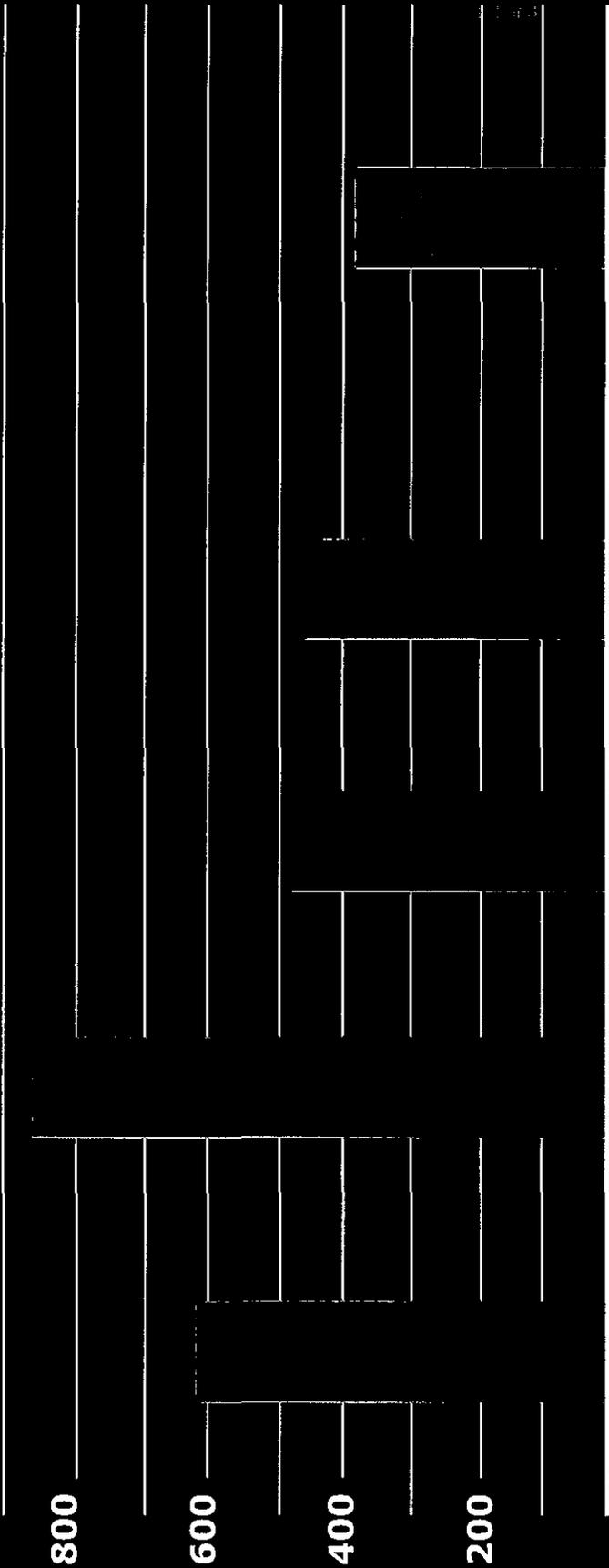




Incremental Efficiency

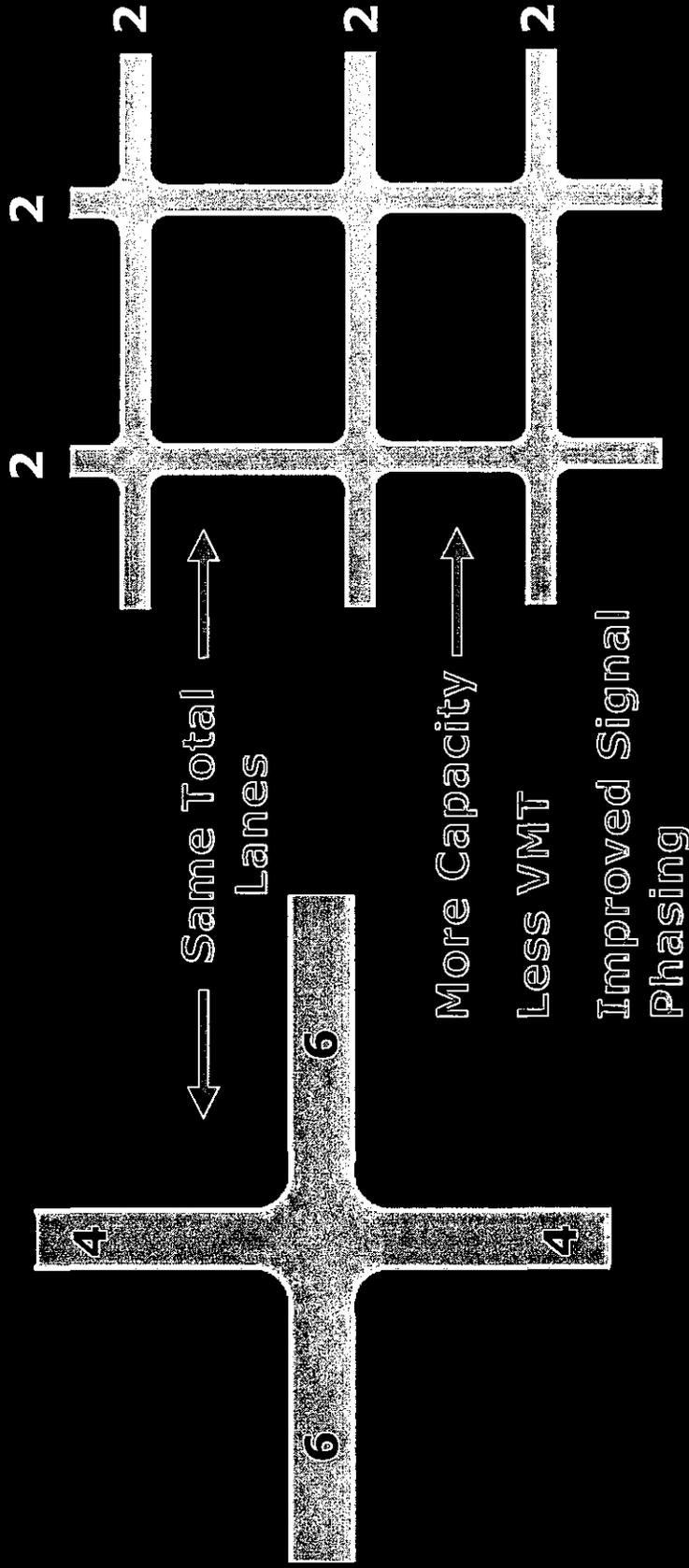


Capacity of Additional Through Lane (VPH)

