



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Applicant:
Phillip Charles Owen
Bryan and Charles, LLC

Published: July 3, 2025
Expires: July 24, 2025

**Jacksonville District
Permit Application No. SAJ-2025-01191**

TO WHOM IT MAY CONCERN: The Jacksonville District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344). The purpose of this public notice is to solicit comments from the public regarding the work described below:

If you are interested in receiving additional project drawings associated with this public notice, please send an e-mail to the project manager by electronic mail at alexi.l.depp@usace.army.mil

APPLICANT: Phillip Charles Owen
Bryan and Charles, LLC
221 S Randolph Ave
Kissimmee, FL 34741

WATERWAY AND LOCATION: The project would affect aquatic resources associated with unnamed wetlands. The project site is located south of E Irlo Bronson Memorial Hwy and east of Bur Oak Blvd at latitude 28.244602° and longitude -81.2336°; in St. Cloud, Osceola County, Florida.

EXISTING CONDITIONS: The ±14.28-acre project site is currently undeveloped with single family development to the south and roadways to the north and west, and undeveloped wetlands to the east. The project site supports three (3) land use types/vegetative communities. These land use types/vegetative communities were identified utilizing the Florida Land Use, Cover and Forms Classification System, Level III (FLUCFCS, FDOT, January 2004). The onsite upland land use types/vegetative communities are classified as Fixed Single-Family Units (121). The on-site wetland land use types/vegetative communities are classified as Bay Swamps (611), and mixed wetland forest (630).

PROJECT PURPOSE:

Basic: To construct a commercial development.

Overall: To construct three commercial buildings, parking lots, stormwater infrastructure, and all associated infrastructure, in St. Cloud, Osceola County.

PROPOSED WORK: The applicant requests authorization to fill 4.01 acres of wetlands (approximately 6470 CY of fill) for construction of office, retail, and restaurant commercial buildings.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

“It is only with the Original Site Plan that the upland area along the western edge of the wetland is sufficiently utilized, and wetland impacts are minimized and avoided to the greatest extent possible while accommodating the needs of the project with a small footprint.”

COMPENSATORY MITIGATION: The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment:

“The applicant has proposed purchase of mitigation bank credits from a mitigation bank.” The mitigation scores and final mitigation bank credit amount have not been finalized.

CULTURAL RESOURCES:

The Corps evaluated the undertaking pursuant to Section 106 of the National Historic Preservation Act (NHPA) utilizing its existing program-specific regulations and procedures along with 36 CFR Part 800. The Corps’ program-specific procedures include 33 CFR 325, Appendix C, and revised interim guidance issued in 2005 and 2007, respectively. The District Engineer consulted district files and records and the latest published version of the National Register of Historic Places and initially determines that:

No historic properties (i.e., properties listed in or eligible for inclusion in the National Register of Historic Places) are present within the Corps’ permit area; therefore, there will be no historic properties affected. The Corps subsequently requests concurrence from the SHPO and/or THPO.

The District Engineer’s final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking’s potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

The Corps has determined that the proposed project may affect, but is not likely to adversely affect the wood stork (*Mycteria americana*, Federally Threatened [FT]), and the project will not affect Florida bonneted bat (*Eumops floridanus*, Federally Endangered [FE]).

Basis for “not likely to adversely affect” determination for Wood Stork:

1. Wood Stork: The Corps completed an evaluation of the project based upon the U.S. Fish and Wildlife Service (FWS) Central and North Florida Ecological Services Field Offices Programmatic Concurrence for use with the Wood Stork (September 2008). Use of the Key for Wood Stork resulted in the following sequential determination: A, B, C = “not likely to adversely affect”. The Corps has FWS concurrence for the proposed activities through the use of the aforementioned determination key.

Basis for "No effect" determination for Bonneted Bat:

1. Florida Bonneted Bat: The RAR report identified the work area as part of the Florida Bonneted Bat consultation area. The Corps completed an evaluation of the project based upon the U.S. Fish and Wildlife Service (FWS) Florida Ecological Services Field Offices Programmatic Concurrence for use with Florida Bonneted Bat Consultation Guidelines (October 2019, and 2024 Revision). Use of the Key for Bonneted Bat resulted in the following sequential determination: 1a, 2b = no effect. The Corps has FWS concurrence for the proposed activities through the use of the aforementioned determination key.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

ESSENTIAL FISH HABITAT: The Corps has determined the proposal would have no effect on any Essential Fish Habitat (EFH). There is no habitat suitable for fish on site. Therefore, no consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996 is required.

NAVIGATION: The proposed structure or activity is not located in the vicinity of a federal navigation channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Water Quality Certification is required from the South Florida Water Management District (SFWMD). The project is being reviewed under SFWMD application no. 250221-50415.

COASTAL ZONE MANAGEMENT CONSISTENCY: Coastal Zone Consistency Concurrence is required from South Florida Water Management District (SFWMD). The project is being reviewed under SFWMD application no. 250221-50415. In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act. A permit will be granted unless its issuance is found to be contrary to the public interest.

