

Conservation Area Impact Permit Modification Request



**Conservation Area Impact
Permit No. CAI-20-06-040-MOD
District 5**

Applicant: University Station
Commercial Condo
Assoc, LLC

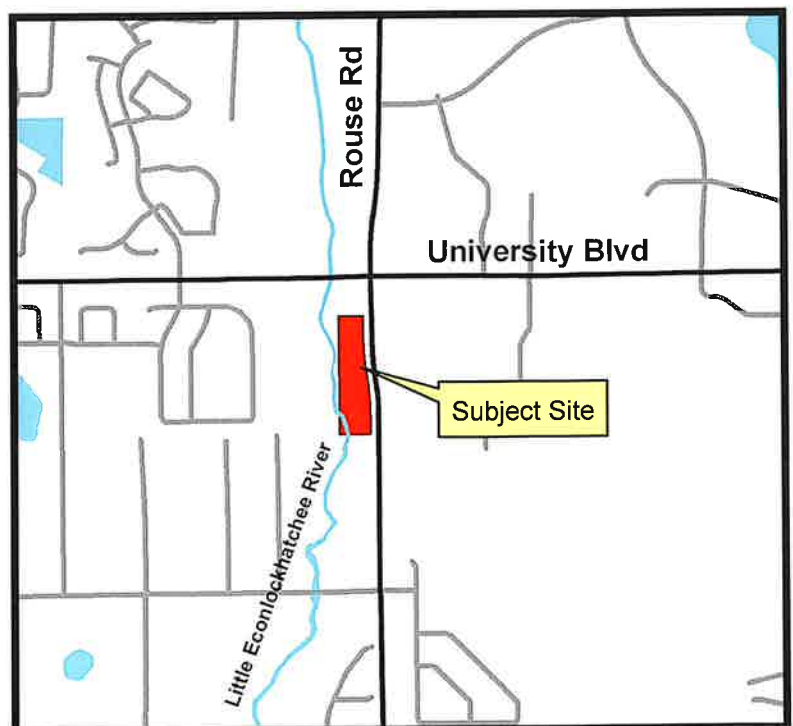
Address: 3370 Rouse Road

Parcel ID: 09-22-31-8951-00-001

Project Site



Property Location



FOR

3370 ROUSE ROAD, ORLANDO, FLORIDA 32817

PARCEL ID No: 09-22-31-8951-00-001

SITE LOCATION

[illegible]

DEVELOPER/OWNER:
UNIVERSITY STATION COMMERCIAL ASSOCIATION, LLC

SUITE 610
HALLANDALE BEACH, FL 33009
PH 954-509-3741
MR FREDDY BOULTON

ENGINEER.

STORYBOOK DEVELOPMENT SERVICES, LLC
5931 BRICK COURT, SUITE 168

WINTER PARK, FL 32792
PH 321-246-8011
MR JOSEA CHAVES PE

SURVEYORS:
LEADING EDGE LAND SERVICES INC
8802 EXCHANGE DRIVE
ORLANDO, FLORIDA 32809
PH 407-351-6730

ENVIRONMENTAL:

BIO-TECH CONSULTING, INC
3025 E SOUTH STREET
ORLANDO, FL 32803
PH 407-894-5969
MR STEPHEN BUTLER

PREPARED FOR:

UNIVERSITY STATION COMMERCIAL ASSOCIATION, LLC.

NOTE: CONTRACTOR SHALL PAY FOR AND OBTAIN TITLE REQUIRED ORANGE COUNTY PERMITS AND HOLD A PRE-CONSTRUCTION CONFERENCE BEFORE STARTING WORK. AN NPDES PERMIT, OBTAINED THROUGH DEP, WILL BE REQUIRED FOR THIS PROJECT.

FLU AMENDMENT 2020-1-S-5-1
REZONING RZ-20-04-063

received
4-18-2024

[illegible]



Impacts approved under CAI-20-06-040; 0.08 acre upland buffer impacts

Impacts requested under CAI-20-06-040-MOD; 0.01 acre upland buffer impacts

[illegible]



Environmental Protection Division

CONSERVATION AREA IMPACT PERMIT

Permit No: CAI-20-06-040

Associated Permits: FLUMA-2020-1-S-5-1;
RZ-20-04-063

Date Issued: September 11, 2020

Date Expires: September 11, 2025

A Permit Authorizing:

Impacts to 0.08 acre of the required 50-foot average upland buffer associated with a Class I conservation area located within the Econlockhatchee River Protection Area, as described under Chapter 15, Article XI, Section 15-442(f). Impacts to the upland buffer will occur as a result of the construction of portions of the stormwater pond and compensating storage areas for a commercial development. No wetland or surface water impacts are authorized under this permit. Mitigation consists of the purchase of 0.04 UMAM general credits from TM-Econ Mitigation Bank, Phases 1-3.