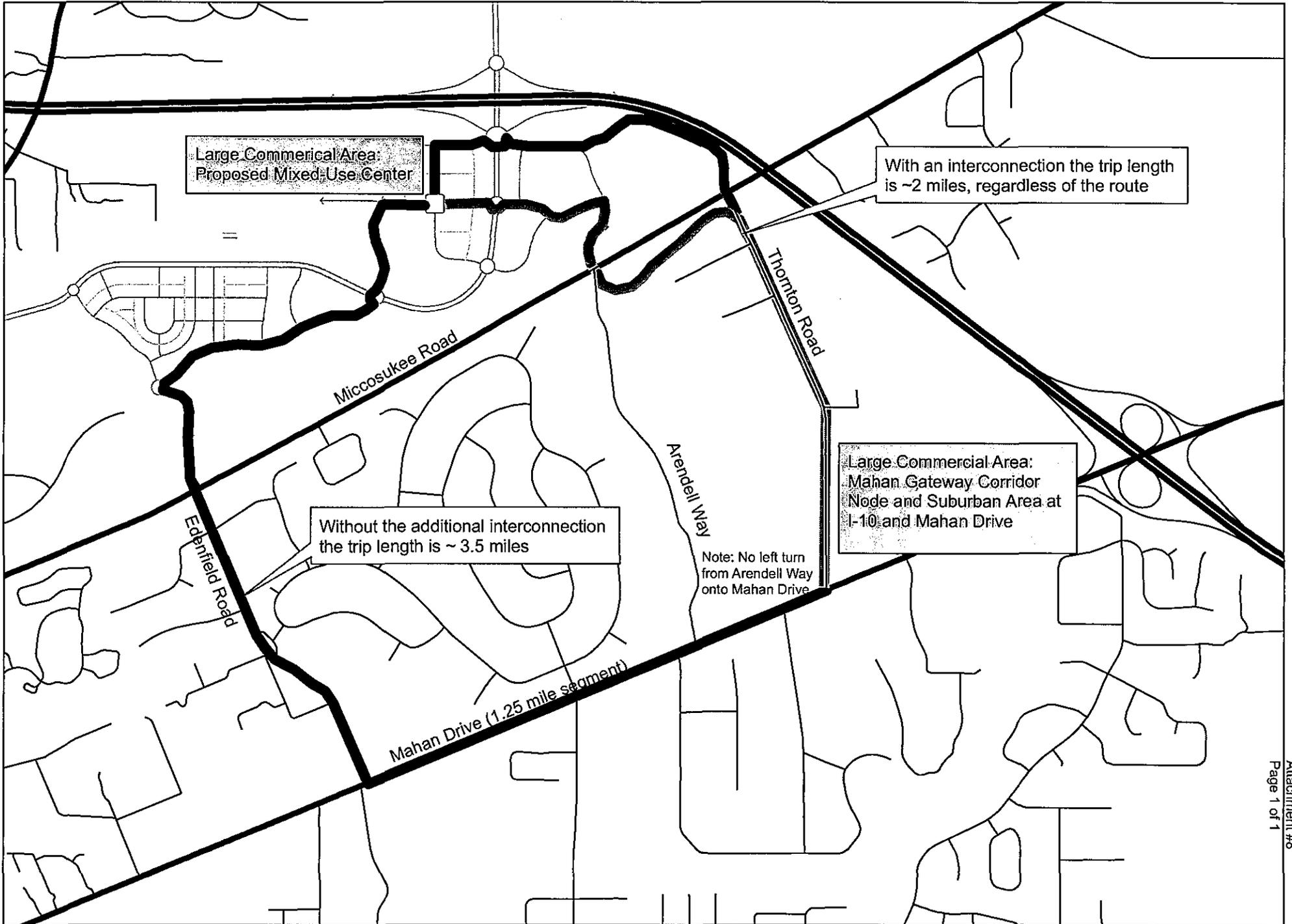


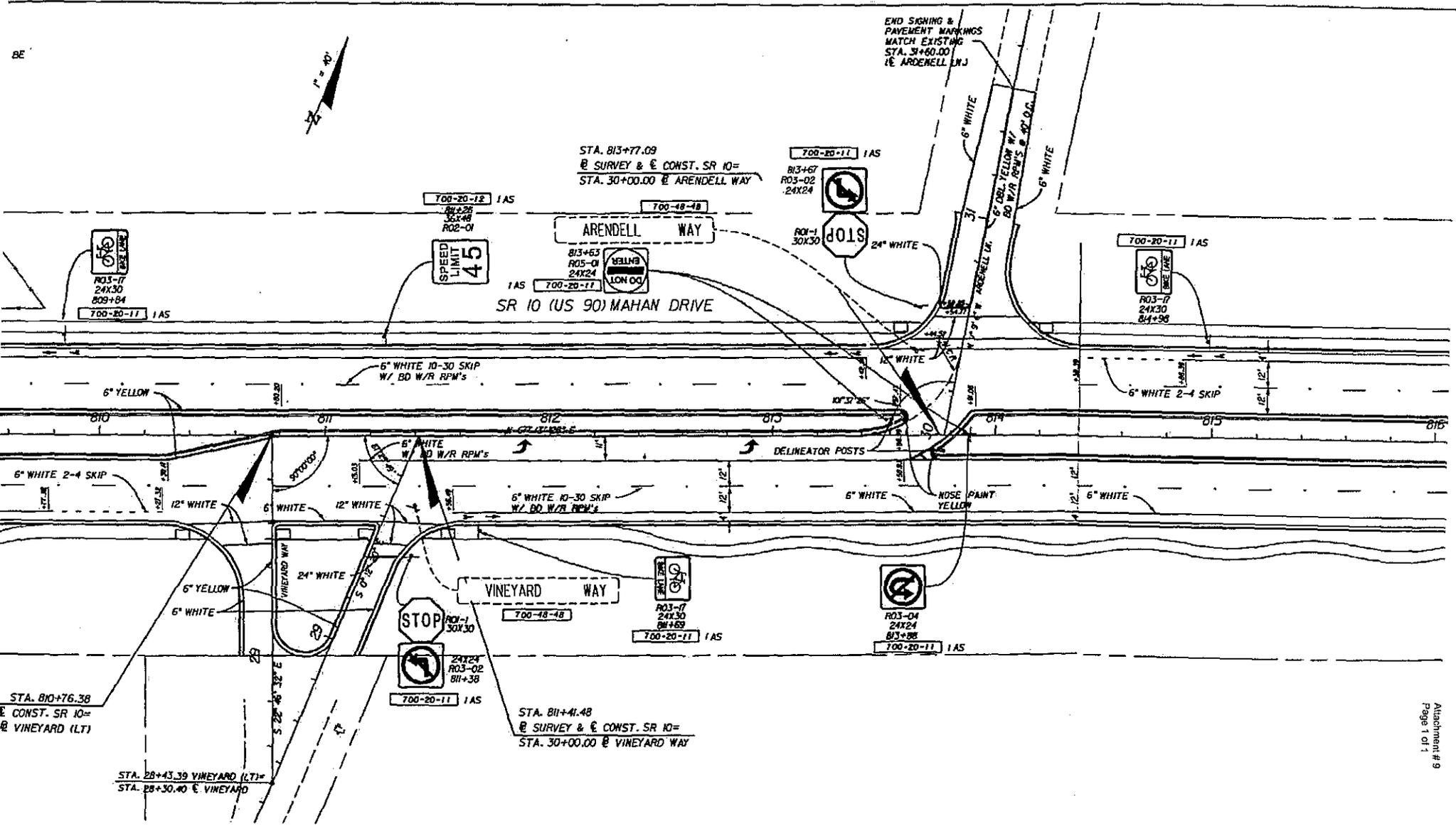
1987

Network and Capacity



Trip Length Assessment With and Without an Interconnection





**UPLAND EASEMENT APPLICATION
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA**

This application is to be used in order to apply for easement interest in land, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees). If you have any questions, after reading this application form, you may call (850) 245-2720 for assistance. Mail application to: Department of Environmental Protection, Division of State Lands, Bureau of Public Land Administration, 3800 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, MS 130.

