

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION AGENDA

December 7, 2004

1. **Approval of the minutes of the meeting held September 21, 2004.**
2. **Consideration of a Petition to Establish the Tesoro Community Development District in the City of Port St. Lucie in St. Lucie County, Florida. Petitioner: Ginn-LA St. Lucie Ltd., LLLP (FLWAC Case No. CDD-03-021).**

On February 26, 2004, Ginn-LA St. Lucie Ltd., LLLP, submitted a complete petition to establish the Tesoro Community Development District within the City of Port St. Lucie in St. Lucie County, Florida. The land area proposed to be served by the District comprises approximately 1,419 acres. The parcels within the exterior boundaries of the proposed district which are excluded from the District are the waters of Blakeslee Creek and Winters Creek and the right-of-way of Southbend Boulevard. The Petitioner either owns or has written consent to establish the District from the landowners of one hundred percent (100%) of the real property located within the proposed District. The development plan for the proposed lands within the District includes approximately 1,000 residential units (986 single family units and 14 multi-family units) and 160,000 square feet of commercial. The District, if established, currently intends to participate in the provision of stormwater management and wetlands mitigation maintenance services to all residences and commercial properties through the proposed District facilities.

Upon request of the Secretary, the Department of Community Affairs (DCA) reviewed the petition from the standpoint of their programs and responsibilities, and the requirements of section 190.005(1)(e), F.S. The DCA submitted a letter on April 19, 2004, finding no potential inconsistencies with Chapter 163, Florida Statutes.

Pursuant to Chapter 190, F.S., a public hearing was conducted by the Division of Administrative Hearings (DOAH) on May 25, 2004, in Port St. Lucie, Florida. The DOAH Administrative Law Judge submitted a Report to the Commission on July 14, 2004, making affirmative conclusions on all six factors, pursuant to section 190.005(1)(e), F.S.

Pursuant to Chapter 120, F.S., notices of proposed rulemaking were published in the *Florida Administrative Weekly*. No public hearings were requested and no written comments were received as a result of the notice of proposed rule development or the notice of proposed rule.

Recommendation:

Approve the proposed final rule and authorize the Secretary to file for final rule adoption.

Back-Up:

Completed Petition submitted by Ginn-LA St. Lucie Ltd., LLLP, on February 26, 2004.

DCA's comment letter received on April 19, 2004.

DOAH's Report submitted on July 14, 2004.

Proposed Final Rule.