



April 9, 2020

Robert Paymayesh
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RE: Administrative Master Plan request for Phase I of the 4Roots Farm Campus including a Planning Official Determination of a Light Public Benefit Use at 1599 N. John Young Pkwy. **MPL2019-10077**

Mr. Paymayesh:

I have reviewed your request for an Administrative Master Plan for Phase I of the 4Roots Farm Campus including a Planning Official Determination of a Light Public Benefit Use at 1599 N. John Young Pkwy (MPL2019-10077).

The subject site is 104 acres and currently vacant and was granted to the City of Orlando by Dr. Phillips in 2018 in order to develop a regional park. The approximately 40 acres south of the canal were granted to be used for educational farming, agriculture, and other similar programs. The goal of the 4Roots Farm Campus is to educate current and future generations about food, farming and ecology, connect personal health to how food is grown, sourced and prepared, train and support Florida's future farmers, and to demonstrate innovative and sustainable ways to grow food now and in the future.

You have provided a survey of the existing conditions, a first phase site plan, a conceptual site plan for the buildout of the 4Roots Farm Campus, a conceptual landscape plan, and a project narrative describing how the development meets the criteria for a public benefit use. [Attached]

Proposed Development

The development program is proposed to include the construction of 14 structures for the buildout of the 4Roots Farm Campus:

1. Event Barn
2. Pergola
3. Vertical Farming Greenhouse – Living Wall
4. Hydroponic Greenhouse
5. Discovery Center with Farm Store & Café
6. Demonstration Kitchen
7. Head House
8. Bathrooms
9. Classrooms
10. Educational Greenhouse
11. Restaurant
12. Red Barn

13. Cottages
14. Apiary

Other components of the development proposed are:

1. Surface parking lot
2. Central Pavilion
3. Central Green
4. Welcome Plaza
5. Raised Garden Beds
6. Row Crops
7. Wetland Boardwalk
8. Boardwalk Connection to City Park
9. Compost Facilities
10. Fitness Trail

The significant structures with unique design to the campus and the vision of 4Roots will be the discovery center, the event barn, outdoor teaching/demo area, restaurant, and flexible classrooms.

Proposed Land Use

Public Benefit Uses

You propose that the 4Roots Farm Campus be considered a Light Public Benefit Use. Chapter 66 of the Land Development Code defines Public Benefit Use as:

*Any use necessary for the public health, convenience, safety or welfare for purposes such as public utilities and substations; any municipal or state purpose; community centers; type A, B or E vertiports; cemeteries; golf courses; **educational, philanthropic, charitable** or religious uses; civic clubs; public or private schools (except child care centers); and public or private parks or playgrounds; and accessory caretaker's quarters for any such use.*

Additionally, Chapter 58 details the various types of public benefit uses. Sec. 58.810 includes a table to identify the specific type of Public Benefit Use. Charitable institutions are categorized as Light Public Benefit Use and have their own set of design criteria set forth in Sec. 58.814.

Design Criteria. Light public benefit uses should be designed to integrate into the surrounding community by matching the height, scale, mass, and articulation of surrounding buildings. Buildings must be designed with a minimum of 30 percent transparency on all facades facing a public street, and may employ architectural treatments and features that identify the building as a civic space or neighborhood anchor. Fully shielded or cut-off lighting is required when located in or adjacent to a residential zoning district. Fencing adjacent to public rights-of-way, where allowed, must be CPTED-style open fencing. Sidewalks and streetscape treatments should match the rest of the street. Appearance review is required to ensure consistency with the design criteria of this subsection.

You provided responses within the project narrative on how the proposed development will meet the Light Public Benefit Use criteria, provided below.

“The 4Roots Farm Campus will consist of 14 structures all matching the height, scale, mass and articulation of surrounding buildings. The nearest structure of any

design content of similar size or larger would be the clubhouse of the Country Club of Orlando. All other buildings in the packing district are warehouses of greater mass and scale and similar height. Sustainability and conservation will be at the core of the design for each structure and element of the campus. The Campus' desire to utilize many sustainable elements into the design in itself will be a benefit to the surrounding neighborhood and community.