SPECIAL NOTE TO ALL APPLICANTS: SUBMITTAL OF A COMPLETE APPLICATION SHALL NOT OPERATE TO CREATE ANY RIGHTS OR CONSTITUTE ANY GROUNDS FOR THE DEPARTMENT TO RECOMMEND APPROVAL OF ANY EASEMENT. THE BOARD OF TRUSTEES HAS THE AUTHORITY AND RESERVES THE RIGHT TO DENY ANY EASEMENT APPLICATION. ALL COSTS INCURRED BY APPLICANTS COMPLYING WITH THE REQUIREMENTS OF THIS APPLICATION SHALL BE AT THEIR OWN RISK. COSTS ASSOCIATED WITH OBTAINING AN EASEMENT ARE NON-REFUNDABLE AND SHALL BE ASSUMED BY THE APPLICANT INCLUDING, BUT NOT LIMITED TO, ALL APPRAISALS, ALL SURVEYS, ALL TITLE SEARCHES, AND ALL RECORDING FEES.

PRIOR TO COMPLETING THE APPLICATION, PLEASE BE ADVISED THAT:

Any application to use state land which would result in significant adverse impact to state land or associated resources shall not be approved unless the applicant demonstrates there is no other alternative and proposes compensation or mitigation acceptable to the Board of Trustees pursuant to paragraph 18-2.018(2)(i), Florida Administrative Code. Any requested use of state land which has been acquired for a specific purpose, such as conservation and recreation lands, shall be consistent with the original specified purpose for acquiring such land pursuant to paragraph 18-2.018(2)(c), Florida Administrative Code. Applicants applying for an easement across state land which is managed for the conservation and protection of natural resources shall be required to provide net positive benefit as defined in subsection 18-2.017(38), Florida Administrative Code, if the proposed easement is approved.

Type of Easement: Private Federal, Regional or Local Agency State Agency

Applicant Information:

Name: _____ Home Phone: _____
Mailing Address: _____ Work Phone: _____
City: _____ State: _____ Zip: _____ Fax Number: _____
Email Address: _____

Representative Information: Only complete if someone will be handling this transaction on your behalf.

Name: _____ Home Phone: _____
Mailing Address: _____ Work Phone: _____
City: _____ State: _____ Zip: _____ Fax Number: _____
Email Address: _____

Property Information:

County: _____ Property Appraiser's Parcel Number: _____
Section: _____ Township: _____ Range: _____ Zoning Designation: _____
Intended Use of Property: _____

Include the Following with the Application: Please check all that are included

- (Private Easements Only) A check in the amount of \$300 made payable to the Department of Environmental Protection. This fee is non-refundable.
- (Private Easements Only) A written commitment to pay an easement fee based on the appraised market value of the proposed easement.
- (Local Governments Only) A formal resolution adopted by the Board of County/City Commissioners requesting the proposed easement.
- Recent aerial photograph with the boundaries of proposed easement area identified.
- A statement describing the public benefits that will occur as a result of the proposed easement.
- A letter from the applicable local planning agency stating that the proposed easement is consistent with the local government Comprehensive plan adopted pursuant to section 163-3167, Florida Statutes.
- A county tax map identifying the parcel proposed for easement.
- Two prints of a certified survey of the easement area meeting the minimum technical standards of Chapter 61G17-6 Florida Administrative Code, which contain the boundaries, legal descriptions, and acreage of the property.
- A statement of written approval from the managing agency along with a statement from the managing agency describing how the proposed easement conforms to the management plan when the easement application involves state land which is under lease, sublease, easement, or management agreement.
- Applications for easements across state land shall include a statement of intended use which shall include, at a minimum, the following:
 1. The requested term for the proposed easement which shall not be greater than is necessary to provide for the reasonable use of the state land.
 2. The need for the proposed easement and written evidence that all other alternatives to the use of state land have been denied.
 3. Projected revenue to be generated from the use of the state land.
 4. Whether the intended use is public or private and the extent of public access for such use.
 5. A description of the type of facility proposed for the easement area (e.g. road, overhead utility, pipes, etc.)

*****General Information:** The granting or approval of an easement that will negatively affect the Board of Trustees' ability to manage uplands in a manner that achieves maximum public benefit will be discouraged pursuant to paragraph 18-2.018(2) (b), Florida Administrative Code. The successful grantee shall assume all liability for the property covered by the easement.

POLICY

Use of Natural Resource Lands by Linear Facilities

As Approved By

Board of Trustees of the Internal Improvement Trust Fund

on January 23, 1996

(A) Purpose and Scope.

(1) This policy applies only to linear facilities, including electric transmission and distribution facilities, telecommunications transmission and distribution facilities, pipeline transmission and distribution facilities, public transportation corridors, and related appurtenances.

