

# WINTER HAVEN

## The Chain of Lakes City

**Date:** May 29, 2007  
**To:** Indicated Below  
**From:** David L. Greene, City Manager

**Response Required:**  
**Yes:** \_\_\_\_\_  
**No:** \_\_\_\_\_  
**Response Due:** \_\_\_\_\_

**Subject:** Letter from Department of Community Affairs; re: CSX Integrated Logistics Center Terminal  
**Action:** For Your Information

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- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Nathaniel Birdsong, Jr.<br>Mayor   | <input checked="" type="checkbox"/> David Dickey<br>Community Development Director              |
| <input checked="" type="checkbox"/> City Commissioners   | <input type="checkbox"/> Terrence Nealy<br>Public Services Division Director                    |
| <input checked="" type="checkbox"/> Frederick J. Murphy, Jr.<br>City Attorney                                    | <input checked="" type="checkbox"/> Kim Hansell<br>Utility Services Director                    |
| <input type="checkbox"/> David L. Greene<br>City Manager   | <input checked="" type="checkbox"/> Joy Townsend<br>Communications Officers                     |
| <input checked="" type="checkbox"/> Dale Smith<br>Assistant City Manager   | <input checked="" type="checkbox"/> Hiep Nguyen<br>Technology Services Director                 |
| <input checked="" type="checkbox"/> Cal Bowen<br>Financial Services  | <input type="checkbox"/> Cheryl Connor<br>Airport Director                                      |
| <input type="checkbox"/> Mike Britt<br>Natural Resources Director  | <input checked="" type="checkbox"/> Donna Sheehan<br>Communications-Marketing Division Director |
| <input checked="" type="checkbox"/> Pete Chichetto<br>Strategic Initiatives Division Director                    | <input checked="" type="checkbox"/> Barbara McKenzie<br>City Clerk                              |
| <input type="checkbox"/> Sarah Shumate<br>Records Management Division Director                                   | <input type="checkbox"/> Erin Tilghman<br>Neighborhood Revitalization Division Director         |
| <input checked="" type="checkbox"/> Mark LeVine<br>Police Chief  | <input checked="" type="checkbox"/> Michael Stavres<br>Community Services Director              |
| <input checked="" type="checkbox"/> Deric Feacher<br>Assistant to the City Manager/<br>Support Services Director | <input checked="" type="checkbox"/> Michele Stayner<br>Executive Services Director              |
| <input checked="" type="checkbox"/> Tony Jackson<br>Fire Services  | <input type="checkbox"/> Tony Viola<br>Technical Services Division Director                     |
| <input type="checkbox"/> Debbie Murphy<br>Utility Account/Field Services Division Director                       |   |



STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**  
"Dedicated to making Florida a better place to call home"

CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

May 29, 2007

**VIA FACSIMILE AND U.S. MAIL**

Roger W. Sims, Esquire  
Holland & Knight LLP  
200 South Orange Avenue, Suite 2600  
Orlando, Florida 32801-3461

**Re: *CSX Integrated Logistics Center Terminal***

Dear Mr. Sims:

The Department has issued two clearance letters regarding the proposed CSX Integrated Logistics Center Terminal in Winter Haven dated April 12, 2006, and April 24, 2007. These letters, which relied on and were based on information provided by the applicant, both concluded that the Center, represented as consisting of only 318 acres, was not required to undergo the development of regional impact review process.

Information has recently come to the Department's attention indicating that more acreage is involved in the Logistics Center. Specifically, we have been made aware that the project includes an additional approximately 20 acres for roadway access for the project to State Road 60. That additional acreage alone places the Center over the 320-acre DRI threshold for industrial uses. Additionally, we have been presented with a project map or plan which, as submitted to the City of Winter Haven, depicts a Phase II of the project to be located on land contiguous to the 318-acre parcel.

In accordance with Rule 9J-2.015, F.A.C., a DRI clearance letter is available only where the DRI status of a proposed project is clear. As a matter of practice, the Department issues DRI clearance letters only when there is absolutely no question about a project's DRI status. Given the additional information now available to the Department, the proposition that the proposed project is not a DRI is certainly not "clear" and, on the contrary, there appears to be a strong likelihood that it may be a DRI.

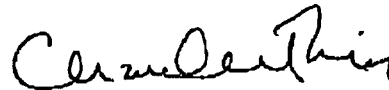
2566 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-2100  
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781  
Internet address: <http://www.dca.state.fl.us>

Roger W. Sims, Esquire  
May 29, 2007  
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The Department therefore revokes the above-referenced clearance letters. Because of the nature and magnitude of the proposed project, the Department suggests that the development be submitted for development of regional impact review pursuant to Section 380.06, F.S. Alternatively, the developer may apply for a binding letter of interpretation to determine DRI status. No development may occur on the Logistic Center site unless it has either received DRI approval, a binding determination that it is not a DRI, or has entered into a Preliminary Development Agreement pursuant to Section 380.06(8), F.S.

If you have any questions, please call me at 850/488-2356, or contact me by e-mail at [charles.gauthier@dca.state.fl.us](mailto:charles.gauthier@dca.state.fl.us).

Sincerely,



Charles Gauthier, AICP  
Director, Division of Community Planning

CG/rd

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



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**DEPARTMENT OF COMMUNITY AFFAIRS**

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**FAX TRANSMITTAL**

**Division of Community Planning**  
**850 488-2356**  
**Fax: 850 488-3309**

**Date:** May 29, 2007

**To:** David Dickey, Director, City of Winter Haven

**Fax:** (863) 297-3090

**From:** Charles Gauthier, Director, Division of Community Planning

**Subject:** CSX Integrated Logistics Center Terminal

**Number of pages following the cover sheet:** 3

**Message:** \_\_\_\_\_

If you should have any questions, please call Charles at (850) 487-4545

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