The significant structures with unique design to the campus and the vision of 4Roots will be the discovery center, the event barn, outdoor teaching/demo area, restaurant, and flexible classrooms.

The discovery center will showcase many sustainable elements and will have greater than 30 percent transparency for its facades facing a public street, John Young Parkway. The closest building to the street will be approximately 1000 feet from a public street. The discovery center will be open to public visitors, and will have a farm store, café, classrooms, exhibits, offices as well as a food and health innovation lab -- all a benefit to the public with the exception of the offices.

The event barn will also adopt many sustainability elements into its design and will resemble a traditional barn with integration to the campus design theme. Its height, mass and scale will resemble and not exceed that of neighboring structures. The event barn will provide a space for conferences, celebrations, and other special events to bring together farmers, students, and other members of the community.

The outdoor teaching/demo area will be a small open air element used for demonstrations of farming techniques and food preparation, featuring programs designed for students and the general public to educate and inspire them around growing and preparing healthy food.

The restaurant is intended to be open to the public for nourishment as well as teaching the benefits of farm to table dining. Guests will enjoy meals designed around seasonal availability of produce and using produce grown on the campus. The same sustainability design strategies utilized in the discovery center will also be applied to the restaurant.

Two other structures are flexible classrooms and restrooms, and their design will mimic the theme of the campus as well as integrate as many elements of sustainability as is possible. These structures will allow us to host Valencia College's agriculture program to expand their enrollment and increase their course offerings -- with an enhanced focus on sustainable and urban agriculture topics. A greenhouse approximately 12,000 square feet of standard design and mass of a typical greenhouse will be utilized by Valencia and shared for use in educating the public about new and innovative urban growing methods. Field trips for students of all ages may tour the greenhouse and grounds.

There will also be a hydroponic greenhouse built and run by the premier hydroponic grower in the world, GrowPonics, to showcase innovative, efficient, sustainable growing techniques.

The entire campus, grounds and walkways will be used by the public to learn about sustainable agriculture and innovative farming techniques. Sections of the wetland

will be restored and the campus will tie into the Packing District Park to the north. The intention is to generate as much solar power as possible on and for the campus. The parking lot will have a solar canopy shielding light bleed into the parking area and from the nearby community.

The 4Roots Farm Campus will grow and harvest fresh produce, but its primary purpose is to showcase and demonstrate a variety of growing techniques to the community with a focus on collaboration with community partners to strengthen our local food system. The 4Roots Farm Campus is not primarily a production farm, but rather an educational campus, implementing sustainable practices that respect both human and environmental health, so it should not be significantly impacted by right to farm legislation.”

Planning staff supports that the described programming qualifies as a Light Public Benefit Use. To ensure that the operations are consistent with the description provided, above, conditions of approval are included to maintain the Light Public Benefit Use designation.

Development Regulations

Zoning – The property is zoned H/W [Holding in the Wekiva Overlay] with future land use designations of CONSERV [Conservation] and RES-MED [Residential Medium Intensity], where Public Benefit Uses are permitted.

Setbacks – The setback regulations for H zoning and the proposed setbacks are provided in Table 1. Future phases will be analyzed for compatibility with the setback regulations in subsequent applications.

	Required	Proposed
Front (JYP)	75 ft.	1,322 ft.
Side (south property line)	25 ft.	170 ft.
Side (north property line)	25 ft.	570 ft. ¹
Rear (east property line)	35 ft.	57 ft.

¹Since this is one property with the City park site north of the canal, the setback provided is to the canal, which is the northern boundary of the 4 Roots Campus site.

Impervious Surface Ratio (ISR) and Floor-to-Area Ratio (FAR)

Based on the land area of 40.1 acres, the total land area is 1,746,756 sq. ft. The total impervious surface proposed for Phase I is 60,200 sq. ft. The total area of heated and cooled space of the buildings proposed in Phase I is 6,700 sq. ft. These calculations take into account the request for the 12,000 sq. ft. greenhouse to be excluded due to the Florida Right to Farm Act. This is highlighted in grey on Table 2.

