

ADMINISTRATIVE AMENDMENT (PD) ADD2024-00046

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Banks Engineering, Inc. filed an application for an administrative amendment to revise conditions and deviations and propose new deviations for a Mixed Use Planned Development known as Ibis Landing (f/k/a Copperhead Golf Community and Classic Hills Golf Community) to:

1. Revise and codify existing conditions previously approved per Resolution Z-99-079 and subsequent amendments;
2. Provide a revised Master Concept Plan;
3. Request a deviation (deviation #9) from Land Development Code (LDC) Section 10-296(k), to allow T-turnarounds as shown on the revised Master Concept Plan; and
4. Request a deviation (deviation #10) from LDC Section 10-261(a), to allow curbside pickup for the two-story multi-family units with garages;
5. Request a deviation (deviation #11) from LDC Section 34-2015(2)c., to allow stacking of vehicles for two-story multi-family units with associated garages;
6. Request a deviation (deviation #12) from LDC Section 34-2013(a)(2), to allow backout parking spaces for the two-story multi-family dwelling units and guests limited to the locations shown on the Master Concept Plan.

WHEREAS, the property is in Lehigh Acres south of the intersection of Homestead Road North and Beth Stacey Boulevard and a legal description of the subject property is attached as Exhibit A; and

WHEREAS, the property was originally rezoned by Resolution Z-99-079 (with subsequent amendments in case numbers ADD2003-00031; ADD2006-00187; ADD2015-00162A; and ADD2017-00038A); and

WHEREAS, the subject property is in the Central Urban and Wetlands Future Land Use Categories and the Lehigh Acres Community Plan area as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, a portion of the project is partially developed under the name Copperhead Golf Community; and

WHEREAS, the remaining undeveloped portions of the project will be permitted under the name Ibis Landing; and

WHEREAS, the applicant has requested to revise and update previous zoning conditions and deviations and request four new deviations; and

WHEREAS, the applicant has requested to remove single-family villas and zero lot line dwelling units from the Schedule of Uses; and

WHEREAS, Resolution Z-99-079 approved ten deviations, which included withdrawn deviations and one denied deviation; and

WHEREAS, Resolution Z-99-079 has been codified herein to remove the withdrawn deviations and renumber the deviations; and

WHEREAS, Resolution Z-99-079, Deviation 1 has been amended to a reflect approval of a subsequent administrative amendment to the Schedule of Uses and property development regulations; and

WHEREAS, Resolution Z-99-079 Deviation 4 has been amended to reflect connection separation measurement consistent with LDC Section 10-285(a); and

WHEREAS, Resolution Z-99-079, Deviations 5 through 7, which sought relief from LDC Section 10-285(a) were withdrawn; and

WHEREAS, ADD2003-00031 amended the first page of the MCP to reflect the post construction wetland impacts and indigenous preservation areas and to revise project phasing (Exhibit C); and

WHEREAS, ADD2006-00187 included a deviation from LDC Section 10-416(d)(6) to request a reduced Type-F buffer, which was subsequently withdrawn; and

WHEREAS, ADD2006-00187 approved a deviation from LDC Section 10-296 to allow a right-of-way width of 35 feet; and

WHEREAS, ADD2017-00038A added Assisted Living Facility, Independent Living Facility, and Continuing Care Facility for Residential Block #7, which are no longer proposed; and

WHEREAS, the applicant has requested a deviation (Deviation #9) from LDC Section 10-296(k), which requires dead-end streets to provide a circular turnaround, to allow T-turnarounds as noted on the MCP; and

WHEREAS, the applicant has provided a letter of no objection from the Lehigh Acres Fire Control and Rescue District and Development Services has **APPROVED Deviation #9 with Conditions** consistent with the letter of no objection (Exhibit I); and

WHEREAS, the applicant has requested a deviation (Deviation #10) from LDC Section 10-261(a), which requires 216 square feet for the first 25 multi-family units plus eight

square feet for each additional units, to allow curbside pickup for the two-story multi-family units with garages; and

WHEREAS, Lee County Solid Waste has reviewed Deviation #10 and recommends **APPROVAL**; and

WHEREAS, the applicant has requested a deviation (Deviation #11) from LDC Section 34-2015(2)c, which states that stacking of vehicles will be permitted only for single-family, duplex, two-family, and townhouses where each dwelling unit has a garage or driveway appurtenant to it, to allow stacking of vehicles for two-story multi-family dwelling units with associated garages; and

WHEREAS, Deviation 11 only applies to units with private garages offered as an amenity, which function like a single-family or townhouse unit, where each garage and appurtenant driveway serves a specific dwelling unit; and

WHEREAS, the stacked parking spaces meet the requirements of LDC Table 34-2020(a) Note (3), which requires the length of the driveway, as measured from the garage structure or the end of the stacked parking space farthest from the street or accessway to be a minimum of 22 feet from the edge of a private street right-of-way or easement line or 27 feet to the edge of pavement (see exhibit L); and

WHEREAS, Development Services has reviewed Deviation #11 and recommends **APPROVAL**; and

WHEREAS, the applicant has requested a deviation (Deviation #12) from LDC Section 34-2013(a)(2), which requires parking that backs out into rights-of-way in residential developments to be for amenities to the development such as parks and recreational facilities and not for dwelling units or commercial uses; to allow backout parking spaces for the two-story multi-family dwelling units and guests limited to the locations depicted on the MCP; and

WHEREAS, Development Services has reviewed Deviation #12 and has **APPROVED Deviation #12 with Conditions** limiting the deviation to those areas requested; and