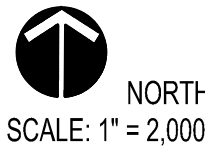
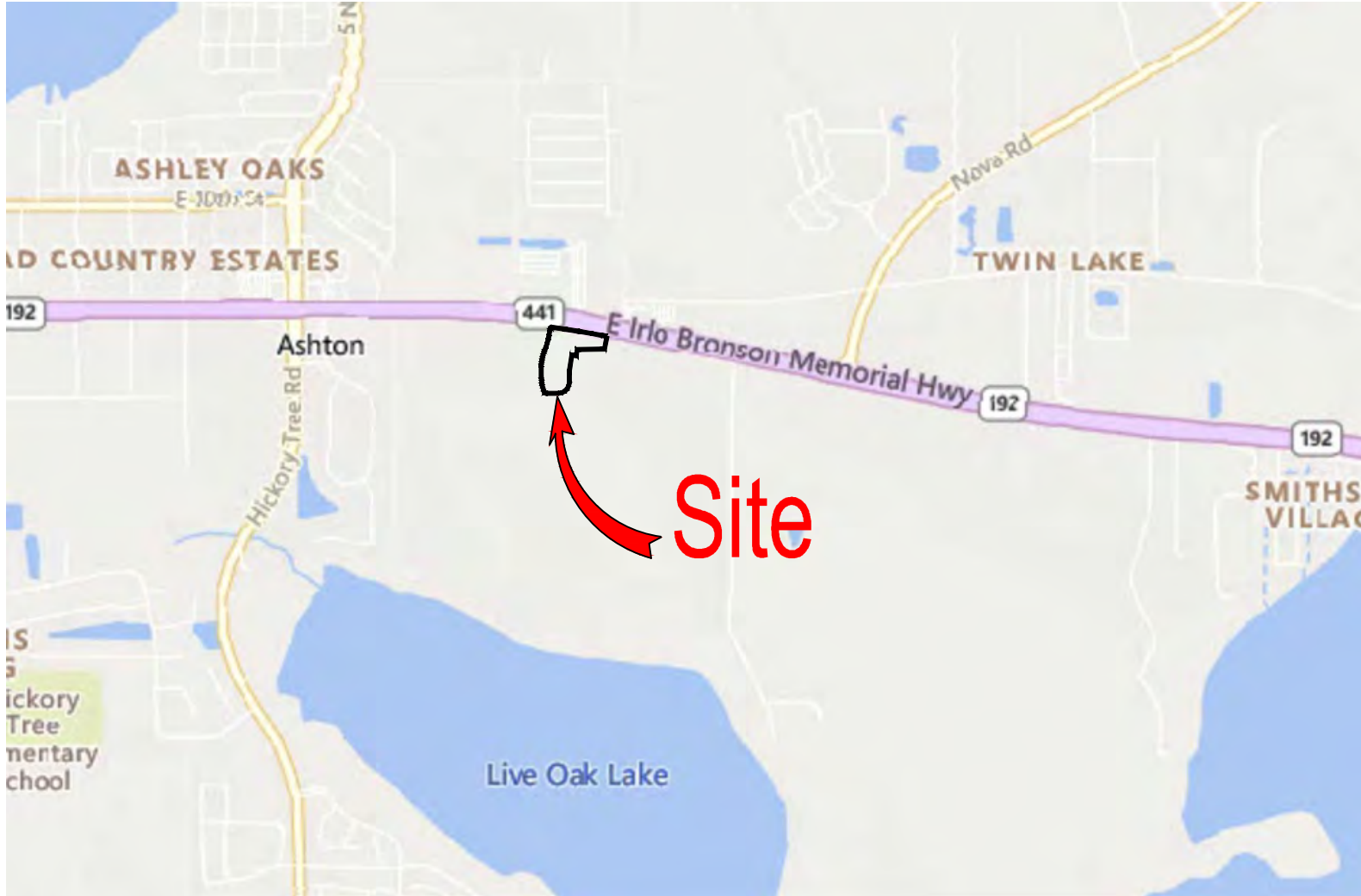
COMMENTS: The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Jacksonville District will receive written comments on the proposed work, as outlined above, until July 24, 2025. Comments should be submitted electronically via

the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Alexi Depp at alexi.l.depp@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Jacksonville District, Attention: Alexi Depp, 400 High Point Dr. Suite 600 Cocoa, FL 32926. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

LOCATION MAP



SECTION 08 TOWNSHIP 26 SOUTH RANGE 31 EAST

NOTES

- 1. SITE CONTRACTOR TO CONTACT ALL RIGHT-OF-WAY USERS PRIOR TO PRE-CONSTRUCTION CONFERENCE WITH OSCEOLA COUNTY.
- 2. THE FOLLOWING PROPOSED FACILITIES SHOWN ON THE DEVELOPMENT PLANS ARE FOR REFERENCE PURPOSES ONLY AND EACH SHALL REQUIRE A SEPARATE BUILDING PERMIT. THE LIST INCLUDES, BUT IS NOT LIMITED TO PROPOSED BUILDINGS, SANITARY LIFT STATIONS, LIGHT FIXTURES (POLES) THAT ARE INDEPENDENT FROM ANY BUILDING STRUCTURE, FENCES, GATES, MONUMENT SIGNS, DUMPSTER ENCLOSURES, IRRIGATION SYSTEMS, AND RETAINING WALLS.
- 3. A CUT/FILL ANALYSIS SHOWS THAT THE SITE REQUIRES FILL MATERIAL AND HAUL ACTIVITIES ARE EXPECTED.