Program Elements	Area (SF)	Maximum FAR Permitted	Maximum ISR Permitted	Proposed FAR	Proposed ISR
Greenhouse	12,000	0.05	0.05	0.004	0.04
Classrooms	3,000				
Demo Kitchen/Classrooms	2,500				
Bathrooms	1,200				
Roads/Sidewalk/Parking	53,500				

Height – The H zoning district permits a height up to 35ft. Elevations of the proposed structures were not provided as part of this application. The applicant has proposed a maximum of two stories for each of the structures. This will be further reviewed in a required Appearance Review via determination for the elevations of each proposed structure.

Analysis

Phase I Development

This approval letter addresses the development program of Phase I. The proposed Phase I development nearly reaches the maximum allowable impervious surface area for the H zoning district. Therefore, all future phases will be subject to a rezoning application to a zoning district that permits additional impervious surface area.

The development program for Phase I is proposed to include a driveway for access from N. John Young Pkwy. lined with parallel parking spaces, a small surface parking lot, a truck turn-around for solid waste collection and deliveries, row crop fields, raised garden beds, and four structures. The structures include a 12,000 sq. ft. educational greenhouse, a 3,000 sq. ft. building for indoor/outdoor classrooms, a 2,500 sq. ft. building with a demonstration kitchen and additional classrooms, and a 1,200 sq. ft. building with bathrooms.

Florida Right to Farm Act

Section 604.50 (1) of Florida Statutes set forth exemptions for non-residential farm buildings from the Florida Building Code and other municipal codes:

Notwithstanding any provision of law to the contrary, any nonresidential farm building, farm fence, or farm sign that is located on lands used for bona fide agricultural purposes is exempt from the Florida Building Code and any county or municipal code or fee, except for code provisions implementing local, state, or federal floodplain management regulations.

Further, section 823.14(6), Florida Statutes, provides:

It is the intent of the Legislature to eliminate duplication of regulatory authority over farm operations as expressed in this subsection. Except as otherwise provided for in this section and s. 487.051(2), and notwithstanding any other provision of law, a local government may not adopt any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, where such activity is regulated through implemented best-management practices or interim measures developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or water management districts and adopted under chapter 120 as part of a statewide or regional program. . . .

On October 10, 2001, the Florida Attorney General published an Advisory Legal Opinion in response to whether a municipality may require zoning compliance permits under the land development regulations for nonresidential farm buildings, stating:

The legislative history of this subsection states that the amendment to section 823.14, Florida Statutes, was to preclude a local government from adopting laws, ordinances,

regulations, rules or policies to prohibit, restrict, regulate, or otherwise limit any continuing farm operation on any land currently engaged in bona fide production of a farm product.[16] Thus, a farming operation that falls within the coverage of section 823.14, Florida Statutes, would necessarily comply with the agricultural zoning classification of the land and would not be subject to county regulations or restrictions that attempt to limit such an operation.

Zoning is intended to control development and land use, going beyond mere standards for the construction of buildings otherwise permitted under an existing zoning classification.[17] Encompassed in zoning are restrictions on the density of development and such simple restrictions as set-back lines for construction. Such ordinances, however, must be reasonable, uniform, certain and must supply sufficient standards.[18] Moreover, an ordinance establishing setback lines without regard to public health, safety, and general welfare would be an unreasonable exercise of police power.[19]

You have advised this office that one of the primary concerns in determining whether a zoning compliance permit is required for nonresidential farm buildings is to assure that such construction complies with setback lines under the county's zoning plan. It would appear that a setback requirement would not necessarily limit a farm's operation and would, therefore, apply to such construction.

2001-71 Fla. Op. Att'y Gen. (2001)

As part of the administrative master plan application, you have requested that the non-residential agricultural buildings proposed within the development are exempted from the City's Land Development regulations. See Table 3 below for the vertical structures proposed within the development and a description of the building's purpose as justification for the exemptions.