WHEREAS, the applicant has provided the public information meeting summary for the Lehigh Acres Architectural, Planning, and Zoning Review Board as required by LDC Section 33-1401 (Exhibit J); and

WHEREAS, pages 1 & 3 of the Master Concept Plan were revised on June 10, 2024, and page 2 of the Master Concept Plan was revised on July 26, 2024; and

WHEREAS, pages 1 through 3 of the Master Concept Plan are attached as a composite (Exhibit "C"); and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping, or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Mixed Use Planned Development is **APPROVED subject to the following conditions:**

1. **The subject Administrative Amendment supersedes all previous zoning actions, except for ADD2017-00038A, a copy of which is attached hereto as Exhibit “K”.**
2. **The development must be consistent with the three-page Master Concept Plan entitled Ibis Landing, a copy of which is attached hereto as Exhibit “C”.**
3. **The Development must be in compliance with the Schedule of Uses attached hereto as Exhibit “D”.**
4. **The Development must be in compliance with the Property Development Regulations attached hereto as Exhibit “E”.**
5. **The Development must be in compliance with the Conditions and Deviations attached hereto as Exhibit “F”.**
6. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 8/16/2024

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Exhibits:

- A. Legal Description
- B. Request Narrative and Deviations
- C. Master Concept Plan composite
- D. Schedule of Uses
- E. Property Development Regulations

- F. Conditions and Deviations
- G. Cabbage Palm Hammock Preservation
- H. Agreement Regarding the Construction of Improvements to Connect Beth Stacey Boulevard to Milwaukee Boulevard and the Dedication of Related Rights-of-Way
- I. Lehigh Acres Fire Control and Rescue District Letter of No Objection dated May 2, 2024
- J. Lehigh Acres Architectural Planning and Zoning Review Board Public Information Meeting Summary
- K. ADD2017-00038A
- L. Parking and Driveway Stacking Detail

Banks Engineering

Professional Engineers, Planners & Land Surveyors

12653 SW C.R. 769, Suite B

Lake Suzy, Florida 34269

(941) 625-1165

Fax (941) 625-1149

A PARCEL OF LAND LYING IN
SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST,
LEE COUNTY, FLORIDA.

(COPPERHEAD - OVERALL BOUNDARY INCLUDING BETH STACEY BOULEVARD)

A PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST BEING THAT PART OF PARKWOOD V, A SUBDIVISION RECORDED IN PLAT BOOK 28 AT PAGES 104-105, INCLUSIVE LYING SOUTH OF 23RD STREET S.W. AS SHOWN IN OFFICIAL RECORDS BOOK 2837 AT PAGE 2738, ALL OF PARKWOOD VI, A SUBDIVISION RECORDED IN PLAT BOOK 28 AT PAGES 106-110, INCLUSIVE, ALL OF PARKWOOD VII, A SUBDIVISION RECORDED IN PLAT BOOK 28 AT PAGES 111-115, INCLUSIVE, AND A PORTION OF SECTION 6 AS DESCRIBED IN OFFICIAL RECORD BOOK 3016 AT PAGE 981, PUBLIC RECORDS OF LEE COUNTY AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE N89°11'42"E ALONG THE SOUTH LINE OF SAID SECTION 6 FOR 4041.72 FEET TO THE WESTERLY LINE OF "ADDITION TWO TO LEHIGH ACRES" AS RECORDED IN PLAT BOOK 18 AT PAGE 148, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N01°53'54"W ALONG THE WESTERLY LINE OF SAID "ADDITION TWO TO LEHIGH ACRES" AND THE WESTERLY LINE OF "ADDITION ONE TO LEHIGH ACRES" AS RECORDED IN PLAT BOOK 12 AT PAGE 137, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 3292.04 FEET TO THE SOUTH LINE OF THE NORTH ONE HALF (N 1/2) OF THE SOUTH ONE HALF (S 1/2) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 6; THENCE S89°19'10"W ALONG THE SOUTH LINE OF SAID FRACTION AND WESTERLY EXTENSION THEREOF FOR 1550.76 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD (106.00 FEET WIDE); THENCE CONTINUE S89°19'10"W FOR 106.01 FEET TO THE WESTERLY LINE OF SAID BETH STACEY BOULEVARD; THENCE N01°36'51"W ALONG THE WESTERLY LINE OF SAID BETH STACEY BOULEVARD FOR 61.80 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE EXTENSION OF 23RD STREET S.W. (80.00 FEET WIDE) AS RECORDED IN OFFICIAL RECORD BOOK 2837 AT PAGE 2738, PUBLIC RECORDS; THENCE S88°23'09"W ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 600.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 2060.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 23°53'56" FOR 859.26 FEET TO A POINT OF REVERSE CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2140.00 FEET; THENCE ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 22°31'11" FOR 841.11 FEET TO A POINT OF TANGENCY; THENCE S87°00'24"W ALONG SAID SOUTHERLY LINE FOR 88.88 FEET TO THE WEST LINE OF SAID SECTION 6; THENCE S01°02'32"E ALONG SAID WEST LINE FOR 2962.25 FEET TO THE POINT OF BEGINNING.

