

*Board of County Commissioners*

**Conservation Area Impact Permit  
Application**

**CAI-20-07-055**

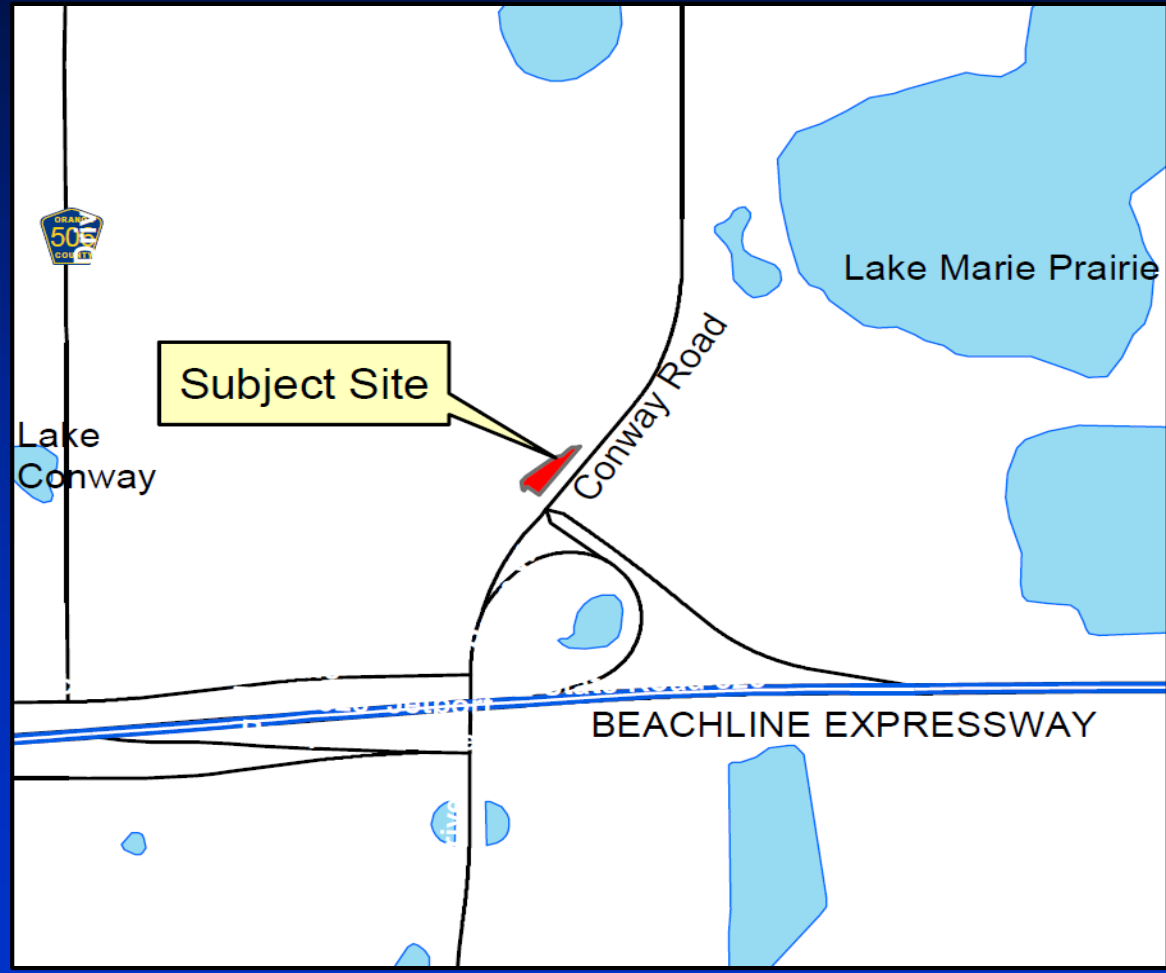
**Applicant: Orange County Investments LLC**

