

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION AGENDA

February 27, 2007

1. **Approval of the minutes of the meeting held January 30, 2007.**
2. **Consideration of a Petition to Amend the Boundaries of the Villages of Westport Community Development District in the City of Jacksonville, Duval County, Florida. Petitioner: Villages of Westport Community Development District (FLWAC Case No. CDD-05-022).**

On December 23, 2005, the Villages of Westport Community Development District (District) submitted a Petition to amend the boundaries of the District located within the City of Jacksonville in Duval County, Florida. The Petition was supplemented and amended during the hearing and review process. The Petition, as supplemented and amended, proposes to modify the land area presently serviced by the District by amending its boundary to delete approximately 41.66 acres and add approximately 195.16 acres to the District. The District currently covers approximately 1,340 acres of land and after amendment the District will encompass approximately 1,493.006 acres. There is one excluded parcel within the proposed amended boundary of the District. The last known addresses of the owners of the excluded parcel are: 6816 Keyes Road, Jacksonville, Florida 32219 and 6818 Keyes Road, Jacksonville, Florida 32219. The development plan for the District includes construction of approximately 1,900 single family units, 500 multi-family units, and 200,000 square feet of non-residential mixed use space. No additional residential or non-residential development is anticipated due to the amendment of the District's boundary.

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 comment letter on February 2, 2006, finding the mixed-use development proposed within the Villages of Westport Community Development District is consistent with the Multi-Use land use designation established in the Jacksonville/Duval County Comprehensive Plan.

In addition, upon request of the Secretary, the Northeast Florida Regional Council (Council) reviewed the Petition from the standpoint of their programs and responsibilities, and the requirements of section 190.005(1)(e), F.S. The Council submitted a comment letter on February 8, 2006, indicating the District is part of the Westport Regional Activity Center, established by the City of Jacksonville through comprehensive plan amendment. As the project is a Regional Activity Center, development of regional impact thresholds are increased and the project will not undergo development of regional impact review.

On April 13, 2006, the Jacksonville City Council submitted Resolution 2006-45E to the Commission in support of the amendment of the District.

Pursuant to Chapter 190, F.S., a local public hearing was conducted by the Division of Administrative Hearings on April 25, 2006, in Jacksonville, Florida. The DOAH Administrative Law Judge filed a Report with the Commission on June 23, 2006.

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 notices.

Staff Recommendation:

Accept the DOAH Report with modifications and authorize the Secretary of the Commission to file for final rule adoption.

Back-Up:

Village of Westport Community Development District's Petition received December 23, 2005, and Petitioner's letter and revised Petition documents received March 29, 2006. (Original Petition materials were updated.)

DCA's comment letter received February 2, 2006.

Council's comment letter received February 8, 2006.

City of Jacksonville letter and resolution received April 13, 2006.

DOAH's Report received June 23, 2006.

Commission's Order requesting additional information dated July 28, 2006.

Petitioner's response to Commission's Order received August 17, 2006.

Final rulemaking package.