On September 1, 2020, the Board authorized the CAI permit concurrently with FLUMA 2020-1-S-5-1 and RZ-20-04-063.

This permit is issued pursuant to Orange County Code, Chapter 15, Article X, Conservation Ordinance and Article XI, Econlockhatchee River Protection Ordinance and is subject to the permit conditions provided on the following pages:

Activity Location:

3370 Rouse Road, Orlando, FL 32817
Parcel ID No.: 09-22-31-0000-00-004
Related CAD No: CAD-19-11-171
Orange County Commission District: 5

Permittee / Authorized Entity:

Ali El-Yassir
Olton Properties
c/o Stephen Butler
Bio-Tech Consulting, Inc.
Email: steve@btc-inc.com

Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
407-836-1400/ Fax: 407-836-1499
www.OCEPD.org

Approval of this permit is subject to the following conditions:

Specific Conditions

1. This permit shall become final and effective upon expiration of the 30-calendar day period following the date of rendition of the Board's decision approving the permit, unless a petition for writ of certiorari or other legal challenge has been filed within this timeframe. Any timely filed petition or other challenge shall stay the effective date of this permit until the petition or other challenge is resolved in favor of the Board's decision.
2. The operational phase of this permit is effective upon the completion of the construction and continues in perpetuity.
3. The upland buffer impacts and construction of the project must be completed in accordance with the 'Wetland Exhibit', prepared by Jose A. Chaves, P.E., and received by the Environmental Protection Division (EPD) on July 10, 2020 and the Construction Plan Sheets 'C-3.0', 'C-6.0', 'C-8.0', 'C-8.1', 'C-8.2' and 'C-18.0', prepared Jose A. Chaves, P.E., and received by EPD on August 5, 2020. Construction shall be completed within five years from issuance of this permit unless extended in writing. Requests for permit extension must be submitted to EPD prior to the expiration date.
4. Conservation area signs shall be installed in accordance with Sheets 'C-8.0' and 'C-18.0', prepared by Jose A. Chaves, P.E., and received by EPD on August 5, 2020. The signs shall be installed prior to the Certificate of Completion.
5. Prior to beginning construction, the permittee must demarcate the boundaries of all upland buffer areas with six-foot high PVC poles with orange flagging tied to the tops or orange safety fencing. Initial clearing shall include a path along the limits of construction to facilitate installation of silt fence and form a visual limit of clearing. After the initial clearing adjacent to the conservation area upland buffer is complete, a silt fence must be installed all along the upland buffer boundaries and maintained throughout construction.
6. Prior to initiating any construction within wetlands, surface waters, or upland buffers authorized for impact, EPD shall receive acceptable documentation that the allocation of 0.04 UMAM general credits from the TM-Econ Mitigation Bank, Phases 1-3 has been completed.
7. In the event that the permittee does not successfully complete the transaction to obtain the requisite 0.04 UMAM general credits from the TM-Econ Mitigation Bank, Phases 1-3, the permittee shall obtain a permit modification from the Environmental Protection Officer to provide alternative mitigation for the wetland impacts prior to the commencement of any construction activities.
8. No stockpiles of fill may be stored within the upland buffer to be preserved, and any stockpiles that are stored on site must be a minimum of 50-feet from the surface water boundary and contained with appropriate erosion control devices.
9. If dewatering will occur on site, the permittee will submit to EPD a signed and sealed dewatering plan from an engineer licensed to do business in the State of Florida, and the permittee will obtain approval from EPD for the dewatering plan prior to the initiation of construction.
10. In accordance with Chapter 15, Article XI, Section 15-442(a), the permittee shall submit to EPD an approved management plan or wildlife relocation/take permits from the Florida Fish and Wildlife Conservation Commission for any imperiled wildlife species identified on site prior to the disturbance of vegetation or soils.