SITE DEVELOPMENT PLANS

RLI LIVE OAK -
COMMERCIAL

5140 E. Irlo Bronson Memorial Highway
Saint Cloud, FL 34771

UTILITY PROVIDERS

WATER & SEWER

TOHO WATER AUTHORITY
951 Martin Luther King Boulevard,
Kissimmee, FL 34741
Phone: (407) 944-5000

DRAINAGE

SFWMD
Orlando Service Center
1707 Orlando Central Parkway Suite 200,
Orlando, FL 32809
Phone:(407) 858-6100

TELEPHONE

CENTURY LINK
33 N. MAIN STREET
WINTER GARDEN, FL 34787
Phone: (407) 814-5344

ELECTRICITY

OUC
6003 PERSHING AVENUE
ORLANDO, FL 32802
Phone: (407) 423-9100 X4885

CABLE

CENTURY LINK
33 N. MAIN STREET
WINTER GARDEN, FL 34787
Phone: (407) 814-5344



PROJECT TEAM

CIVIL
SURVEY
GEOTECHNICAL

OSCEOLA ENGINEERING, INC.
JOHNSTON'S SURVEYING, INC.
NATIVE GEOSCIENCE, INC.

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 26 SOUTH, RANGE 31 EAST, OSCEOLA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHWEST CORNER OF TRACT Z, LIVE OAK LAKE-PHASE 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 30, PAGES 1-5, OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE RUN N77°54'58"W ALONG THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 192/S.R. 500, A DISTANCE OF 961.99 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE RUN S10°32'39"W, A DISTANCE OF 264.18 FEET; THENCE RUN S00°14'02"W, A DISTANCE OF 138.36 FEET; THENCE RUN S89°55'20"W, A DISTANCE OF 900.86 FEET; THENCE RUN N83°56'41"W, A DISTANCE OF 325.08 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF BUR OAK BOULEVARD; THENCE RUN THE FOLLOWING SIX (6) COURSES ALONG SAID EAST RIGHT OF WAY LINE: RUN N00°10'03"W, A DISTANCE OF 101.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 460.00 FEET AND A CENTRAL ANGLE OF 21°40'28"; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 174.01 FEET (CHORD BEARING = N10°40'11"E, CHORD = 172.98 FEET); THENCE RUN N21°30'25"E, A DISTANCE OF 20.02 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 1,040.00 FEET AND A CENTRAL ANGLE OF 13°33'03"; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 245.96 FEET (CHORD BEARING = N14°43'53"E, CHORD = 245.39 FEET); THENCE RUN N07°57'22"E, A DISTANCE OF 23.16 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 89°54'09"; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 47.07 FEET (CHORD BEARING = N52°54'26"E, CHORD = 42.39 FEET) TO A POINT ON AFORESAID SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 192/S.R. 500, SAID POINT LYING ON A NON-TANGENT CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 11,326.55 FEET AND A CENTRAL ANGLE OF 0°41'3"32"; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 835.34 FEET (CHORD BEARING = S80°01'44"E, CHORD = 835.15 FEET); THENCE RUN S77°54'58"E, A DISTANCE OF 319.07 FEET TO THE POINT OF BEGINNING.

CONTAINING 14.28 ACRES, MORE OR LESS.

PERMITS REQUIRED

- 1. SFWMD ERP

SITE DATA

PROPERTY LOCATION :
PIN 08.26.31.0000.0098.0000
5140 E. IRLON BRONSON MEMORIAL HIGHWAY, SAINT CLOUD, FLORIDA

DESIGN STANDARDS :

Zoning: PMUD (Live Oak Lake)				
Land Use: Commercial - TBD				
Minimum Lot Area (SF)	Required	10,000	Provided	331,492
Minimum Lot Width (FT)	Required	100	Provided	800'2"
Minimum Lot Depth (FT)	Required	100	Provided	266'
Maximum Building Height	Required	2 Story	Provided	TBD
Maximum Lot Coverage	Required	85%	Provided	TBD
Minimum Distance Between Buildings	Required	15	Provided	TBD
Setback(s)				
Front from US192 (FT)	Required	50	Provided	85'2"
Front Primary Structure (Climate Controlled)	Required	20	Provided	86'1"
Front from PD Perimeter	Required	10	Provided	N/A
Side (FT)	Required	5	Provided	N/A
Rear (FT)	Required	10	Provided	N/A

PARKING CALCULATION :
Per Osceola County Land Development Code.
Land Use: TBD

SOILS:
ACCORDING TO THE SOIL SURVEY OF OSCEOLA COUNTY, FLORIDA THIS PROPERTY CONSISTS PRIMARILY OF MYAKKA FINE SAND, 0 TO 2 PERCENT SLOPES, PLACID FINE SAND, DEPRESSIONAL, POMELLO FINE SAND, 0 TO 5 PERCENT SLOPES, AND SANSULA MUCK.

FLOOD STATEMENT:
PER FEMA COMMUNITY PANEL NUMBER 12097C0280G EFFECTIVE JUNE 18, 2013, THE SITE LIES WITHIN ZONE X (WHITE) AREAS DETERMINED TO BE OUTSIDE OF THE 500 YEAR FLOOD PLAIN. FEMA LOMR No. 19-04-6034P REVISES THE EFFECTIVE FLOOD MAP IN THIS AREA AS OF 09-25-2020. THE FEMA LOMR ESTABLISHED A 100 YEAR FLOOD PLAIN ELEVATION OF 67.6 (NAVD88) .

