

Post-it* Fax Note	7671	Date	5/14/07	# of pages	8
To	Billy Townsend		From	Mike Hill	
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Fax #		Fax #			



STATE OF FLORIDA

## DEPARTMENT OF COMMUNITY AFFAIRS

*"Dedicated to making Florida a better place to call home"*CHARLIE CRIST  
GovernorTHOMAS G. PELHAM, AICP  
Secretary

April 24, 2007

Mr. Roger W. Sims  
Holland & Knight, LLP.  
200 S. Orange Avenue, Suite 2600  
Orlando, FL 32801-3461

Re: CSX Integrated Logistics Center Terminal,  
DCA Project Number: CL-07-2006-037A  
Request for a Supplemental Clearance Letter

Dear Mr. Sims:

The Department has reviewed your request for a Supplemental Clearance Letter, dated March 30, 2007, regarding the potential expansion of the CSX Transportation (CSXT) terminal facility for intermodal and automotive logistics to proportions of Development of Regional Impact (DRI) scale. According to the information you provided in your letter, the CSXT Terminal Facility is located in Winter Haven, Florida, and consists of 318 acres. CSXT presently has the right to purchase an additional 930 acres, which are adjacent to the Terminal Facility parcel, but has no specific development plans for the additional land. At this time, CSXT is considering various options for developing the additional area either directly, or through agreements with third parties. You are requesting a clearance letter indicating whether the existing Terminal Facility parcel would be required to undergo DRI review, and whether the Department would be willing to process a request for a Preliminary Development Agreement with CSXT, if the additional property becomes a part of the existing project, and the project is required to undergo DRI review.

Section 380.0651(3)(c), Florida Statutes (F.S.) states that any proposed industrial, manufacturing, or processing plant, or distribution, warehousing, or wholesaling facility, excluding wholesaling developments which deal primarily with the general public onsite, which occupy a site greater than 320 acres, or provide parking for more than 2,500 motor vehicles shall be required to undergo Development of Regional Impact (DRI) review.

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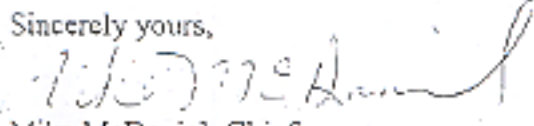
Roger W. Sims  
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The description of the project indicates that the existing plan for a Terminal Facility encompasses 318 acres. This, therefore, is below the numerical statutory DRI thresholds for the industrial use, established in Ch. 380.0651(3)(c), F.S. In addition, the two properties are not currently owned by the same party, and there is no unified plan of development at this time. Thus, the Terminal Facility site and the 930-acre parcel are not aggregable at this time pursuant to Section 380.065(4)(a), F.S. If the additional 930-acre parcel becomes a part of a unified plan of development, CSXT should contact the Central Florida Regional Planning Council in order to begin the DRI application process. In addition, CSXT may also choose to submit a request for a Preliminary Development Agreement to the Department to allow continued development of the CSXT Terminal Facility, while the project undergoes DRI review as provided for in Section 380.06(8), F.S.

Please be advised that this conclusion is an informal determination, based solely on the information presented in your letter. The Department has no independent confirmation of your information and therefore reserves all rights pursuant to Chapters 163 and 380, F.S., concerning this project. Should any of the above representations made by the applicant be substantially changed, further review of the project may be required.

Any questions regarding this determination may be directed to Sergey Kireyev, Senior Planner, at (850) 922-1811, or Brenda Winningham, Regional Planning Administrator, at (850) 922-1800.

Sincerely yours,

  
Mike McDaniel, Chief  
Office of Comprehensive Planning

MDM/sk

cc: Mrs. Patricia Steed, Executive Director, Central Florida Regional Planning Council  
Mr. David Dickey, Director, City of Winter Haven Community Development  
Department