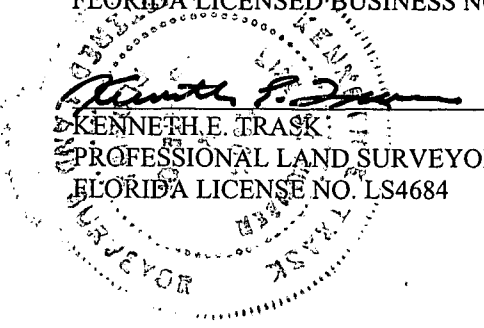
CONTAINING 298.85 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE WEST LINE OF SECTION 6 AS BEARING N01°02'32"W.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

SEPTEMBER 27, 2006



KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

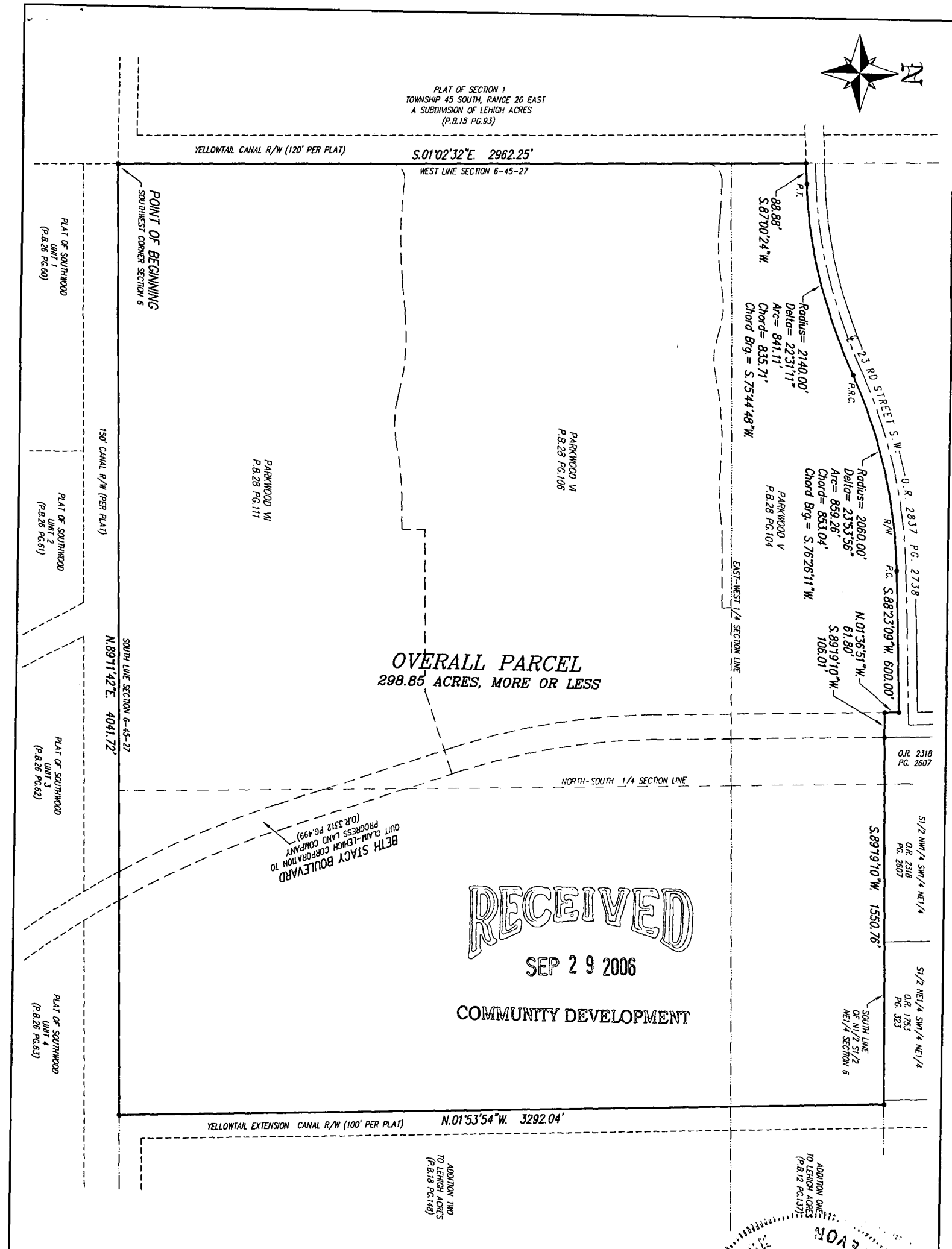
REVIEWED
ADD2024-00046
Rick Burris, Principal
Planner
Lee County DCD/Planning
6/5/2024

SHEET 1 OF 2

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Sarasota, Florida
34243
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Fax (941) 360-6918



- LEGEND**
- LS LAND SURVEYOR
 - P.T. POINT OF TANGENCY
 - P.R.C. POINT OF REVERSE CURVE
 - P.C. POINT OF CURVE
 - O.R. OFFICIAL RECORDS BOOK, LEE COUNTY
 - P.B. PLAT BOOK, LEE COUNTY
 - PG. PAGE

REVIEWED
ADD2024-00046
Rick Burris, Principal
Planner
Lee County DCD/Planning
6/5/2024

THIS IS NOT A BOUNDARY SURVEY
Kenneth E. Trask
FLORIDA CERTIFICATE NO. LS4684

Banka Engineering
Professional Engineers, Planners & Land Surveyors
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PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6680

SKETCH TO ACCOMPANY DESCRIPTION
COPPERHEAD - OVERALL BOUNDARY INCLUDING BETH STACY BOULEVARD
LYING IN SECTION 6, T-45-S, R-27-E
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	FILE NO. (S-T-R)
9-27-2006	3142	3142-OVERALL-SKT_DESC		KT	KT	1"=500'	2 OF 2	6-45-27



Professional Engineers, Planners & Land Surveyors

Ibis Landing a/k/a Copperhead f/k/a Classic Hills MPD Administrative Amendment to Planned Development Narrative of Request

Request Summary

The applicant is requesting an administrative amendment to the previously approved Copperhead Golf Community (f/k/a Classic Hills Golf Community) Mixed Use Planned Development (MPD) zoning (Z-99-079, as amended). The project has been partially developed under the name of Copperhead Golf Community and is now being developed as the Ibis Landing project. The Master Concept Plan (MCP), previous conditions of approval, and deviations are being updated to reflect the current development plan.