LOT COVERAGES CALCULATIONS:

DESCRIPTION	SF	ACRES	COVER %
PRE-DEVELOPMENT			
Open Space	157,252	3.61	47%
Wetland	174,240	4.00	53%
TOTAL	331,492	7.61	47%
POST-DEVELOPMENT			
Impervious	119,354	2.74	36.0%
Building	44,432	1.02	13.4%
Pond	35,719	0.82	10.8%
Open Space	131,987	3.03	39.8%
TOTAL	331,492	7.61	100%

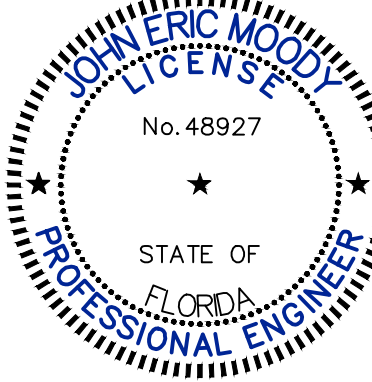
SHEET INDEX

SHEET ID	TITLE
C0.001	COVER SHEET
C0.002	SURVEY
C0.003	GENERAL NOTES
C0.004	DEMOLITION AND EROSION CONTROL PLAN
C1.000	MASTER SITE PLAN
C1.001	GEOMETRY PLAN
C1.002	GEOMETRY PLAN
C2.001	PAVING, GRADING AND DRAINAGE PLAN
C2.002	PAVING, GRADING AND DRAINAGE PLAN
C2.003	POND PLAN
C4.001	SECTIONS



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CLIENT

RLI LIVE OAK,
LLC



PROJECT

RLI LIVE OAK-
COMMERCIAL

5140 E. Irlo Bronson Mem. Highway
Saint Cloud, FL 34771

REVISIONS

NO.	DATE	BY

GRAPHIC SCALE BAR



OEI JOB # **OEI 22-030**

DESIGNED **BJP**

DRAWN **ACB**

CHECKED **JEM**

PHASE

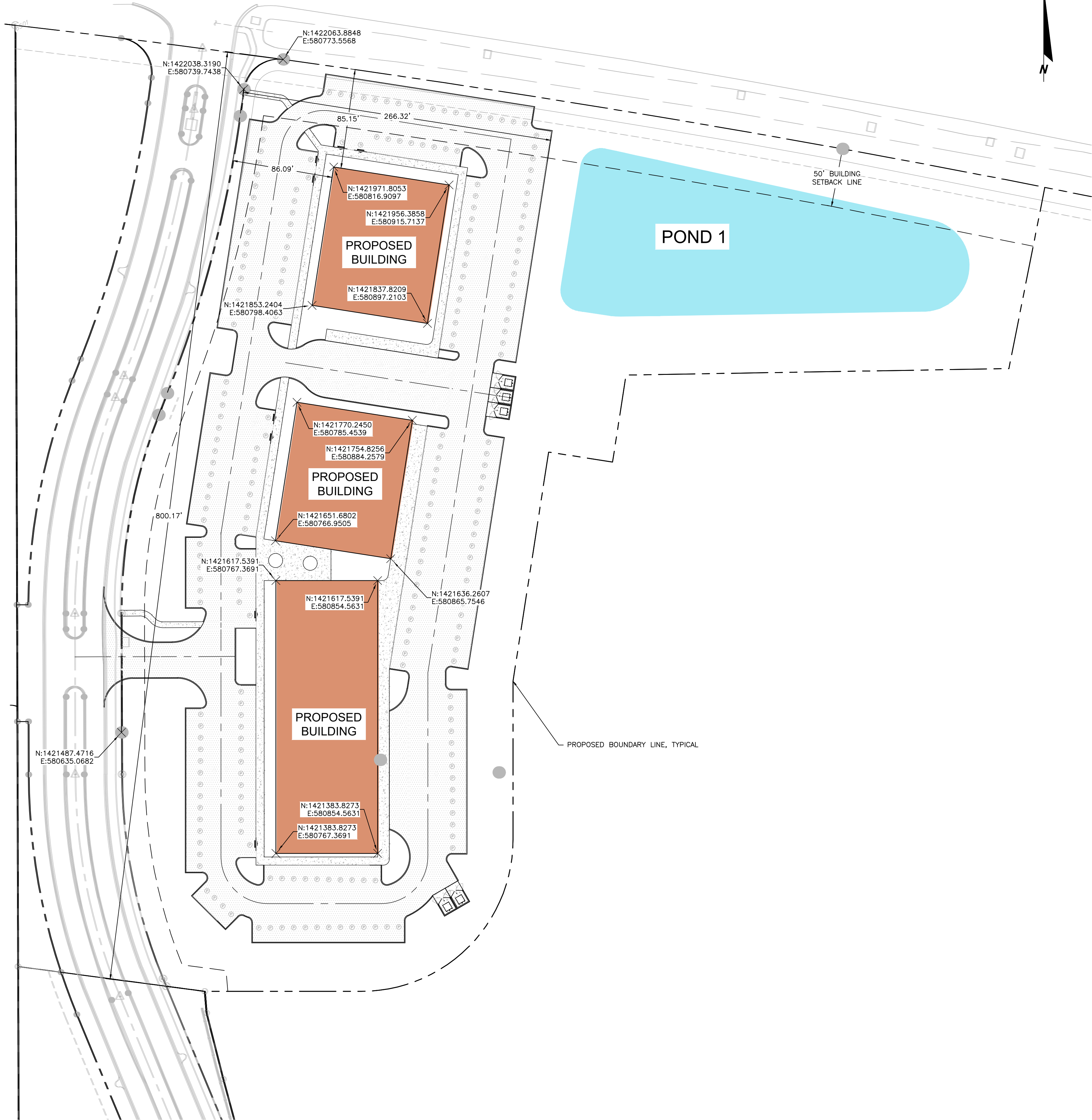
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COVER

