



Interoffice Memorandum

January 26, 2018

TO: John Smogor, Planning Administrator, Planning Division
-AND-
Development Review Committee Members

THROUGH: David D. Jones, P.E., CEP, Manager
Environmental Protection Division
-AND-
Elizabeth R. Johnson, CEP, Assistant Manager
Environmental Protection Division

FROM: Neal Thomas, Environmental Program Supervisor
Environmental Protection Division
-AND-
Tim Hull, Environmental Team Lead
Environmental Protection Division

SUBJECT: February 28, 2018 - DRC Discussion Item
Shoppes at Alafaya Project Site: Conservation Area Impact Permit
Application No. CAI-14-08-025; Alafaya Trail Property Planned
Development: CDR-14-05-144 (LUP)

**** This item was continued from January 24, 2018****

At the July 12, 2017 meeting of the Development Review Committee (DRC), the Orange County Environmental Protection Division requested a discussion regarding whether impacts to wetlands on the subject project had been appropriately and sufficiently avoided and minimized. At that meeting, the DRC felt that the applicant could further avoid and minimize impacts to wetlands and recommended revisions to the development plan.

On January 2, 2018, EPD received a revised wetland impact plan. EPD is requesting another discussion for the revised plan to confirm that this meets the guidance DRC provided, and that the applicant has sufficiently avoided and minimized impacts to wetlands to the greatest extent practicable.

Permitting History

The subject project was originally issued Conservation Area Impact (CAI) Permit #CAI-05-060 in 2005, which authorized impacts to 4.84 acres of Class II wetlands and 2.13 acres of upland buffers. Mitigation for the impacts included onsite and offsite preservation, to be protected by conservation easements dedicated to the County. The onsite easement was never recorded as required by permit.

In 2012, the CAI Permit was modified to reduce the amount of onsite wetland preservation by six acres. The onsite preservation was replaced with the purchase of mitigation credits. The mitigation credit purchase has been completed.

On August 4, 2014, EPD received an application to further modify the wetland impact plan. The applicant proposed another 8.63 acres of direct Class II wetland impacts, 1.40 acres of direct Class III wetland impacts, and 0.32 acre of secondary Class II wetland impacts. The plan indicated the impacts were necessary to construct a large retail store and associated parking, and expand an existing stormwater tract. The applicant also proposed to replace 12.06 acres of onsite wetland mitigation area and 10.71 acres of onsite upland mitigation area with a combination of offsite mitigation and the purchase of mitigation credits.

Current Plan and Analysis

In response to the recommendation provided by the DRC at the July 12, 2017 meeting, the applicant submitted a revised development plan to EPD on January 2, 2018. As compared to the previous plan, the revised plan includes a reduction in wetland impacts of 1.57 acres, from 8.63 acres to 7.06 acres.

At the July 12, 2017 meeting, a site plan modification was suggested by the DRC that limited further encroachment into onsite wetlands to no more than that of the existing Toys'R'Us store to the north. This would result in only 3.75 acres of additional wetland impacts.

Consequently, the plan does not fully reflect the reductions in wetland impacts suggested by the DRC. Accordingly, EPD is requesting another discussion, regarding the revised plan, to confirm whether the DRC feels the applicant has sufficiently avoided and minimized impacts to wetlands to the greatest extent practicable.

ERJ/NT/TMH: mg

Attachments: Site Plans (July 17, 2017 site plan, illustration of DRC's direction, and current site plan)