The property is located south of the intersection of Beth Stacey Blvd S. and 23rd Street SW. The property lies within the Central Urban and Wetlands future land use categories and is within the Lehigh Acres community planning area.

The application includes the properties owned by the applicant as of the time this application was prepared. It should be noted that lots within the project are actively selling. A list of STRAP numbers and legal description of the parcels owned by the Applicant are provided as well as the legal description and sketch of the overall RPD, consistent with County Land Development Code Section 34-373(c). The existing lots shown on the MCP are not subject to this amendment.

The original approval included an agreement for construction of Beth Stacey Boulevard to connect to Milwaukee Boulevard and dedication of rights-of-way. The agreement has since expired and requires amendment.

The submitted Schedule of Deviations and Justifications outlines minor revisions and/or updates to existing approved deviations to reflect changes in code or to clarify the current development plan and adds new deviations for the proposed development.

Background and Approval History

The overall 289± acres were originally rezoned from AG-2, RS-1, and RM-2 to MPD by Z-99-079 which approved a maximum of 990 dwelling units (any combination of single-family, two-family attached, zero lot line, townhome and multi-family) at varying heights with the maximum being 55 feet and up to 100,000 square feet of commercial uses including up to 20,000 square feet ancillary clubhouse commercial. Nine deviations were approved of which deviations 5, 6 and 7 are being withdrawn as part of this request.

The following administrative amendments have been processed since the original approval:

ADD2003-00031 – Amended the 1st page of the MCP to reflect post-construction wetland impacts and indigenous preservation areas and to revise the project phasing.

ADD2006-00187 – Added two deviations and modified property development regulations for specific tracts. The first deviation was for reduced buffering in the northeast corner of the development which is being withdrawn as part of this request. The second deviation allows a 35-foot right-of way width which was utilized on the portions of the development previously constructed, however is not utilized for future development which will provide a minimum 40-foot right-of-way.

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ADD2015-00162A – Allows consumption on premises for outdoor seating at the clubhouse subject to 4 conditions and a site plan.

ADD2017-00038A – Added Assisted Living Facility, Independent Living Facility and Continuing Care Facility to the Schedule of Uses for Residential Block #7 only with 2 conditions.

Development Order 99-12-034.00D was approved for the golf course, clubhouse, maintenance facility, stormwater management and preserves and portions of the roads and lots. The site was partially developed but only one two-family attached home was constructed until Development Order DOS2006-00122 was later approved and partially constructed. There are currently 65 existing single-family homes and 44 existing two-family attached homes on approximately 18.37± acres that are already existing and not subject to this application as shown on the proposed MCP. An amendment to this development order was recently approved for Phase 1 of the current development plan.

Development Order DOS2023-00161 is under concurrent review to include the entire development on one development plan for proposed Phase 2 of the current development plan.

Proposed Revisions

The following is a summary of previously approved changes to conditions from Z-99-079 and changes proposed with this application are shown in bold/underline.

1. Condition 1. The current MCP includes page 1 from ADD2003-00031 and page 2 from Z-99-079. Proposed is a new MCP to replace both pages and add a new page 3 for an open space exhibit.

The development of this project must be consistent with the two ~~three~~-page Master Concept Plan (MCP) entitled **"Ibis Landing" dated February 27, 2024 "Classic Hills Golf Community," sheet 1 of 2 dated June 15, 1999, and sheet 2 of 2 dated June 15, 1999, and last revised August 24, 1999, both stamped received by the Permit Counter on August 26, 1999**, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at the time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

2. Condition 2.a. Schedule of Uses – no changes proposed with this request. Please note ADD2017-00038A added Assisted Living Facility, Independent Living Facility and Continuing Care Facility for Residential Block #7 only and included conditions 3 and 5. ADD2015-00162 approved outdoor seating COP for the clubhouse and added conditions 1 through 4 and included a site plan.

Condition 2.b. Site Development Regulations were previously amended by ADD2006-00187 for specific STRAP numbers which also added 2 new deviations. Proposed revision to condition 2.b:

Site Development Regulations

The property development regulations are set out **on page 2 of the MCP and replace the property development regulations from Z-99-079 and ADD2006-00187 below for the residential and commercial uses**, and as further limited by Deviations (1), (2), and (3)...

No changes proposed to conditions 3 through 7 of Z-99-079.

8. Condition 8 of Z-99-079 is proposed to be updated with this request:
Prior to local development order approval, 40 percent ~~or 75.92 acres of~~ open space must be provided for the single-family dwellings on lots less than 6,500 square feet, **two-family attached**

on lots less than 3,750 square feet, townhomes, multiple-family dwelling units and golf course development area. Fifty percent ~~or 38.94 acres~~ of the required open space must be provided by existing indigenous preservation ~~or all existing indigenous vegetation preserves if less than 50 percent of open space currently exists, consistent with open space exhibit on page 3 of 3 of the MCP.~~

No changes proposed to conditions 9 through 13 of Z-99-079.