Table 3 – Agricultural Buildings Per Phase				
Phase	Building	Size	Description	Key #
1	Educational Greenhouse	12,000 sf	Host Valencia agriculture technology program	15
2	Hydroponic Greenhouse	35,000 sf	Demonstrate efficient, sustainable production with state-of-the-art growing technology developed out of Israel — the first of its kind in the continental US	6
3	Vertical Greenhouse	2,500 sf	Demonstrate innovative urban growing technology	5

Planning staff agrees with the assessment and will exempt each of the above mentioned structures from the zoning regulations including impervious surface ratios, floor-to-area ratio, and parking requirements. The structures will be required to meet the setback regulations due to the adjacent residential uses to the south. This land is owned by the City of Orlando, and in its role as a landlord, will require the structures to obtain building permits. The details will be included in a lease.

In discussions leading up to the application, you mentioned intentions of including livestock on the subject property within the proposed development. No livestock is included in the Phase I application. If livestock

is approved in a lease, the type, amount and location will be reviewed according to the City zoning code through a future Planning Application.

Environmental – Applications to the U.S. Army Corps of Engineers and the St. John's River Water Management District must be completed as part of the permit review process.

Phasing – Future phases are subject to a rezoning application due to the maximum ISR nearly being reached as part of the Phase I application. As part of the rezoning application, specific details of the event barn, restaurant, and operating hours open to the public must be provided to ensure consistency with the Light Public Benefit Use designation.

Transportation – The proposed location of the curb-cut must be approved by FDOT and proper permits must be secured.

Parking – Chapter 61 does not define the number of parking spaces required for a Light Public Benefit Use. Transportation is supportive of the proposed rate of 5 parking spaces per 1,000 sq. ft. The 5,500 sq. ft. of classroom and demonstration kitchen area requires 27.5 parking spaces. The initial phase proposes the construction of 35 spaces including 4 paved ADA spaces, meeting the requirement.

Urban Design – Since the elevations for the proposed structures are not yet available, they must be reviewed through an Appearance Review via determination application.

Buffers – The subject site is adjacent to the a city park site to the north, a golf course to the east, the W.D. Judge right-of-way to the south, which is currently a paper street with easements for utilities, and John Young Parkway roadway to the west. Chapter 60 of the Land Development Code indicates the bufferyard requirements for various juxtaposed uses. In this case no bufferyards are required by Code, however, because single family development lies just beyond the W. D. Judge Rd. right-of-way to the south, these neighbors are used to seeing a densely forested area from their backyards. In an effort to keep a lush forested area between these single family homes and the future 4Roots Campus, Bufferyard C will be required along the south property line.

The site plan showing the conceptual buildout indicates that a 35,000 sq. ft. hydroponic greenhouse will be set back approximately 45 ft. from the southern property line. The applicant proposes the driveway access road and one row of parallel parking spaces south of the greenhouse, leaving only 10 ft. along the southern property line for landscaping. In this conflict area (directly south of the hydroponic greenhouse) the required buffer area may be narrowed to 10 ft. including 80% tree coverage, 1 row of evergreen shrubs and the remainder consisting of a vegetative groundcover.

West of the hydroponic greenhouse, the driveway and parking areas shall be shifted north to accommodate a minimum of 15 ft. landscape buffer consisting of 80% tree coverage, 1 row of evergreen shrubs and the remainder consisting of a vegetative groundcover along the south property line.

The landscape buffer along the southern property line west of the parking area to the front property line, approximately 370 ft., Bufferyard C must be met with 20 ft. of landscaping consisting of 80% tree coverage, 1 row of evergreen shrubs and the remainder consisting of a vegetative groundcover.

Should permission be granted to the applicant to utilize the OUC easement adjacent to the subject property, staff is open to shifting the required landscape buffer south with the written consent of OUC.

This request would require a letter of determination to modify this administrative master plan, and staff will require an increased landscape buffer width to match the Bufferyard C requirements adjacent to the driveway.

Wekiva Overlay District – The Land Development Code indicates the intent of the Wekiva Overlay Zoning District as, “The W Overlay District is intended to promote a pattern of development that preserves open space and protects the most effective recharge areas, karst features and sensitive natural habitats within the Wekiva Study Area, while recognizing property rights and accommodating both rural and urban land use patterns.”

