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October 11, 2007

Anita Favors Thompson
City Manager
City of Tallahassee
300 South Adams Street
Tallahassee, FL 32301

RE: Welaunee PUD Concept Plan Annexation

Dear Ms. ~~Favors Thompson~~: Anita

As you are aware, on June 22, 2007, an application for a mixed use PUD Concept Plan was submitted to the City by CNL. Thereafter, the PUD Concept Plan application was forwarded to Leon County Public Works for its review in accordance with the provisions of the Settlement Agreement concerning the Welaunee Toe Area annexation. While Theresa Heiker, Stormwater Management Coordinator, provided our comments concerning stormwater management and flood protection measures, I felt it appropriate to follow up with you on the issues identified therein so that both the City and County may have a mutual understanding of the proposed development by CNL.

We are deeply concerned that a Stormwater Facility Master Plan (SFMP) has not been submitted to the County for review and comment prior to the time the application for PUD Concept Plan was submitted. The Tallahassee-Leon County Comprehensive Plan, Policy [LU]13.1.5 (10), Welaunee Critical Area Plan, states that "prior to approval of the first PUD Concept Plan on the Toe or the Heel, except as allowed by Policy LU 6.2.4, a Stormwater Facility Master Plan (SFMP) shall be prepared by the applicant and approved by the local government for the entire toe and the entire heel." Further, the Settlement Agreement referenced above provides that "prior to approval by the City of the Stormwater Facility Master Plan (SFMP) for the Welaunee Toe, required by Policy 13.1.5[L], Tallahassee-Leon County Comprehensive Plan, Leon County shall have reasonable amount of time to review and comment on the SFMP."

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Thus, while we identified several issues concerning the CNL mixed use PUD Concept Plan application provided to County Public Works, it is extremely difficult to review same without the necessary Stormwater Facility Master Plan, either being included for review commensurate with the subject application or having been submitted for review prior to that application.

As a result of the above mentioned, we believe it appropriate that CNL either withdraw its mixed use PUD Concept Plan application at this juncture or as a condition precedent to further review by the City, that CNL be required to submit a Stormwater Facility Master Plan as required by the Tallahassee-Leon County Comprehensive Plan, and same be further provided to the County for its review and comment as well.

I look forward to hearing from you on this matter at your earliest convenience.

Sincerely yours,

Parwez Alam,
County Administrator

cc: Vince Long, Deputy County Administrator
Herb Thiele, County Attorney
Tony Park, Director of Public Works
Wayne Tedder, Director of Planning
Tim Edmond, CNL Real Estate & Development Corporation
Glenn Fournier, CNL Real Estate & Development Corporation