(2) While it is appropriate to discourage and prohibit most kinds of intrusions on natural resource lands, the Trustees recognize that the expanding ownership of lands by the state and the need to provide services to a growing population through linear facilities and related appurtenances will from time to time require crossings and location on such lands. The goal of this policy is to avoid and minimize conflicts between the acquisition and management of natural resource lands for conservation, recreation, and preservation and activities necessary for the construction, operation and maintenance of linear facilities and related appurtenances.

(B) Definitions.

(1) "Natural Resources" include but are not limited to wetlands, lakes, rivers, streams, estuaries and other surface and ground water resources, flora, fauna, fish and wildlife, natural communities, historical and archaeological resources, scenic vistas and aesthetic values.

(3) "Natural Resource Lands" are those lands owned by the Trustees and which: were acquired with funds from the P2000 or Save Our Coast Bond Program; or were acquired with funds from the CARL or LATF Trust Fund; or are managed for natural resources by the Division of Recreation and Parks, Division of Marine Resources, Game and Fresh Water Fish Commission, Division of Forestry, or Secretary of State.

(3) "Related Appurtenances" include those support facilities necessary to the operation of linear facilities. (Examples include but are not limited to substations and pump-stations.)

(4) "Trustees" means the Board of Trustees of the Internal Improvement Trust Fund.

(C) Avoidance.

Owners and operators of linear facilities must avoid location on natural resource lands unless no other practical and prudent alternative is available and all steps to minimize impacts as set forth below are implemented. The test of practicality and prudence will compare the social, economic, and environmental effects of the alternatives.

(D) Minimizing Impacts.

Applicants must minimize adverse impacts to natural resource lands through reasonable measures where applicable: locating the project in areas where less adverse impacts are expected, such as areas which have already been impacted and are less sensitive than other areas; avoiding significant wildlife habitats, natural aquatic areas, wetlands, or other valuable natural resources; selecting areas to minimize damage to existing aesthetically-pleasing features of the lands; employing best management practices in construction and operation activities; designing access roads and site preparation to avoid interference with hydrologic conditions that benefit natural resources and reduce impacts on other natural resources and public use and enjoyment; and; generally selecting areas that will not increase undesirable human activities on the natural resource lands; and generally, not adversely impacting the management of such lands. However, human activities may be encouraged where linear facility corridors are designated as part of a greenway or trail.

(E) Compensation.

(1) The applicant will pay the Trustees an amount not to exceed the fair market value of the interest acquired in the parcel on which the linear facility and related appurtenances will be located.

(2) In addition to the amount in (E) (1) above, the applicant will provide to the managing agency that measure of additional money, land, or services necessary to offset the actual adverse impacts reasonably expected to be caused by the construction, operation and maintenance of the linear facility and related appurtenances. Such impact compensation will be calculated from the land managing agency's timely presentation of documented costs which will result from the impacts of the proposed project.

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

December 6, 2010

Mr. Chuck Mitchell, Co-Chairman
Friends of the Miccosukee Canopy Road Greenway
P.O. Box 13708
Tallahassee, FL 32317

Dear Mr. Mitchell,

Thank you for your e-mail of November 4, 2010 regarding the proposed road crossing alternatives of the State-owned conservation property known as the Miccosukee Canopy Road Greenway (Greenway). As you may be aware, the Office of Greenways and Trails (OGT) is the primary leaseholder of the Greenway on behalf of the landowner, the Governor and Cabinet sitting as the Board of Trustees (BOT) of the Internal Improvement Trust Fund. Leon County is the manager through a sublease agreement.

In response to your inquiry, it is OGT's position that the Greenway is best served by maintaining the proposed future roadway crossing within the existing easement area at Arendell Way versus a newly proposed crossing at Thornton Road. The Arendell crossing is one of four easements that were retained by the seller, when the acquisition was approved by the BOT in 1998, to provide sufficient access for future development north of the Greenway.

OGT's position to support the Arendell crossing is based on the following:

- The Greenway is classified as "conservation land" pursuant to Ch. 253.034(2)(c), F.S. Any proposed easement upon conservation land is subject to the standards established within the BOT's Linear Facilities Policy. A relocation of the existing easement from Arendell Road to Thornton Road is subject to these standards. Construction of a roadway corridor within the open field at Thornton Road would likely not satisfy the Policy's "avoidance or minimization" standards due to its substantial impact on recreational use within the Greenway.
- Pursuant to Article X, Section 18 of the Florida Constitution, in order for the BOT to authorize the sale of conservation land, it must make a determination that such land is "no longer needed for conservation purposes." The land required for the proposed Thornton crossing and roadway would significantly impact existing recreational use on the Greenway, so OGT would not support a surplus or land exchange.