14. Proposed revision to Condition 14.a from Z-99-079 since the road agreement has expired.:

Concurrent with the completion of this project, Lehigh Corporation, or their designee, including the applicant/developer herein, must complete the extension of Beth Stacey Boulevard from the current southern terminus at the intersection of 23rd Street in a southerly direction to connect to the existing northern terminus of ~~Beth Stacey Milwaukee~~ Boulevard at the south line of Section 6, Township 45 South, Range 27 East near Parson Street, a distance of approximately 3,630 feet, in a manner consistent with the "Agreement Regarding the Construction of Improvements to Connect Beth Stacey Boulevard to Milwaukee Boulevard and the Dedication of Related Rights-of-Way" (Agreement) executed by Lehigh Corporation and approved by the Lee County Board of County Commissioners on November 24, 1998 (attached as Exhibit E), or an amended to this Agreement as reviewed and approved by LCDOT and the County Attorney's Office. This roadway must be constructed to County standards, in accordance with the LDC and the "Agreement."

No changes proposed to conditions 14.b through 18 of Z-99-079.

LDC Consistency/Minimal Modification

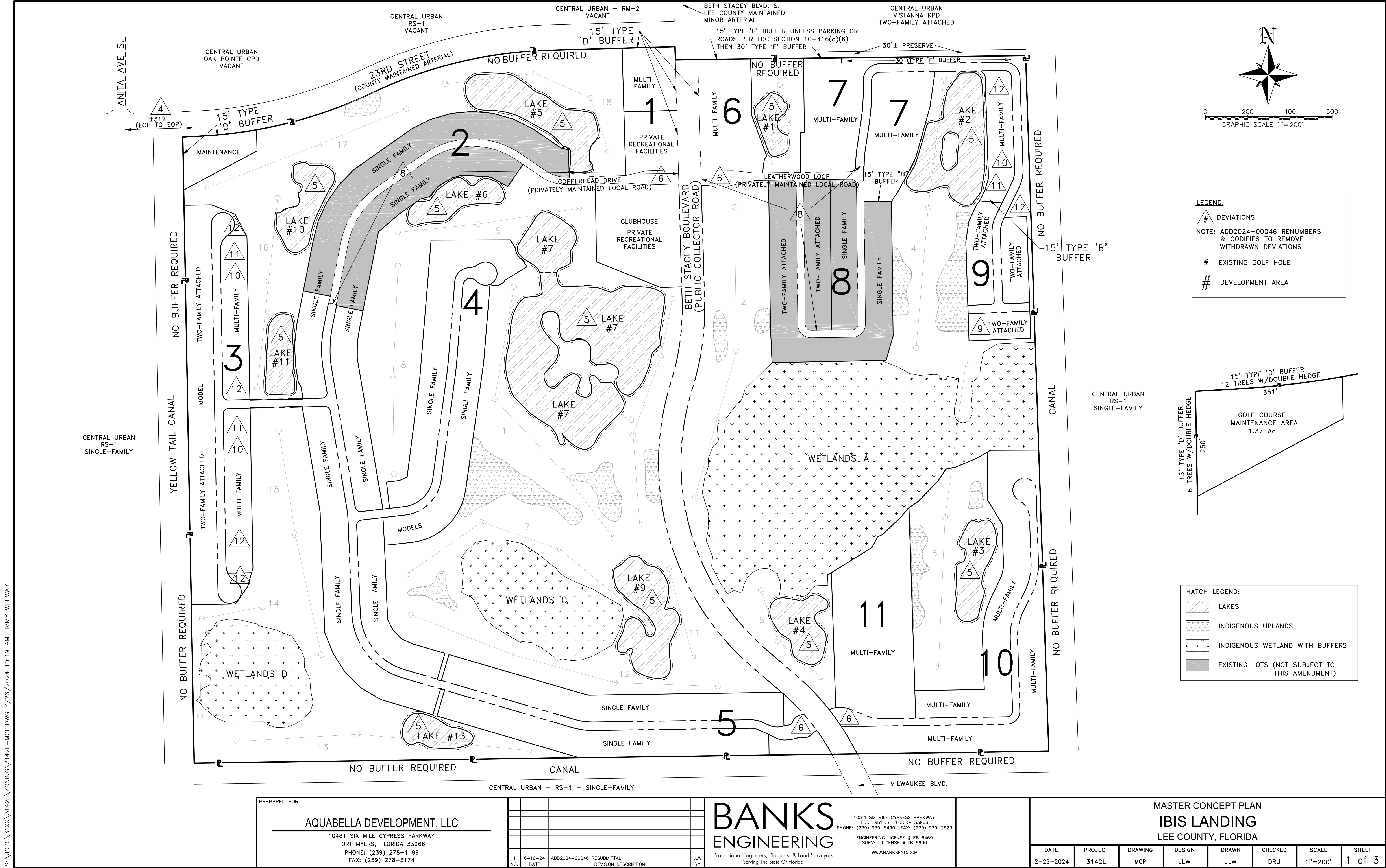
LDC Section 34-380(a) provides that amendments to an approved master concept plan or its attendant documentation may be requested at any time during the development of or useful life of a planned development. LDC Section 34-380(b) provides that the Director may administratively approve an amendment to a planned development in accord with Section 34-174. LDC Section 34-174(i)(2) provides that the Director must find the request complies with the following required findings/review criteria for an administrative amendment to a planned development: a. Does not increase height, density or intensity of the development, except as permitted in chapter 2; b. Does not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development; c. Does not result in a reduction of total open space provided on the master concept plan by more than ten percent; d. Does not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the Code; e. If changes to the buffer or landscaping areas are proposed, equivalent or better (by comparison with the approved Master Concept Plan) landscaping or buffering is provided; f. Does not adversely impact surrounding land uses; and g. Is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request.