The City’s Comprehensive Plan, Conservation Element, Policy 1.7.8, goes further to require that open space comprises a minimum of 20% of the gross development area of any given development site of 5 acres or more. The subject site is approximately 38 acres and therefore 9.5 acres are required to remain open space. The applicant proposes to develop the entire farm campus outside of the existing wetland located in the northwest of the site. This existing wetland makes up approximately 19 acres on the subject site. This preservation effort meets the Wekiva Overlay open space requirement.

Recommendation – Based on the above information, staff supports the construction of Phase I of the 4Roots Farm Campus and deems the proposed development as a Light Public Benefit Use at 1599 N. John Young Pkwy. according to the presented plans in this Administrative Master Plan and provided the following conditions are met:

Growth Management

Phase I and the public benefit use is consistent with Growth Management Plan.

Contact: Megan Barrow, Planner II, 407-246-3363 or at Megan.Barrow@orlando.gov.

Land Development

1. Consistency – The Site Plan (as submitted for permitting) shall be consistent with the size, dimensions, site location, and appearance shown on the plans submitted with this Administrative Master Plan. The Site Plan must comply with all regulations and conditions (as noted within this letter).
2. Preliminary Review – This was a preliminary review of your plans and elevations. The City reserves the right to make further comments on the compliance of the proposed development during permit review. While we did not see any major departure from the requirements of the Land Development Code, the Site Plan must be compliant with all aspects of the LDC to include (but not limited to) landscaping, buffers, proper circulation, and all of the requirements of the Land Development Code.
3. Livestock – Livestock is not permitted on the site as part of Phase I. Any future livestock requires review and approval through a subsequent planning application.
4. Bufferyards – Bufferyard C is required along the south property line. The landscape width may reduce to 10 ft. along the southeast portion of the property line adjacent to the driveway and south of the greenhouse, 15ft. along the driveway and parking areas, and must be brought to the full 20 ft. west of the parking and driveway areas to the front property line.
5. Fences – Staff encourages the use of CPTED style fencing to secure the perimeter of the site as shown in the conceptual plan. The perimeter fencing will be limited to 8 ft. in height. If chain link is proposed, it must be vinyl-coated with black or green. Details of the perimeter fence shall be submitted with the required Appearance Review application.
6. Lighting Plan – A lighting plan must be submitted with the permit set.

Contact: Katy Magruder, Planner II, 407-246-3355 or at Kathleen.Magruder@orlando.gov

Urban Design/Landscaping

1. An Appearance Review Planning Official determination for each non-agricultural building shall be required prior to submitting for permits and prior to building permits being issued.
2. No one particular style is dictated over another; however, architecture should be authentic to the style employed.
3. Architectural continuity between the buildings is required to be incorporated into each building so that there are not random buildings that are unrelated to each other. Continuity can be provided by building materials, a common stone base or a common architectural theme.
4. All buildings shall be finished with durable, high quality materials that are authentic to the style of architecture for which the building is proposed. Side and rear building façades that are visible from a public street shall contain architectural detail comparable in appearance and complexity to the front of the building.
5. Principal facades or any façade facing a street, pedestrian path or plaza shall have a minimum of 30% transparency in ground floor elevations. Secondary facades shall have a minimum of 15% transparency in ground floor elevations.
6. The base material of the buildings must be of durable material. Stucco or EIFS is not an acceptable option. Materials must be stone, brick or similar material.
7. Each principal building must have a clearly defined, highly visible principal pedestrian entrance. Additional entrances on secondary facades should also be architecturally highlighted.

Site

All crosswalks at driveways and curb cuts must be designed with pavers and/or textured colored concrete or similar to clearly define the pedestrian zone, as required by Section 61.314(e). Thermoplastic paint may be incorporated, but cannot meet this condition alone.