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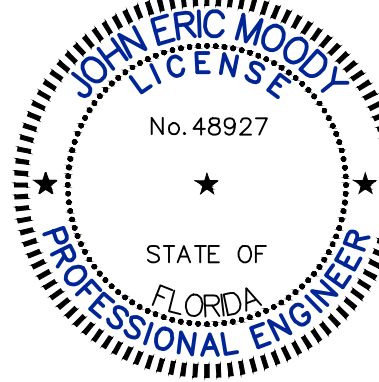
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Feb 12, 2025 - 10:42am - M:\2022\22-030_RLI Live Oak\cad\development Plans\Construction Plans\SHEETS_22-030_01.000 MSP.dwg by jghanan



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CLIENT

RLI LIVE OAK, LLC



PROJECT

RLI LIVE OAK-COMMERCIAL

**5140 E. Irla Bronson Mem. Highway
Saint Cloud, FL 34771**

REVISIONS

NO.	DATE	BY



OEI JOB # **OEI 22-030**

DESIGNED **BJP**

DRAWN **ACB**

CHECKED **JEM**

PHASE

SHEET TITLE

**MASTER SITE
PLAN**

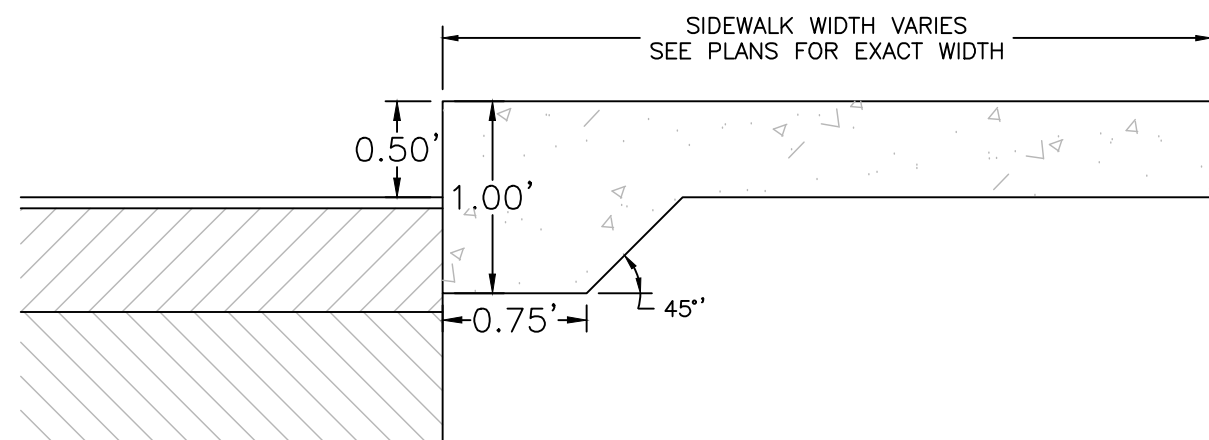
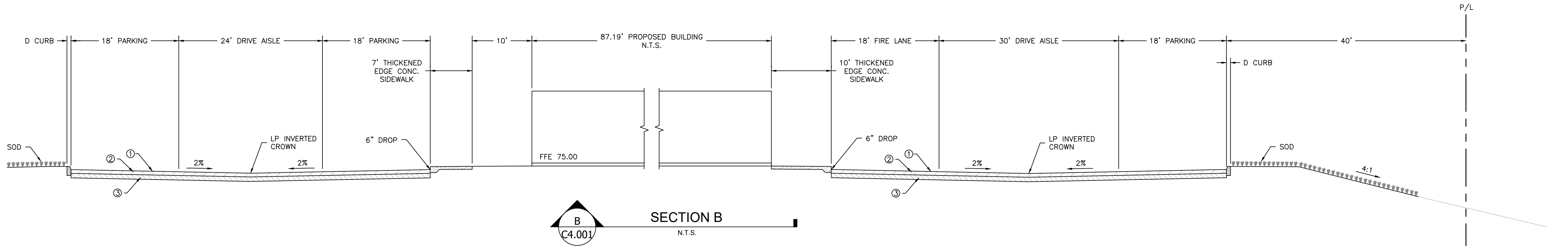
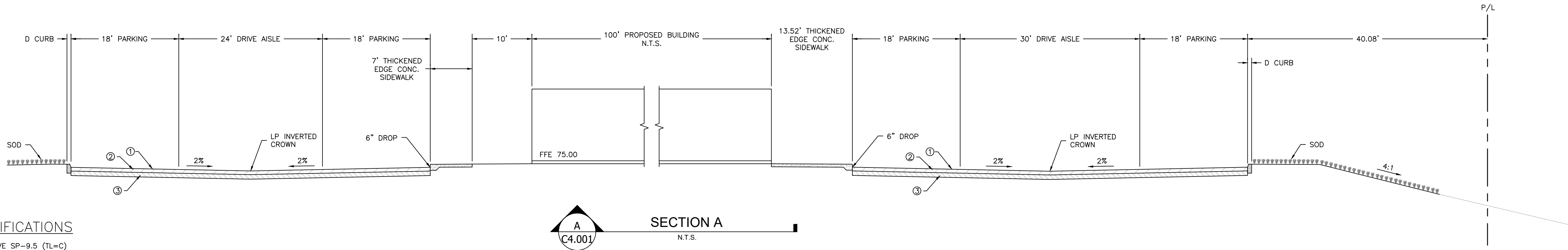
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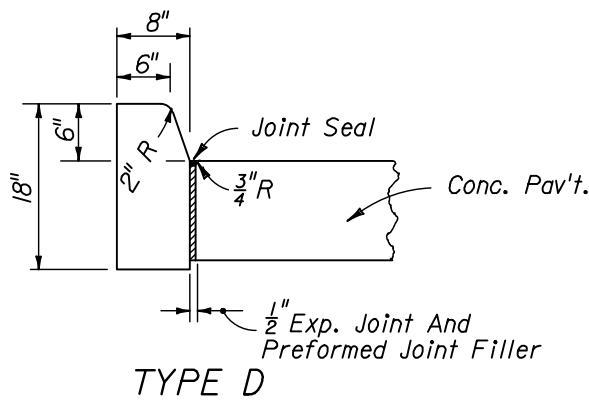
SDP25-000XX