Conclusions

The request is consistent with the administrative amendment requirements contained in LDC Section 34-174(i)(2). No changes are proposed to the existing intensity approved for the development, so the request does not increase the height, density or intensity. The requested revisions do not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development. The proposed changes will facilitate the project's construction of the connection of Beth Stacey Blvd to Milwaukee Blvd that was previously approved. The requested revisions do not result in a reduction of total open space provided on the master concept plan by more than ten percent and do not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the LDC. The only change to the proposed buffers is to remove the existing approved deviation in the northeast corner which results in

better buffers by comparison to the approved Master Concept Plan. The requested change does not adversely impact surrounding land uses. The request is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request, together with approval of the existing and proposed deviations. The requested amendment is the minimum necessary to the already approved planned development to allow the project to proceed with development. The approved and requested deviations continue to enhance the achievement of the objectives of the planned development; and protect the public health, safety and welfare. The proposed modifications do not result in any change to the project's consistency with the Lee Plan and the LDC. For these reasons, the applicant respectfully submits that this administrative amendment request should be approved.

Exhibit C



S:\JOBS\31XX\3142L\ZONING\3142L-MCP.DWG 7/26/2024 10:19 AM JIMMY WHEWAY

GENERAL NOTES

1. THE RESIDENTIAL AREAS OF THIS PROJECT CAN BE LOCATED ANY WHERE WITHIN THE PROPERTY BOUNDARIES AND WILL BE DEVELOPED AS A MIX OF SINGLE FAMILY AND MULTI-FAMILY UNITS, AS DETERMINED BY THE MARKET, BUT THE TOTAL NUMBER OF UNITS WILL NOT EXCEED 990.
2. A TOTAL OF 100,000 S.F. OF RETAIL/OFFICE COMMERCIAL IS BEING REQUESTED. THE COMMERCIAL AREA CAN ONLY BE LOCATED IN THE AREAS OF PARCELS 1 AND/OR 6 AS INDICATED ON THE MASTER CONCEPT PLAN.
3. THE CLUB HOUSE AREA WITH THE PROPOSED USES WILL NOT EXCEED 20,000 S.F. COMMERCIAL USE SQUARE FOOTAGE WILL BE IN ACCORDANCE WITH LDC SECTION 34-937.
4. THE CLUB HOUSE WILL INCLUDE ALL TYPICAL AND APPROPRIATE COUNTRY CLUB USES INCLUDING, BUT NOT LIMITED TO, LOCKER ROOM, HEALTH CLUB OR SPA, RESTAURANTS, BAR OR COCKTAIL LOUNGE, PRO SHOP, CART STORAGE AND OTHER ANCILLARY COMMERCIAL USES AS LISTED ON THE SCHEDULE OF USES - RESIDENTIAL AREAS. THE CLUB HOUSE AREA CAN INCLUDE ANY USES LISTED IN THE SCHEDULE OF USES FOR THE RESIDENTIAL AREAS AS INDICATED WITH AN ASTERISK.
5. PARKING FOR GOLF COURSE AND THE CLUB HOUSE SITE WILL BE IN ACCORDANCE WITH LDC.
6. THE GOLF COURSE MAINTENANCE AREA WILL INCLUDE ALL TYPICAL AND APPROPRIATE USES NECESSARY FOR THE MAINTENANCE OF THE GOLF COURSE AND OPEN SPACE AREAS. THE GOLF COURSE AND OPEN SPACE WILL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION ONCE IT BECOMES PRIVATE.
7. OPEN SPACE WILL BE IN ACCORDANCE WITH LDC SECTIONS 34-935(g)(1) AND (3); AND LDC SECTION 10-415. SEE OPEN SPACE TABLE ON OPEN SPACE EXHIBIT.

THE FOLLOWING USES ARE NOT REQUIRED TO PROVIDE OPEN SPACE: 1) SINGLE-FAMILY RESIDENCE ON A SINGLE LOT WITH A MINIMUM LOT SIZE OF 6,500 S.F. 2) DUPLEX ON A SINGLE LOT WITH A MINIMUM LOT SIZE OF 7,500 S.F. OR 3) TWO-FAMILY ATTACHED ON EACH AN INDIVIDUAL LOT WITH MINIMUM LOT SIZE OF 3,750 S.F. SEE OPEN SPACE EXHIBIT.

ALL OTHER RESIDENTIAL DEVELOPMENT INCLUDING MULTI-FAMILY WILL PROVIDE 40% OPEN SPACE. THE OPEN SPACE CAN BE REDUCED TO 30% WHEN THE REMAINING 10% IS DISTRIBUTED AS PRIVATE OPEN SPACE TO INDIVIDUAL DWELLING UNITS HAVING IMMEDIATE PRIVATE GROUND FLOOR ACCESS, IN ACCORDANCE WITH LDC SECTION 34-935(g)(1).

THE GOLF COURSE AREA, INCLUDING THE AQUA RANGE AND CLUB HOUSE AREA
WILL PROVIDE 40% OPEN SPACE.

THE COMMERCIAL DEVELOPMENT WILL PROVIDE 30% OPEN SPACE.