- The management plan for the Greenway specifically acknowledges the existence of the easement at Arendell Way. This management plan, approved by the Acquisition and Restoration Council in February 2002, was developed with guidance from a diverse public advisory group, and with significant public review and input. Notably, as part of the management plan process, the Tallahassee - Leon County Planning Department found the plan to be fully consistent with the local Comprehensive Plan. Management of the property since 2002 has been guided by the existing easements retained by the seller at the time of purchase. An entirely new Thornton Road crossing and roadway would be inconsistent with the plan and the County's management activities since the plan's inception.
- Consistent with management of the property, Leon County was awarded, in August 2010, a Federal Recreational Trails Program (RTP) grant for the creation of multi-use trails within the Greenway. The proposed Thornton Road crossing and roadway through the open field would likely impact the funded multi-use trails to such a degree as to cause a loss of functionality. Such impacts constitute a "conversion" under Ch. 62S-2, F.A.C., and would require significant corrective measures, including full replacement of the impacted area, facilities, and resources.
- Testarina Primitive Baptist Church, located immediately adjacent to the Greenway and west of Arendell Way, currently holds an access easement that authorizes the church to connect to the northerly extension of Arendell Way at the time it is constructed. If the Arendell Way easement is replaced by a crossing at Thornton Road, the church may contend that their access easement authorizes them to, alternatively, connect to the future northerly extension of Thornton Road. Such an access road would stretch across a half-mile of the Greenway, imposing multiple impacts above and beyond those already anticipated from the proposed Thornton Road crossing and roadway.
- The proposed crossing and roadway at Thornton would likely not satisfy the requirements of Section 4(f) of the USDOT Act of 1966 (23 CFR 774). Section 4(f) requires that the Federal Highway Administration and other DOT agencies not support or fund roadway projects that impact public park, recreation, and wildlife lands, unless there is no feasible and prudent avoidance alternative to the use of the land, and the action includes all possible planning to minimize harm to the property resulting from use. The Arendell Way easement already exists to provide a shorter and much less impactful crossing than the Thornton Road proposal.

OGT appreciates the long-standing commitment of the Friends of the Miccosukee Canopy Road Greenway. We look forward to working with your organization, the County, the City, and all other interested parties in continuing to provide for the sustainable management of the Greenway.

Please let me know if we can provide further information.