Landscape

1. All growing fields, garden beds and any other crop growing fields may be excluded for purposes of calculating the land/property square footage to determinate the required landscape boundary.
2. All landscape plans must achieve the Minimum Required Landscape Score (MRLS) required for the proposed type and intensity of development. Meet City Code Chapters 60 and 61. A spreadsheet showing compliance with the Minimum Required Landscape Score must be included with the plans. A digital spreadsheet form is available at <http://www.cityoforlando.net/city-planning/landscape-code/>
3. All retention ponds shall be integrated into the overall design and shall serve as a visual and physical amenity to the Property. This shall be accomplished by installation of the following:
 - a. A water feature (i.e., fountain) in each pond or appropriate circulation; and
 - b. Planting at least 15% of the length of the pond's edge in a planting area at least two feet in width above and below the mean water elevation with the following formula:
 - i. $\text{Length of Pond's Edge} \times 0.15 = \text{Result (Y)}$
 - ii. $Y \times 2 = \text{Required Landscape Area}$

Utilities

1. All water utilities infrastructure including backflow preventers, water meters, and cutoff structures must be placed behind the principal façade of the building or screened from the ROW by landscaping or fences/walls.

2. Service areas and or dumpster enclosures must incorporate architectural materials and design details similar to the principal buildings. Service areas must have gates or screens that shield the areas from view when not in use. Design of gates must be solid and have architectural interest to complement the building
3. Transformer areas outside the building envelope shall be screened on three sides with landscaping and/or a decorative, opaque wall and gates up to 6 ft. in height. Landscaping shall include a hedge that is a minimum 36 in. tall at the time of planting

Lighting

Outdoor lighting must follow Sec. 63.400.

Signage

A sign determination/master sign plan application must be submitted prior to a sign permit being submitted; this application must include all of the proposed sign locations and the sign square footage.

Contact: Terrence Miller, 407-246-3292 or at terrence.miller@orlando.gov

Transportation Planning

1. Use of any material for the driveway and parking areas other than asphalt or concrete must be approved by the City Engineer, Jim Hunt. Such approval should be obtained prior to submittal of plans to Permitting Services to avoid delays in review and processing.
2. ADA parking spaces must be paved and signed in accordance with the ESM.

Contact: John Rhoades, 407-246-2293 or at john.rhoades@orlando.gov

Police

The Orlando Police Department has reviewed the plans for the 4 Roots Farm Campus located at 1599 N. John Young Pkwy., applying CPTED (Crime Prevention Through Environmental Design) principles. CPTED emphasizes the proper design and effective use of the built environment to reduce crime and enhance the quality of life. There are overlapping strategies in CPTED that apply to any development: Natural Surveillance, Natural Access Control, Territorial Reinforcement, Target Hardening, and Maintenance and Management.

Contact: Audra Rigby at 407-246-2454 or audra.rigby@orlando.gov.

Development Review

1. The standard pavement thickness is 2" of FDOT Type S-III Asphalt with standard curb and gutter each side. The Sub-base shall have a stabilization of 95 FBV (Florida Bearing Value) in addition to the stated compaction
2. Any construction within the right-of-way of N John Young Parkway will require FDOT (Florida Department of Transportation) approval/permit prior to issuance of the Engineering Permit.
3. This project will require a Florida Department of Environmental Protection (FDEP) permit for the sanitary sewer system. The Office of Permitting Services processes the permit for projects with reserved sewer capacity. At the time of FDEP permit submittal to the Office of Permitting Services:
4. This property is required to plat in accordance with Section 65.401 of the City's Land Development Code prior to the issuance of building permits.