PAVEMENT SPECIFICATIONS

- ① MIN. 1 1/2" SUPERPAVE SP-9.5 (TL=C) ASPHALT OVER RC-70 PRIME COAT OR APPROVED EQUAL
- ② MIN. 6" LIMEROCK (LBR=100) OR GRADED AGGREGATE BASE PER FDOT INDEX 204 COMPACTED TO MIN. 98% DENSITY OF MOD. PROCTOR PER AASHTO T-180
- ③ MIN. 9" STABILIZED SUB-BASE (LBR=40) COMPACTED TO MIN. 98% DENSITY OF MOD. PROCTOR PER AASHTO T-180

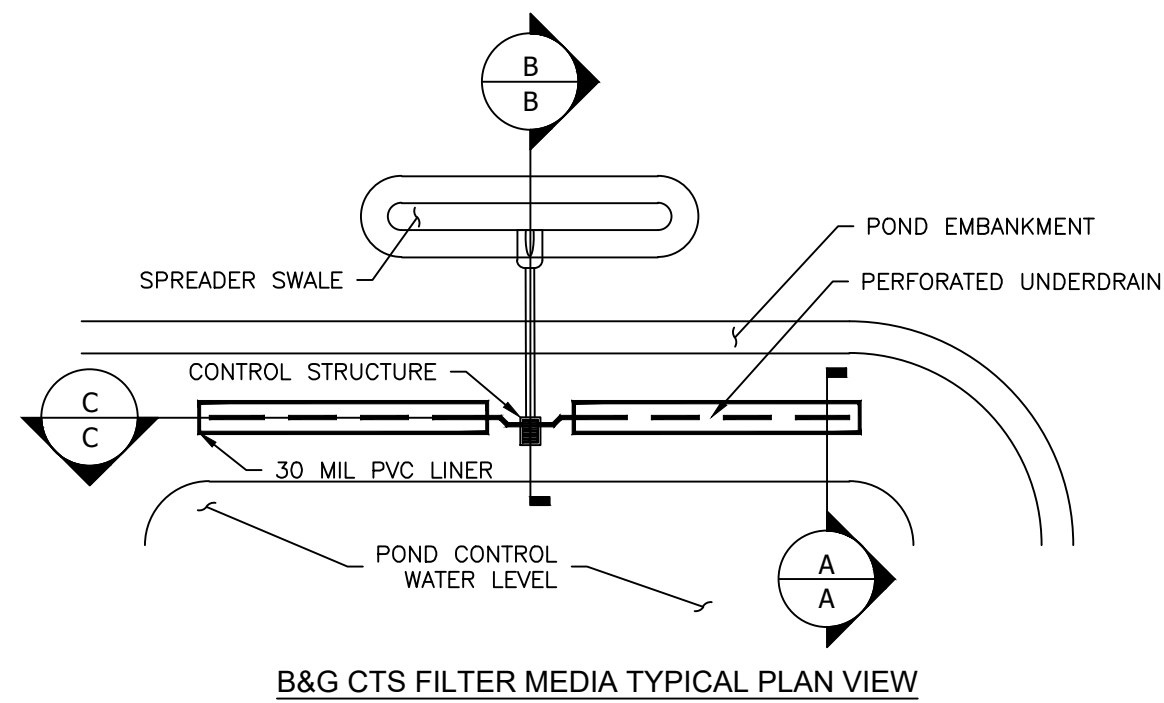


THICKENED EDGE SIDEWALK DETAIL

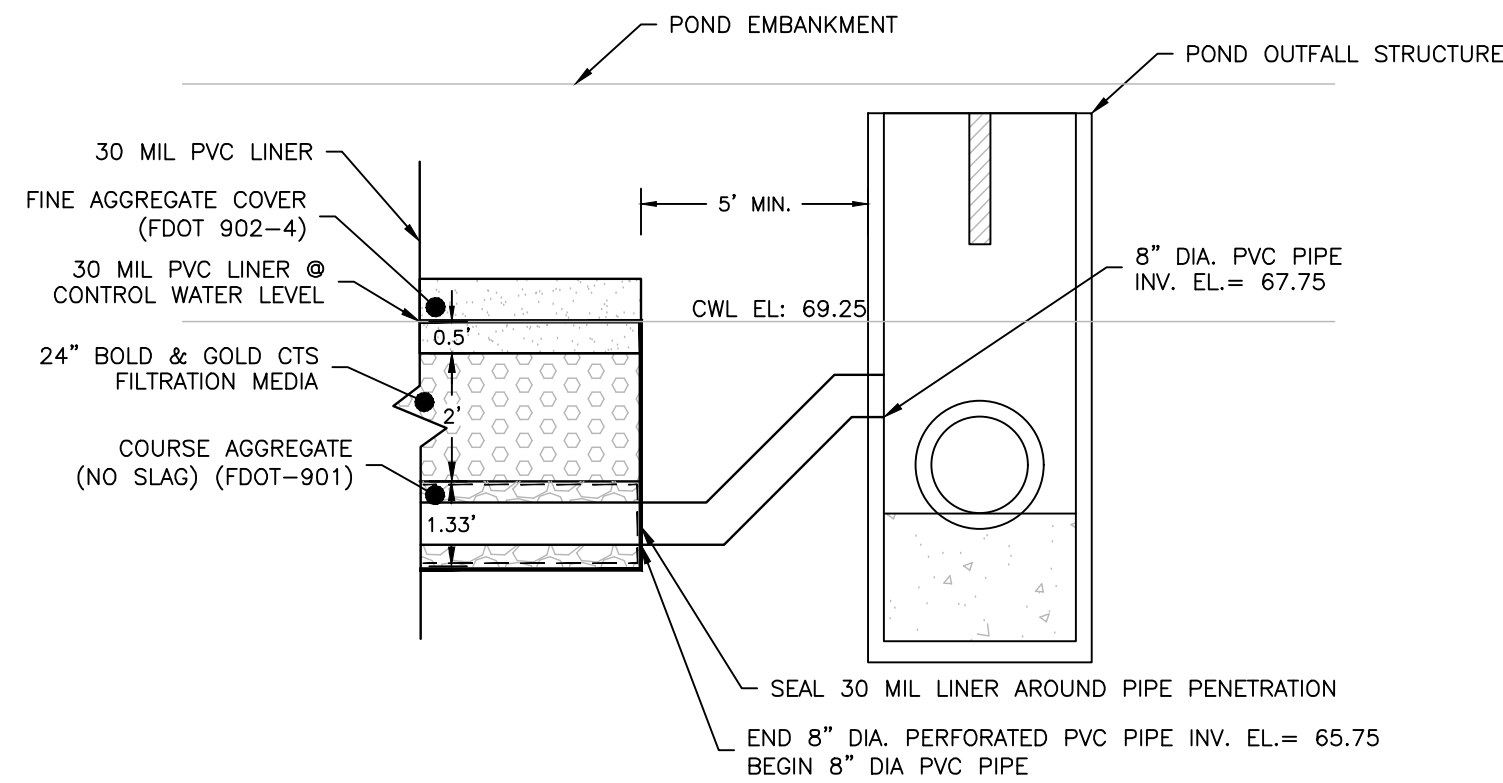


FDOT TYPE D CURB
N.T.S.

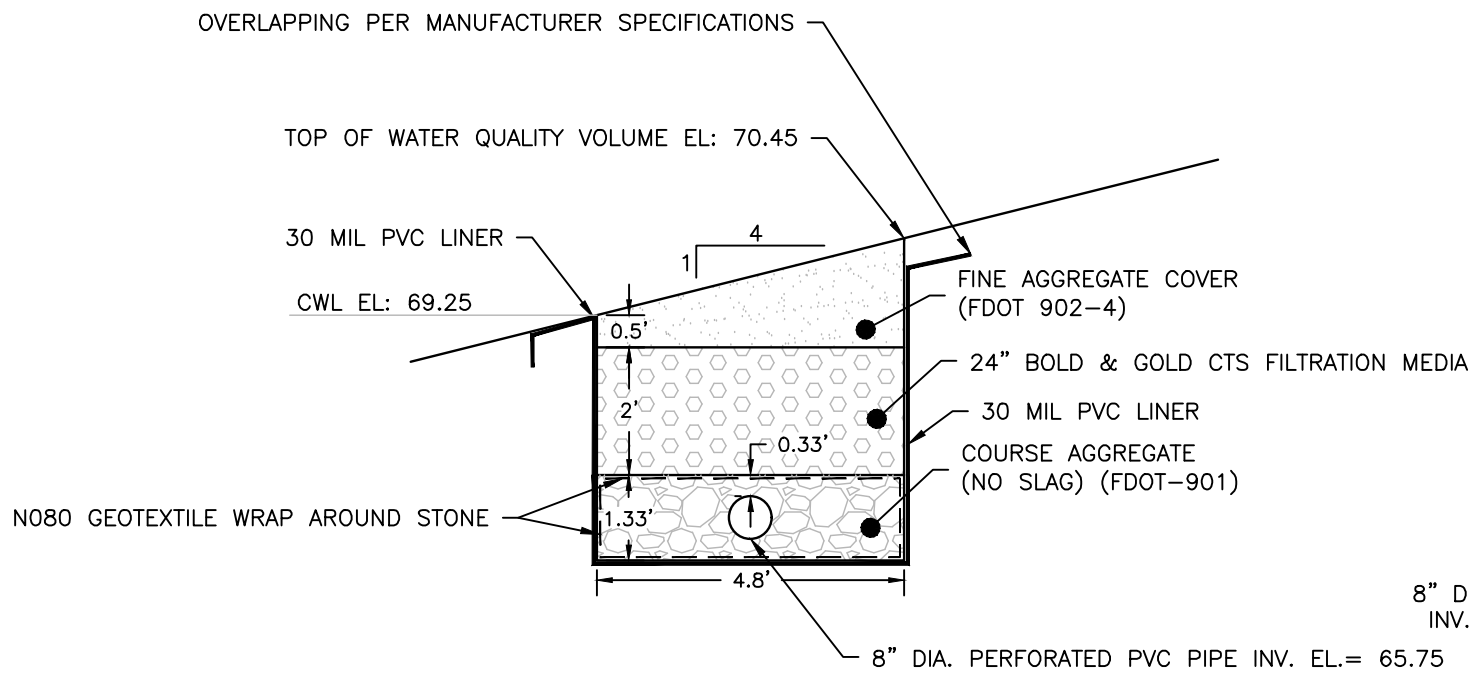
Note: For use adjacent to concrete or flexible pavement, concrete shown. Expansion joint, preformed joint filler and joint seal are required between curbs and concrete pavement only, see Sheet 2.