11. In accordance with Chapter 15, Article XI, Section 15-442(g), the permittee must demonstrate that the peak discharge rate for the surface water management system does not exceed the pre-development peak discharge rate for the mean annual storm (24-hour duration, 2.3-year return period, 4.4 inches of rainfall) and the 25-year storm (24-hour duration). Post development peak discharge rates must not exceed pre-discharge rates.
12. Prior to any filling within the 100-year flood zone, a Flood Plain Permit may be required from the Orange County Stormwater Management Division authorizing the fill.
13. The permittee shall notify EPD, in writing, within 30 days of any sale, conveyance, or other transfer of ownership or control of the real property subject to this permit. The permittee shall remain liable for all permit conditions and corrective actions that may be required as a result of any permit violations which occur prior to the transfer of the permit by Orange County to a subsequent owner. If applicable, no permit shall be transferred unless and until adequate financial assurance has been provided and approved by Orange County.
14. For projects which disturb one acre or more of land, or which are less than one acre but are part of a larger common plan of development of sale that is greater than one acre, coverage under a National Pollutant Discharge Elimination System (NPDES) Construction Generic Permit (CGP) is required. Prior to the start of land disturbing activities, which includes demolition, earthwork and/or construction, the operator shall prepare a Stormwater Pollution Prevention Plan (SWPPP) and submit to the Florida Department of Environmental Protection (FDEP) a Notice of Intent (NOI) to obtain coverage under the NPDES CGP, pursuant to the requirements of 62-621.300(4)(a) Florida Administrative Code (F.A.C.). As the Operator of the MS4, copy of the NOI shall also be submitted to the Orange County NPDES Environmental Program Supervisor prior to the start of activities. Copies of the SWPPP, NOI, and FDEP Acknowledgement Letter are to be kept on the project site and made available upon request. Upon completion of all land disturbing activities and after final stabilization of the site is complete, the developer/contractor shall submit to FDEP a Notice of Termination (NOT) to end their coverage under the CGP and provide a copy of the NOT to the Operator(s) of the MS4. A copy of the CGP, NOI and additional information can be found at the following website: <http://dep.state.fl.us/water/stormwater/npdes/construction3.html>.
15. Turbidity and sediment shall be controlled to prevent off-site, unpermitted impacts and violations of water quality standards pursuant to Rules 62-302.500, 62-302.530, and 62-4.242 F.A.C. Best Management Practices (BMPs), as specified in the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (2013, or most current version), shall be installed and maintained at all locations where there is the possibility of transferring sediment, turbidity, or other pollutants into wetlands and/or surface waters due to the permitted activities. BMPs are performance based; if selected BMPs are ineffective or if site-specific conditions require additional measures, then the permittee shall implement additional or alternative measures as necessary to prevent adverse impacts to wetlands and/or surface waters. Turbidity discharging from a site must not exceed 29 Nephelometric Turbidity Units (NTU) over background for Class III waters and their tributaries or 0 NTU over background for those surface waters and tributaries designated as Outstanding Florida Waters (OFW). A copy of the Designer and Reviewer Manual can be found at the following website: <https://www.flrules.org/Gateway/referee.asp?No=Ref-04227>.
16. Discharge of groundwater from dewatering operations requires approval from FDEP and the applicable Water Management District. The operator/contractor shall obtain an FDEP Generic Permit for the Discharge of Ground Water from Dewatering Operations pursuant to the requirements of Chapters 62-621.300(2)(a) and 62-620, F.A.C., and Chapter 403 FS. Discharges directed to the County's MS4 require an Orange County Right-of-Way Utilization Permit for Dewatering prior to the start of any discharges.

17. All excess lumber, scrap wood, trash, garbage, and other similar construction materials shall be removed from the preservation areas immediately.

General Conditions:

18. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.
19. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
20. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location and acreage of the impact and preservation areas.
21. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
22. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, the permittee agrees to either obtain written consent or to remove the offending structure or encroachment within 60 days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation. Discharge of groundwater from dewatering operations requires approval from FDEP and the applicable Water Management District. The operator/contractor shall obtain an FDEP Generic Permit for the Discharge of Ground Water from Dewatering Operations pursuant to the requirements of Chapters 62-621.300(2)(a) and 62-620, F.A.C., and Chapter 403 FS. Discharges directed to the County's MS4 require an Orange County Right-of-Way Utilization Permit for Dewatering prior to the start of any discharges.
23. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article X of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency, the permittee shall comply with the most stringent conditions. The permittee shall immediately notify EPD of any conflict between the conditions of this permit and any other permit or approval.

24. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
25. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
26. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
27. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to ensure conformity with the plans and specifications approved by the permit.
28. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
29. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
30. The permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
31. Pursuant to Section 125.022 FS, issuance of this permit by the County does not in any way create any rights on the part of the permittee to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the permittee fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
32. Pursuant to Section 125.022 FS, the applicant shall obtain all other applicable state or federal permits before commencement of development.

If you should have any questions concerning this permit, please contact Elois Lindsey at (407) 836-1448 or via email at Elois.Lindsey@ocfl.net.

Project Manager:



Elois Lindsey, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:

 For

David D. Jones, P.E., CEP, Environmental Protection Officer

ELN/T/TMH/DJ: gfdjr

Enclosure(s): Construction Notice
 Approved Site Plans and Wetland Exhibit

C: Ali El-Yassir, Olton Properties, Apt 18, Andalous Street, Kojak Building, Raouche, Beirut Lebanon
Jose Chaves, P.E., StoryBook Holdings, LLC, jose@storybookholdings.com
TM-Econ Mitigation Bank, James Clark, Holland Properties, Inc., P.O. Box 770308, Winter Garden
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