5. All new construction, change in use, additions, or redevelopments are required to submit a Concurrency Management application as a part of the building plan review process.
6. Need to provide drainage calculation and Geotechnical report for this development. A Stormwater Pollution Prevention Plan need to be submitted in accordance with the Florida Department of Environmental Protection (FDEP) requirement.
7. Construction activities including clearing, grading and excavating activities shall obtain an Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES) permit, except: Operations that result in the disturbance of one acre total land area which are not part of a larger common plan of development or sale.
8. At the time of development, the owner/developer is required to pay an on-site inspection fee that is a percentage of the cost of the on-site improvements, excluding the building, in accordance with City Land Development Code, Section 65.604.
9. FLOODPLAIN Part of this site is located within a floodplain, the finished floor elevation must be one (1) foot above the 100' flood elevation. Any flood storage volume displaced by the building must have compensating storage. In accordance with Federal Emergency Management Act (FEMA) requirements; a letter of map revision maybe required by the owner or engineer as part of this application review.
10. The owner/developer is required to pay the Sewer Benefit Fee in accordance with the Sewer Service Policy and Chapter 30 of the Land Development Code.
11. The City Council Adopted the Engineering Standards Manual (ESM), Fifth Edition on April 18, 2016. All plans must conform to the ESM and all construction must be accomplished in accordance to the ESM.
12. The owner/developer is required to design and construct an on-site storm water system in accordance with the approved Master Drainage Plan. Approval from St Johns River Water Management District is required. The system is to be privately owned and maintained. Approval from the Army Corp of Engineers is required for any alteration to the existing wetlands on site.
13. Contact the Bureau of Parks (407) 246-2283 for a tree removal permit before removing any 6" caliper or larger trees.
14. Contact the Bureau of Parks (407) 246-2283 for a tree encroachment permit prior to encroaching within the canopy of any 6" caliper or larger trees.
15. The Office of Permitting Services recommends approval of the proposed Master Plan, subject to the above listed conditions and requirements.
16. All future elevation shown on a boundary/topographic survey shall use the North American Vertical Datum of 1988 (NAVD 88).
17. All new construction, change in use, additions, or redevelopments are required to submit a Concurrency Management application as a part of the building plan review process.
18. Section 1.04 of the Engineering Standards Manual provides that all utility lines shall be installed beneath the surface of the ground. Subdivision construction plans must include all proposed utilities.
19. Section 2.02.04 Preliminary (Mass) Grading Permit. This permit authorizes site construction improvements to private property before more conventional construction permits are issued by Permitting Services. This permit will have two times the normal city permitting fee; will only be issued on a case-by-case basis; and have a very limited scope of work. It will only be granted if the owner can illustrate to the City Engineer, Planning Official, Parks Official and Building Official that a financial or timeline hardship can jeopardize the completion of the project. The scope of work for this kind of permit is mainly to address lengthy environmental site cleanup jobs, mitigations, soils consolidation, installation of temporary/partial master stormwater systems, stockpiling and/or other types of large

earthwork related jobs, and shall not constitute a waiver of other permit requirements such as floodplain development, discretionary land use permits and tree retention and removal

20. In accordance with City Code Section 28.15, as approved by City Council on March 11, 2019, all new Multi-Family and Commercial developments are required to participate in the Recycling Program.
21. The enclosure (minimum 26' wide) must have a minimum opening of 12' wide for each side with a clear depth of 10' forward of any bollards within the enclosure. A straight 50' backup forward of the dumpster opening is required. Approval/disapproval of the use of commercial hand pick-up of refuse from any non-residential entity shall be determined solely by the Refuse Collection Bureau Staff.

Contact: Keith Grayson at 407-246-3234 or keith.grayson@orlando.gov

Public Works

1. Engineering/Public Works review is preliminary in nature, and is intended to assist the applicant with understanding City requirements. The design will be reviewed in detail for compliance with the Engineering Standards Manual and City Code at the time of permit application. Also note that the following must be provided at the time of site plan permitting:
2. Please submit private and public cost estimate forms. A performance bond is needed for the proposed public improvements in the amount of 110 percent of the estimated cost. Cost sheet forms and instructions are available on our website at Orlando.gov.
3. Construction activities including clearing, grading and excavating activities shall obtain an EPA NPDES permit, except: Operations that result in the disturbance of less than one acre total land area which are not part of a larger common plan of development or sale. The NPDES permit must be received in the Office of Permitting Services prior to the approval of City of Orlando construction permits.
4. Provide a copy of the SJRWMD Permit for this project.
5. Please note that the stormwater management system must be designed to meet the requirements of Chapter 7 of the Engineering Standards Manual. The project will be required to provide pollution abatement and flood protection. Pollution Abatement shall be provided per the St. John's River Water Management District. Flow attenuation for the 25-yr, 24-hr storm will be required.
6. As you are proposing stormwater harvesting from this pond, provide the calculations to determine you are meeting the WMD criteria for stormwater harvesting. Please see Section 21 of Volume II of the Applicant's Handbook. Please submit calculations for review prior to Jim Hunt signing the SJRWMD application.
7. Provide a copy of the geotechnical report used in support of the proposed stormwater pond design.
8. Historical photographs may show the existence of an informal dump site on this property in the southeastern corner. Based on these findings, please provide an environmental assessment to determine if this is correct and if so, the extent of the landfilling activity and whether there is any contamination that needs to be addressed.
9. If any existing site contamination is found, please add notes to the plans to alert anyone working on the project to the possible existence of contaminated soil and groundwater (indicate what the contamination is) and give directions on how to handle the contaminated material.
10. If a dump site is found to exist on site, you will be required to contact FDEP to get their authorization for the project.
11. If any existing site contamination is found, please demonstrate that the proposed stormwater system and associated recharge will not exacerbate potential on-site contaminants.
12. Per Section 6.14.01 (H) of the Engineering Standards Manual (ESM), please add a note that dewatering activities shall not result in any discharge of water with turbidity greater than 29 NTUs

