



Legislation Text

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Interoffice Memorandum

DATE: June 17, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Tanya Wilson, AICP, Director, Planning, Environmental, and Development Services Department

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DIVISION: Environmental Protection Division

ACTION REQUESTED:

Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Conservation Area Impact Permit Modification CAI-20-06-040-MOD for University Station Commercial Condominium Association, LLC. District 5. (Environmental Protection Division)

PROJECT: University Station Commercial Condominium Association, LLC Conservation Area Impact Permit Modification CAI-20-06-040-MOD

PURPOSE: The applicant, University Station Commercial Condominium Association, LLC, is requesting a permit modification of Conservation Area Impact Permit (CAI) CAI-20-06-040 to impact an additional 0.01 acre of required upland buffer and 0.01 acre of secondary surface water impacts. The project site is located at 3370 Rouse Road in District 5. The Parcel Identification Number is 09-22-31-8951-00-001. The property is located within the Econlockhatchee River Protection Area and is subject to Chapter 15, Article XI, Econlockhatchee River Protection Ordinance. The Little Econlockhatchee River is located on the adjacent parcel to the west.

At their meeting on September 1, 2020, the Board authorized CAI-20-06-040 concurrently with FLUMA 2020-1-S-5-1 and RZ-20-04-063 for the subject property for 0.08 acre of impacts of the required 50-foot average upland buffer associated with a Class I surface water, the Little Econlockhatchee River. Subsequently, on September 11, 2020, the Environmental Protection Division (EPD) issued CAI-20-06-040. Mitigation for buffer impacts under the approved permit

included the purchase of 0.04 credit from TM-Econ Mitigation Bank, Phases 1-3.

On November 27, 2023, EPD received a request to modify CAI-20-06-040, which has been assigned the suffix MOD for tracking purposes. The onsite stormwater pond was constructed with an outfall to an adjacent compensating storage area. According to the applicant, during major storm events the compensating storage area is not able to sufficiently recover/drain due to excess surface water discharges from the pond. To prevent a blow-out of the compensating storage area, the applicant is proposing a shallow swale to carry the stormwater through the compensating storage area. An energy displacement structure is proposed on the western limits of the compensating storage area to prevent erosion and sedimentation into the nearby Little Econlockhatchee River and associated wetlands. The proposed change in the stormwater design will result in an additional 0.01 acre of direct impacts to the upland buffer and 0.01 acre of secondary impacts to the wetlands associated with the Little Econlockhatchee River. The applicant has reserved 0.01 credit at TM-Econ Mitigation Bank, Phase IV to offset the proposed impacts. The mitigation, as proposed, adequately offsets the proposed impacts.

EPD staff has evaluated the CAI Permit Modification 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 and Article XI, Econlockhatchee River Protection Ordinance and recommends approval.

BUDGET: N/A