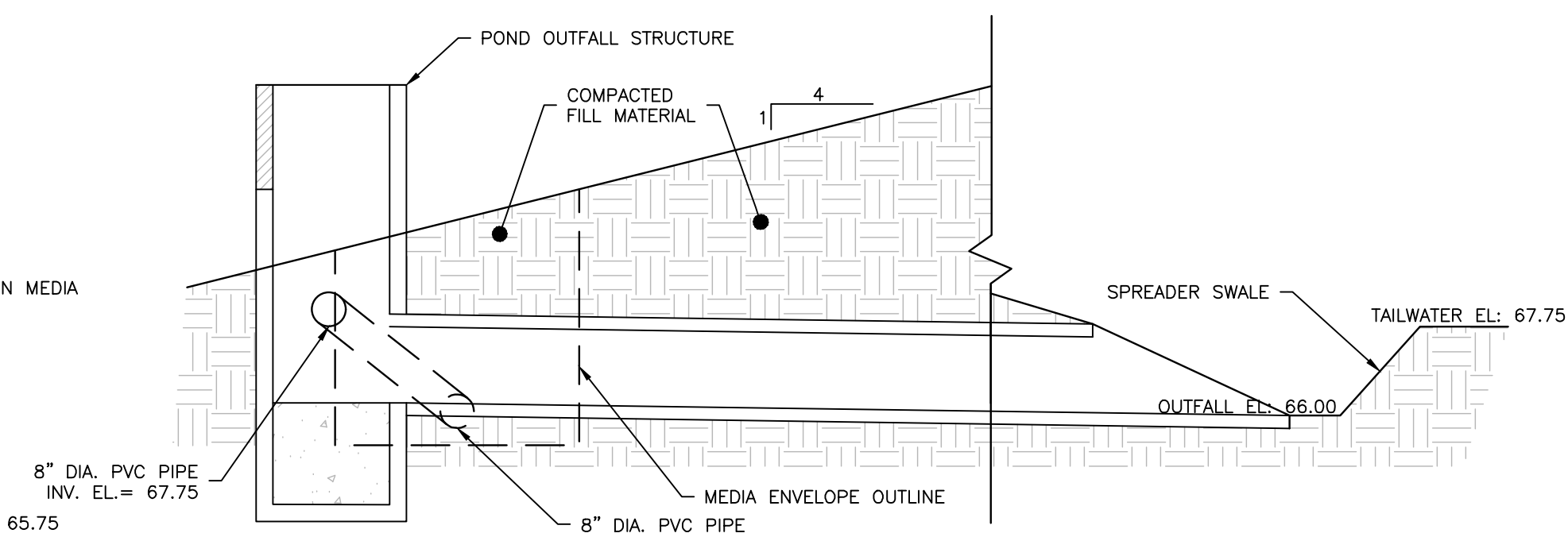
B&G CTS FILTER MEDIA TYPICAL PLAN VIEW



B&G CTS FILTER MEDIA TYPICAL PLAN VIEW



B&G CTS FILTER MEDIA SIDE VIEW



CONTROL STRUCTURE SIDE VIEW

BOLD & GOLD CTS - SIDE BANK FILTER DETAIL

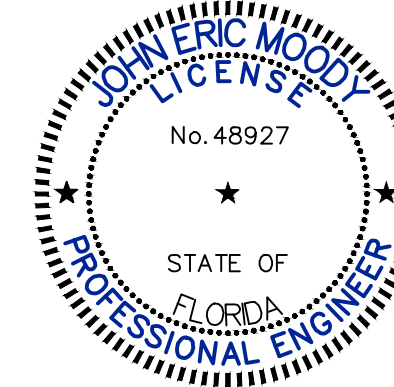
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CLIENT

RLI LIVE OAK, LLC

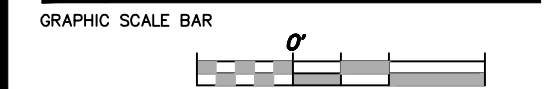


PROJECT

RLI LIVE OAK-COMMERCIAL

5140 E. Irla Bronson Mem. Highway
Saint Cloud, FL 34771

REVISIONS		
NO.	DATE	BY



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DESIGNED BJP

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SHEET TITLE

SECTIONS

SHEET TITLE

C4.001