Sincerely,

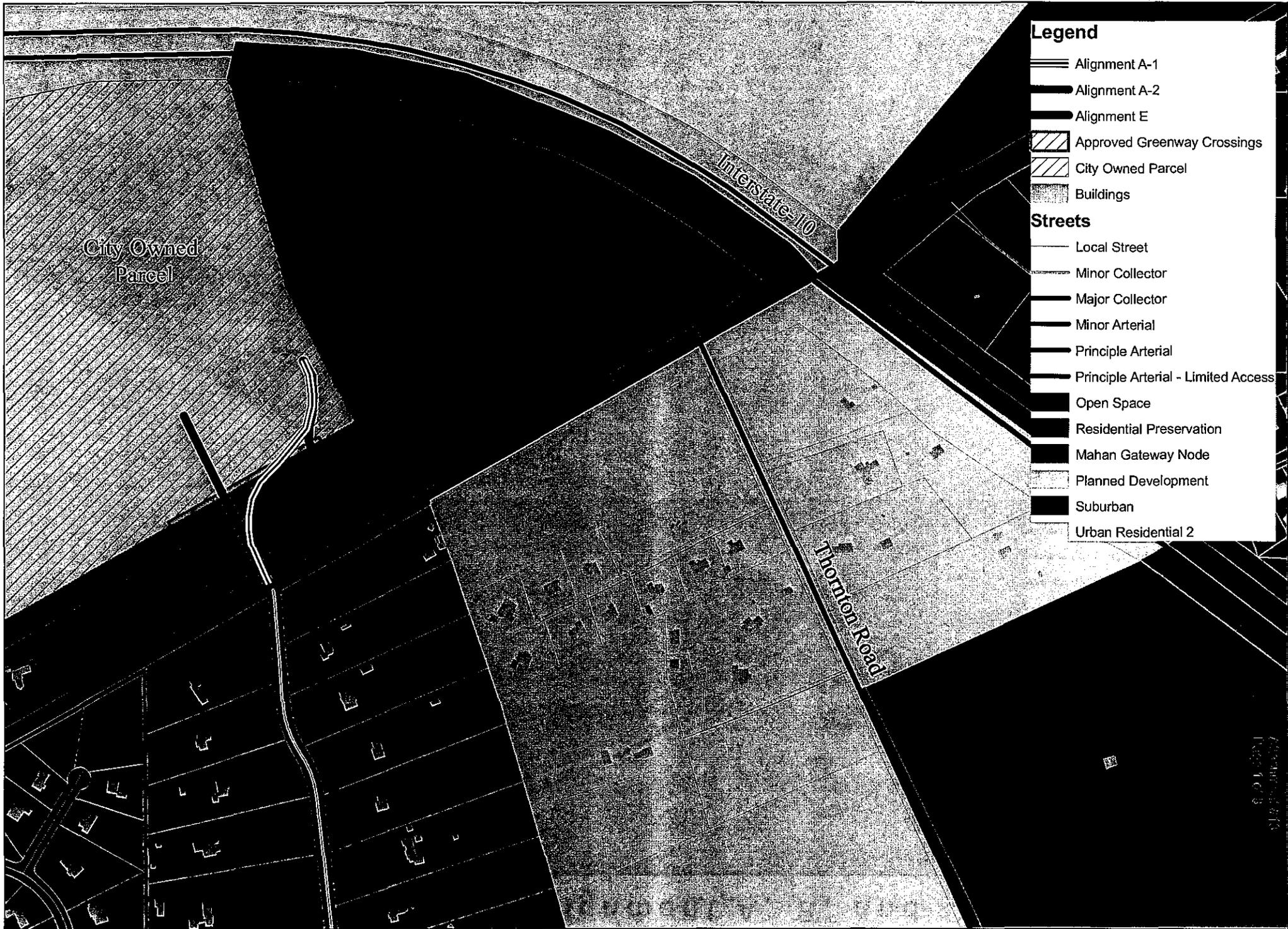


Jena B. Brooks
Director, Office of Greenways and Trails

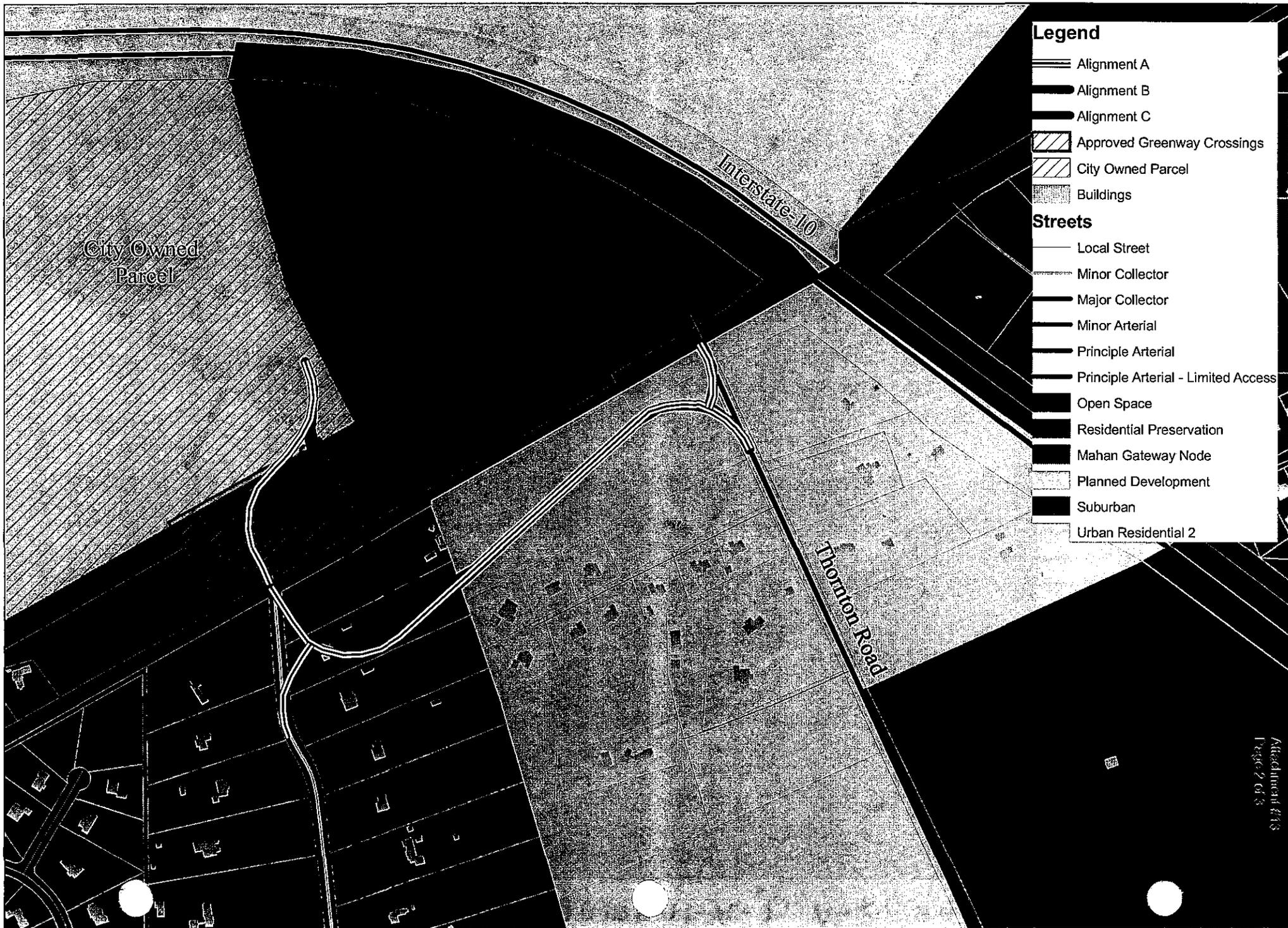
JBB/mk

Cc: Leon County Board of County Commissioners
City of Tallahassee City Commissioners
Mr. Parwez Alam, County Administrator, Leon County
Ms. Anita Favors Thompson, City Manager, City of Tallahassee