**June 8, 2021**



# Location Map

Conway Road



Parcel ID No.: 29-23-30-0000-00-031



# Location Map



**16.04 acre parcel**



**0.35 acre proposed pond**



# Request

- **The applicant is requesting a CAI Permit for authorization to impact 0.30 acre of Class I wetlands and 0.21 acre of secondary impacts in order to construct a stormwater retention pond to serve a proposed hotel.**
- **The hotel will be located on the east side of Conway Road and within the jurisdiction of the City of Orlando.**
- **The proposed pond is located on the west side of Conway Road and within the jurisdiction of Orange County.**
- **The stormwater pond will be connected to the hotel via a pipe constructed under Conway Road.**

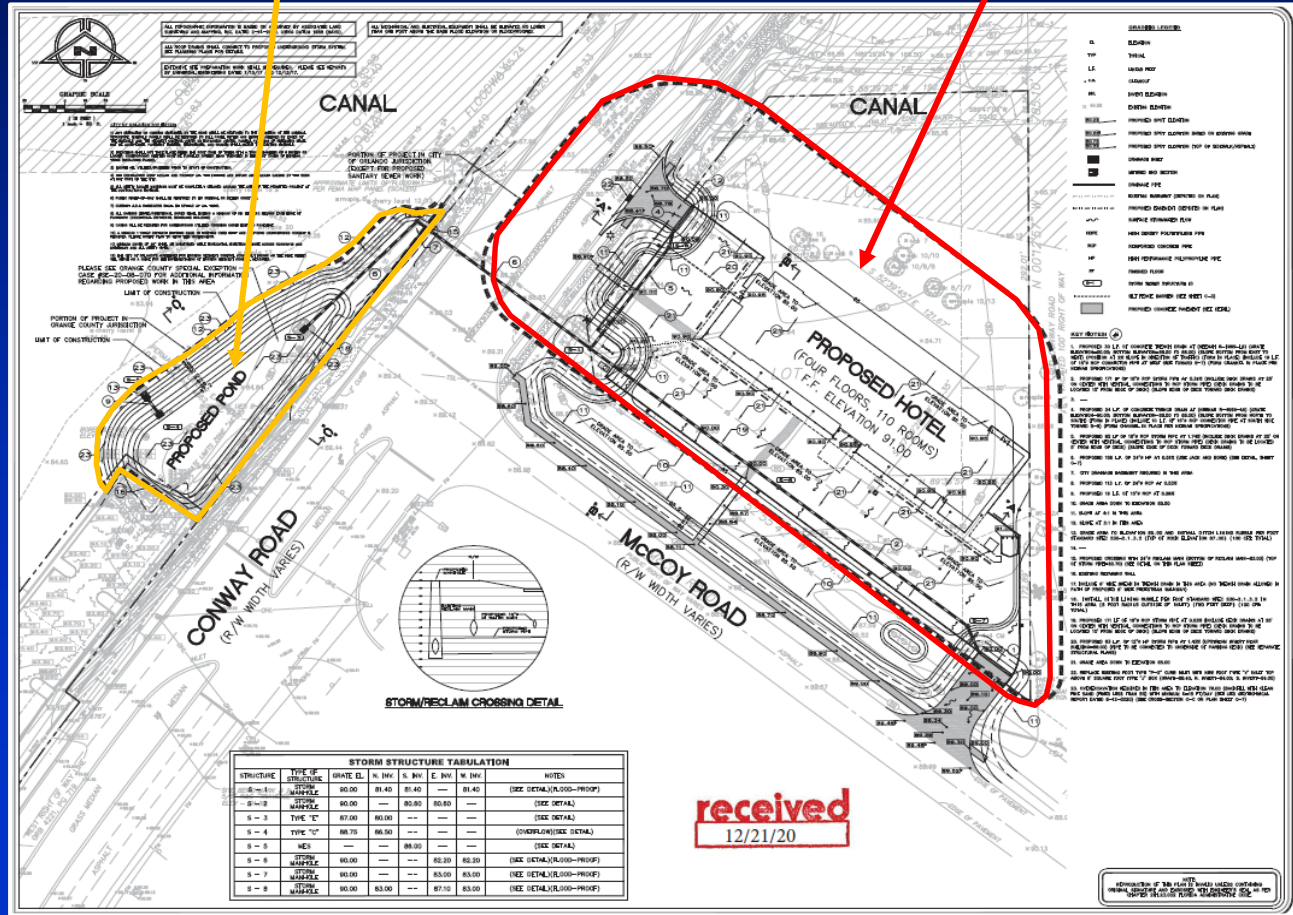


# Site Plan



PORION OF PROJECT IN ORANGE COUNTY JURISDICTION  
 \* cherry laurel

PORION OF PROJECT IN CITY OF ORLANDO JURISDICTION (EXCEPT FOR PROPOSED SANITARY SEWER WORK)  
 WATE LIMITS OF FLOODWAY



**REVISIONS**

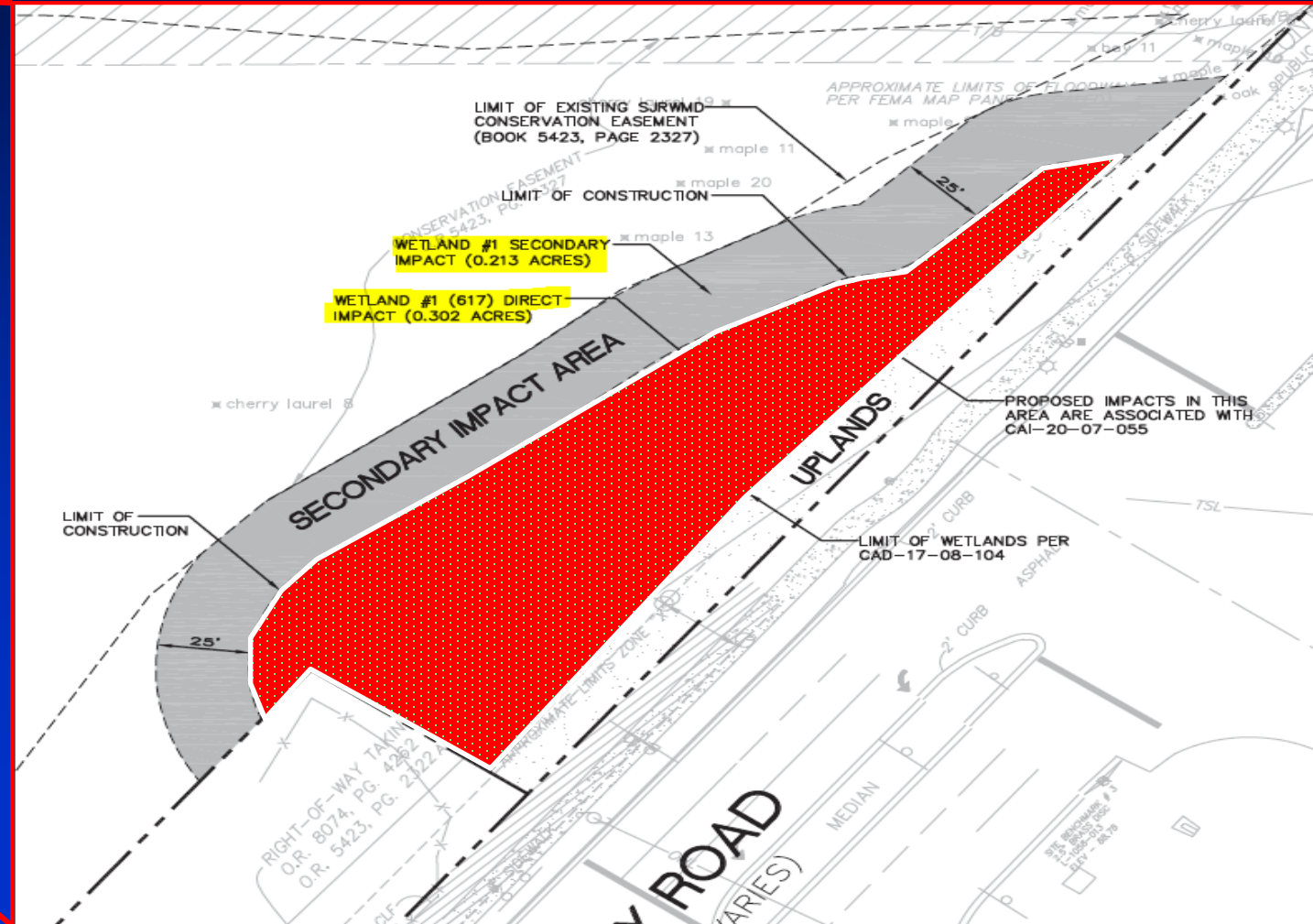
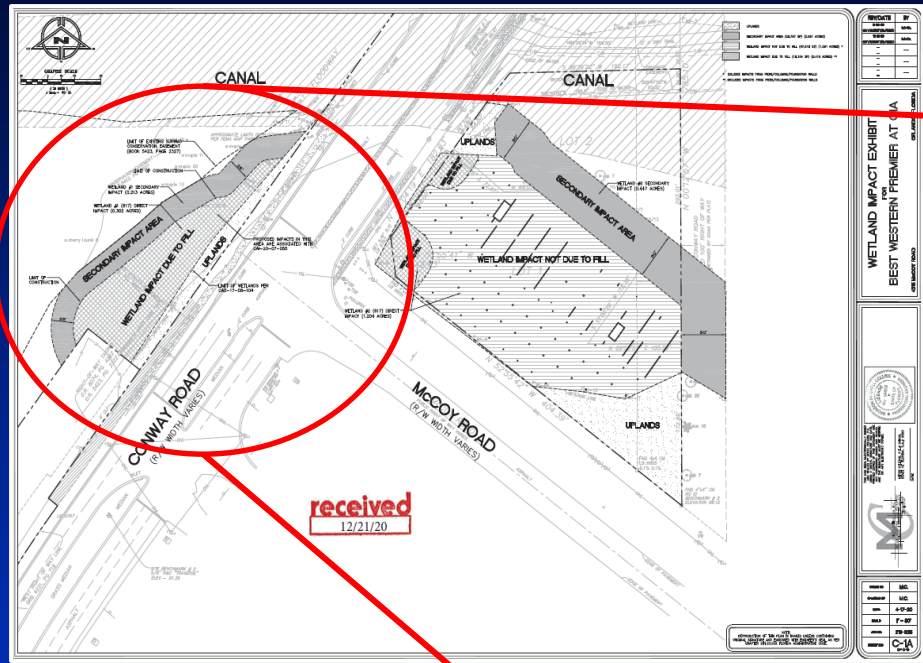
NO.	DATE	BY
1	12/21/20	MDL
2	12/21/20	MDL
3	12/21/20	MDL
4	12/21/20	MDL
5	12/21/20	MDL
6	12/21/20	MDL
7	12/21/20	MDL
8	12/21/20	MDL
9	12/21/20	MDL
10	12/21/20	MDL

**GRADING AND DRAINAGE PLAN**  
 BEST WESTERN PREMIER AT CIA  
 ORLANDO, FLORIDA  
 4781 MCCOY ROAD

**received**  
 12/21/20



# Site Plan – Wetland Impacts





# Current Conditions – Pond Location



**Upland/Wetland Edge**









**Wetland Interior**



# Proposed Pond - Wetlands



-  Parcel 16.04 acres
-  Proposed Pond
-  Remaining Wetlands  
5.11 Class II  
5.63 Class I  
-5.42 ac CE  
-0.21 ac secondary  
impact area
-  5.42 acre SJRWMD CE
-  Surface Water (canal)
-  Surface Water  
Management  
Ponds