from the site. If analytical results from groundwater samples determine that site is contaminated, a City Wastewater Industrial Waste Pre-Treatment Groundwater Permit must be obtained for proper disposal into City Sanitary system.

13. Please provide a primary and secondary drainage report in accordance with the City's ESM Chapter 7.
14. The site is located within a 100-year floodplain. Per the City ESM section 7.04.02 (4), compensating storage must be provided for any displaced flood waters caused by new fill between 100-year floodplain elevation and seasonal high water table. In addition, the provided compensating storage shall result in no net loss of natural floodplain storage and hydraulically connected and equivalent. Submittal of MT-2: Conditional Letter of Map Revision (CLOMR) to FEMA IV under a flood permit including calculation regarding compensating storage is required. Provide verifiable calculations that show there are no adverse impacts to the floodplain. Include sufficient information for each building/structure to show if they will or will not be flooded during extreme storm events and whether they will impede flood waters.
15. Please provide calculation to show you are meeting pre/post nutrient removal.
16. Provide an Erosion Control Plan meeting Section 6.14 of the Engineering Standards Manual.
17. All improvements are to be maintained by the lease holder.
18. Clarify whether the proposed forcemain across the ditch to the south and a water main across the ditch to the east will be underground or aerial?
19. Provide evidence that the compost pile located immediately east of the stormwater pond will not directly discharging into the pond, wetlands or perimeter ditches.
20. Jim Hunt has indicated that he would allow gravel in the near term as long as it is proven to hold up based on the amount of traffic the area receives. However, in the future, the drive may need to be paved. The use of crushed concrete alone as a driving surface is highly discouraged. The City's preference is to utilize crushed concrete as the base and 57 stone (or similar gravel) as the driving surface. Final determination of the driving surface is required to be approved by Jim Hunt prior to permit applications.

Contact: Nicki Wesson at 407-246-3264 or at eva.wesson@orlando.gov.

This approval letter serves as your finding of sufficiency pursuant to Florida statute 166.033. This Letter of Determination does not constitute approval to develop. It addresses only the Land Development Code standards expressly represented in this letter. The determinations of this letter are also restricted to this specific parcel of land and are not transferable to other parcels of land. The applicant shall comply with all other applicable requirements of the Land Development Code, including any additional review requirements and shall receive all necessary permits before initiating development. Do not respond to this determination letter; merely revise your engineering plans accordingly and apply for permits at the City Permitting Division.

As provided by subsection 166.033(5), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain 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. In accordance with subsection 166.033(5), Florida Statutes, it is hereby made a condition of this permit that all other applicable state or federal permits be obtained before commencement of the development.

If you have any questions, please contact Katy Magruder, Planner II, 407-246-3355 or at Kathleen.Magruder@orlando.gov.

Sincerely,

A handwritten signature in blue ink that reads "Elisabeth Dang". The signature is written in a cursive, flowing style.

Elisabeth Dang, AICP
City Planning Division Manager

Overall Site Plan