8. BUFFER REQUIREMENTS WILL BE IN ACCORDANCE WITH LDC SECTION 10-416(d) AND AS STATED BELOW:

THE COMMERCIAL AREAS THAT WILL BE LOCATED ON PARCEL 1 AND/OR PARCEL 6 WILL PROVIDE BUFFER TYPES IN ACCORDANCE WITH THE BUFFER REQUIREMENTS SPECIFIED IN LDC SECTION 10-416(d)(3).

NO BUFFERS ARE REQUIRED FOR SINGLE-FAMILY, DUPLEX OR TWO-FAMILY ATTACHED UNITS ON INDIVIDUAL LOTS.

NO BUFFERS ARE REQUIRED FOR THE GOLF COURSE BECAUSE IT IS PART OF THE RESIDENTIAL PLANNED DEVELOPMENT.

THE MULTIPLE-FAMILY AREAS WILL PROVIDE A TYPE "B" BUFFER ABUTTING THE SINGLE FAMILY RESIDENTIAL AREAS AND A TYPE "D" BUFFER ABUTTING ANY PUBLIC RIGHT-OF-WAY OR EASEMENT.

THE CLUB HOUSE AREA WILL NOT REQUIRE A BUFFER IF IT DOES NOT DIRECTLY ABUT RESIDENTIAL AREAS. THE CLUB HOUSE AREA WILL CONTAIN EITHER A TYPE "C" OR TYPE "F" BUFFER IF IT ABUTS RESIDENTIAL DWELLING UNITS.

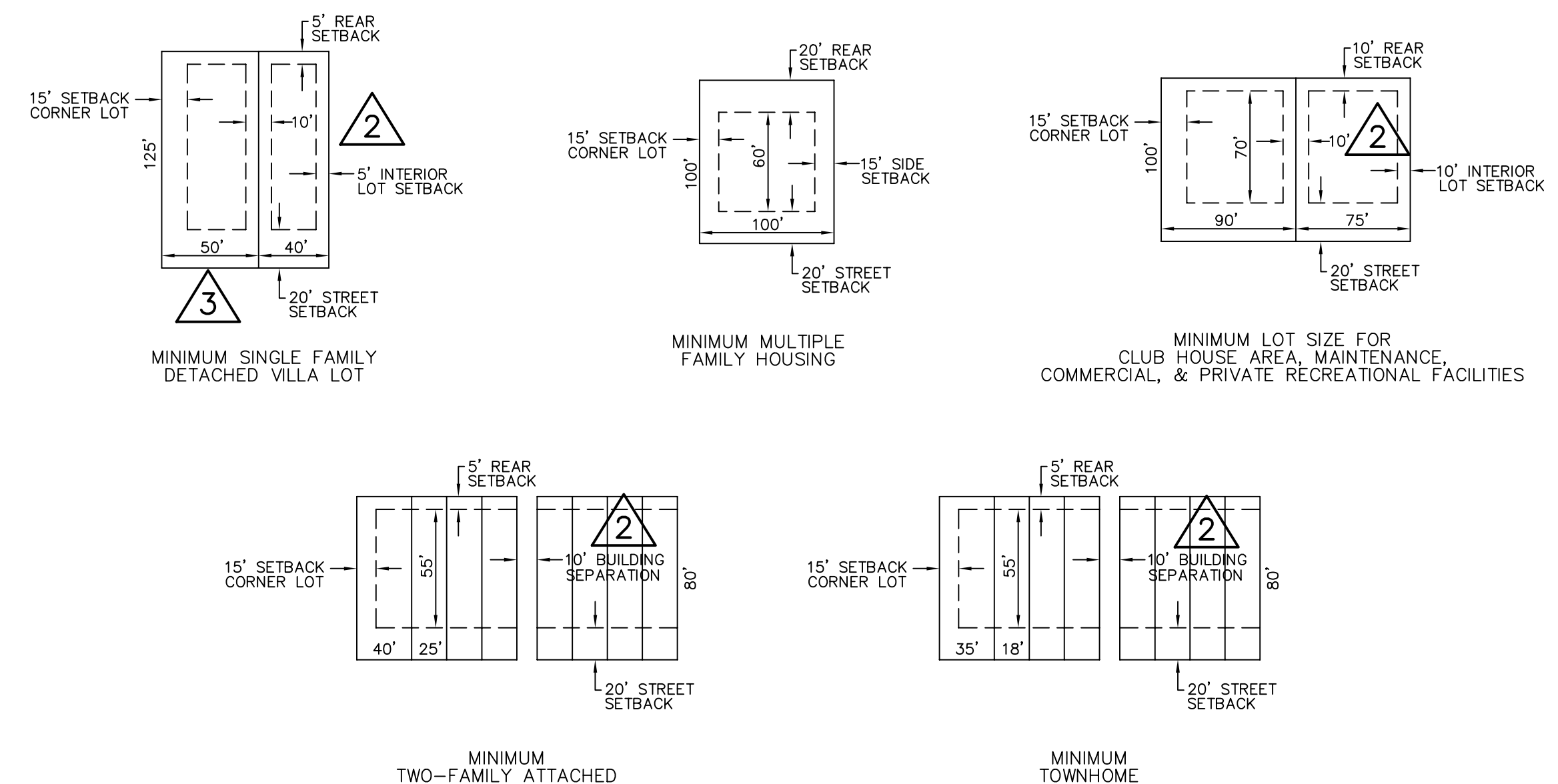
IF ROADS, DRIVES, OR PARKING AREAS ARE LOCATED LESS THAN 125 FEET FROM AN EXISTING RESIDENTIAL USE, THE SITE WILL HAVE TO COMPLY WITH LDC SECTION 10-416(d)(6).