# Review Criteria

## Review Criteria, Chapter 15, Article X

- **Section 15-362(5) states, in part, “Where wetlands serve a significant and productive environmental function...any alteration or development affecting such lands should be so designed and regulated so as to minimize or eliminate any impact upon the beneficial environmental productivity of such lands, consistent with the development rights of property owners.”**
- **Section 15-396(3)(a) states, in part, “The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where no other feasible or practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit...When encroachment, alteration or removal of Class I conservation areas is permitted, habitat compensation or mitigation as a condition of development approval shall be required.”**



# Considerations

## ▪ Design Limitations:

- The entire hotel site is located within the flood zone with the exception of a small upland area in the southeast corner.
- The applicant designed the hotel to be built on concrete piers and has utilized all available uplands to construct small areas that could not be constructed on piers, such as the driveways, elevators, and lift station.
- The applicant is unable to construct the pond on the hotel property due to:
  - City of Orlando requirements that all flood zone impacts east of Conway Road be offset with compensating storage east of Conway Road.
  - Construction of the pond on the hotel site would require additional compensating storage for the pond itself; there is insufficient space on the hotel parcel to construct the pond and provide the additional compensating storage required.



# Considerations

## ▪ Design Alternatives:

- Prior to choosing to construct the stormwater pond west of Conway Road, the applicant researched alternative sites east of Conway Road but was unsuccessful in acquiring available land or obtaining permission from other land owners to utilize their property for the pond.
- The applicant has pursued annexation of the pond property into the City of Orlando, but has discontinued that effort at this time.
- The impacts are limited to the disturbed edge of the wetland and no impacts will occur to the existing conservation easement area.
- The applicant has an agreement with the City of Orlando to construct a connecting drainage pipe under Conway Road between the hotel property and the pond property.



# Review Criteria

- Pursuant to Orange County Code, Chapter 15, Article X, EPD staff have evaluated the permit application and required documentation therein.
- Based on the documentation and justifications provided, EPD staff have made a finding that the applicant has demonstrated that the project is consistent with Chapter 15, Article X and meets the following criteria:
  - Section 15-362(5) – Avoidance and Minimization of Impacts
    - The applicant has designed the site to avoid and minimize impacts to wetlands while working within the constraints of the available space for compensating storage. Impacts have been limited to the highly disturbed edge of the wetland.
  - Section 15-396(3)(a) – No Other Feasible or Practical Alternative Exists (for Class I Impacts)
    - Due to the limitations of space on the hotel site, and the extensive design modifications the applicant has implemented to minimize impacts, the applicant has demonstrated that no other feasible or practical alternative exists for the pond construction.



## Mitigation

- To offset the wetland impacts, the applicant has proposed to purchase 0.15 UMAM mitigation bank credits from the TM-Econ Mitigation Bank, Phases 1-3.
- Conservation area signage will be placed along the backslope of the pond where the pond lies adjacent to preserved wetlands.
- The backslope of the pond will be planted with native vegetation to minimize secondary impacts to the preserved wetland.



# Findings

- EPD has evaluated the CAI permit application and required documentation and has made a finding that the request is consistent with Orange County Code, Chapter 15, Article X, Wetland Conservation Areas Ordinance.
- Appropriate mitigation has been proposed.
- The applicant conducted a wildlife evaluation of the site and did not observe any imperiled species. Staff confirmed these findings during site visits conducted during the application review process.



## Action Requested

- **Acceptance of the findings and recommendation of Environmental Protection Division staff and approval of Conservation Area Impact Permit CAI-20-07-055 for Orange County Investments LLC, subject to the conditions listed in the staff report. District 3**