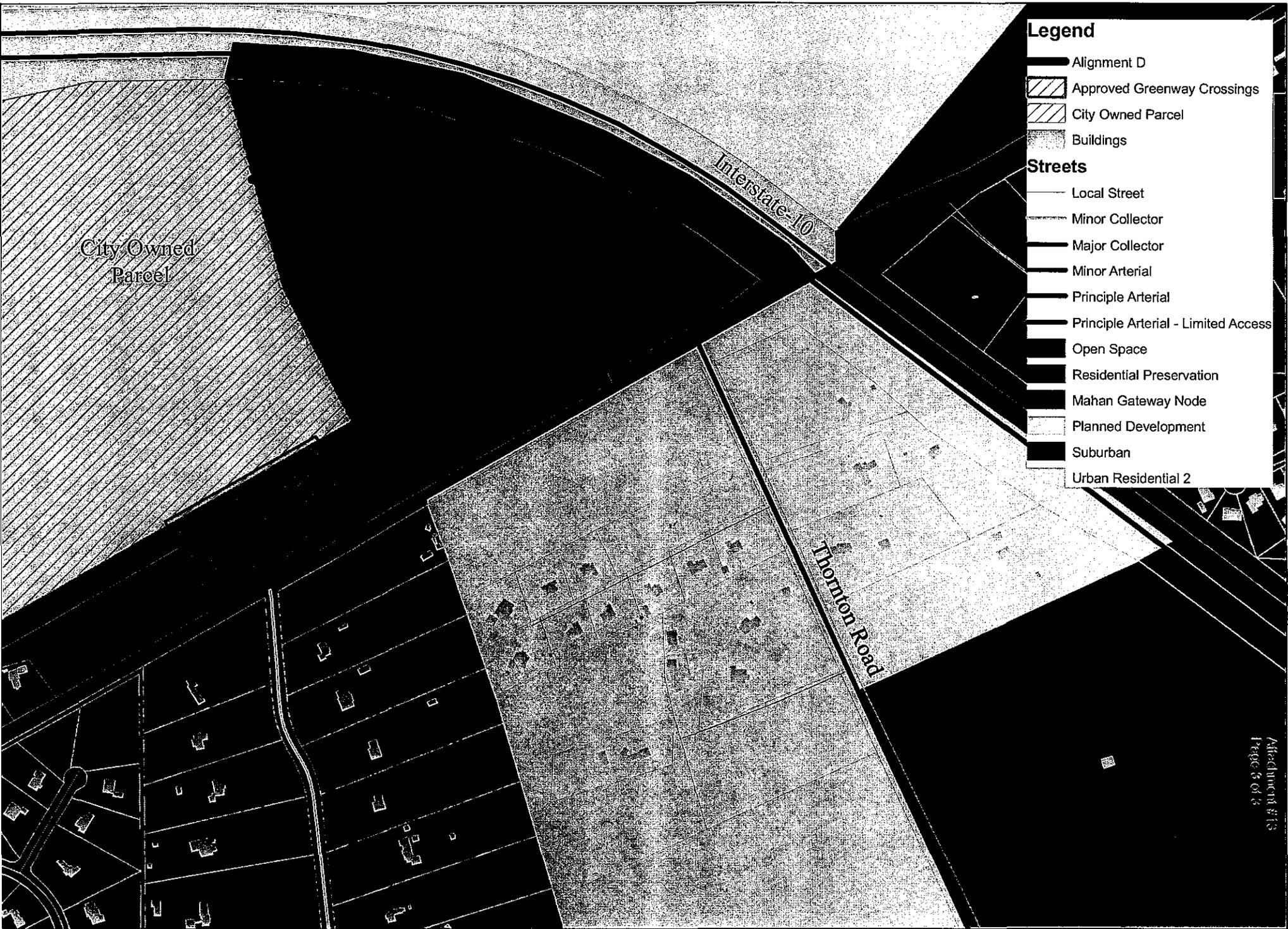
Option 1: Alignment A-1, A-2, and E



Option 2: Alignment A, B, and C



Option 3: Alignment D



Legend

- Alignment D
- Approved Greenway Crossings
- City Owned Parcel
- Buildings

Streets

- Local Street
- Minor Collector
- Major Collector
- Minor Arterial
- Principle Arterial
- Principle Arterial - Limited Access
- Open Space
- Residential Preservation
- Mahan Gateway Node
- Planned Development
- Suburban
- Urban Residential 2

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