9. LANDSCAPING REQUIREMENTS WILL BE IN ACCORDANCE WITH LDC SECTION 10-416.
10. 34.27 ACRES OF EXISTING WETLANDS HAVE BEEN PRESERVED PER PRIOR APPROVALS. SEE OPEN SPACE EXHIBIT.
11. THE LAKES ARE EXISTING PER PRIOR APPROVALS AND ONLY MINOR MODIFICATIONS ARE PROPOSED.

PROPERTY DEVELOPMENT REGULATIONS TABLE

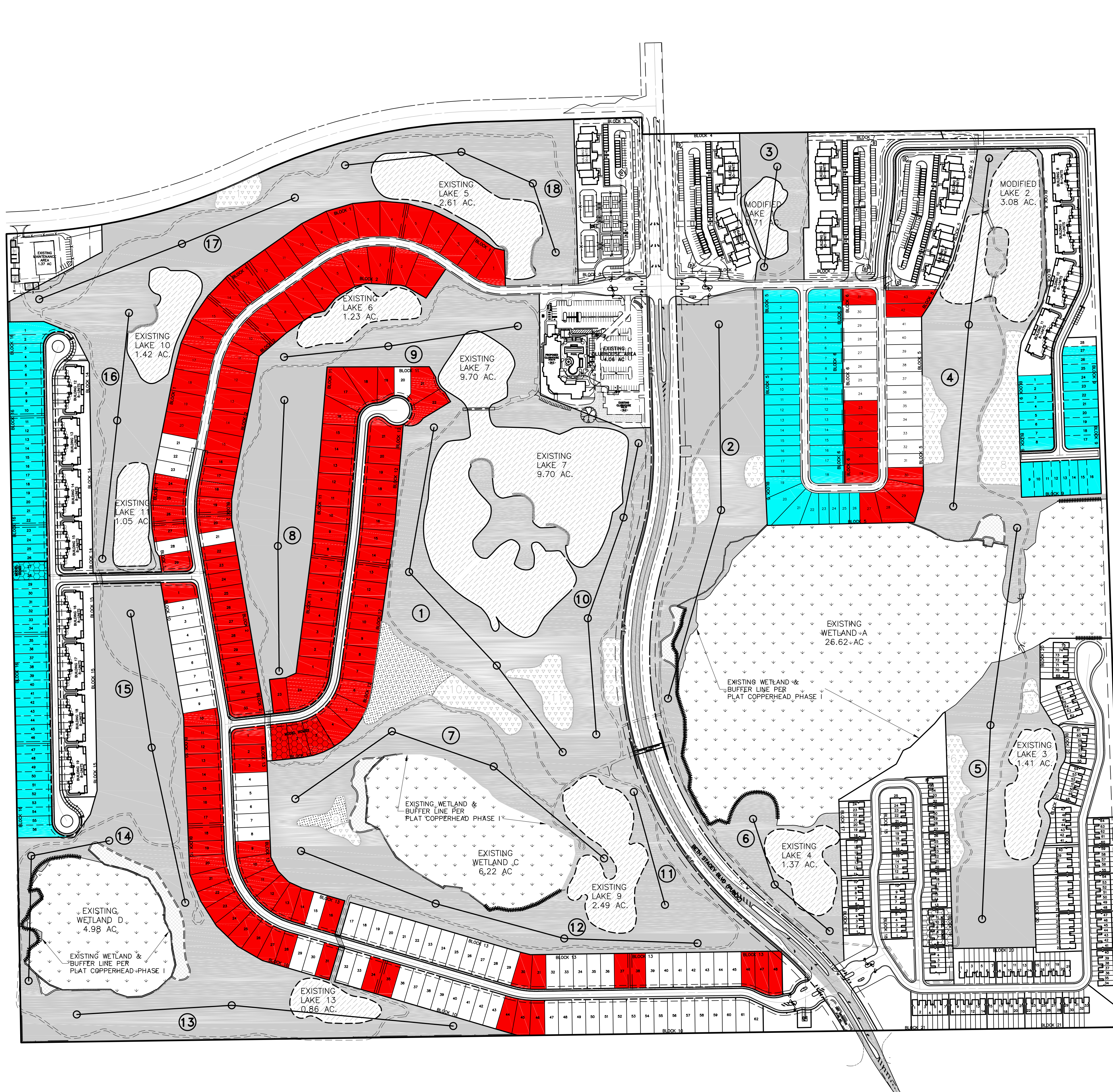
(REFER TO EXHIBIT E FOR PROPERTY DEVELOPMENT REGULATION)

MINIMUM PROPERTY DEVELOPMENT REGULATIONS



DEVIATIONS  ,  & 

[illegible]



LEGEND:

	SINGLE FAMILY +6,500 S.F.= 1,322,903 S.F. / 30.37 AC.
	TWO-FAMILY ATTACHED +3,750 S.F.= 589,295 S.F. / 13.53 AC.

TOTAL 1,912,198 S.F. / 43.90 AC.

INDIGENOUS AREA UPLANDS

- | | |
|-------------------|---------------------|
| 1) 0.31 Ac. | 7) 0.50 Ac. |
| 2) 0.36 Ac. | 8) 1.35 Ac. x 1.25 |
| 3) 0.17 Ac. | 9) 0.38 Ac. |
| 4) 0.30 Ac. | 10) 1.91 Ac. x 1.25 |
| 5) 0.16 Ac. | 11) 0.70 Ac. x1.1 |
| 6) 0.57 Ac. x 1.1 | |

TOTAL 6.71 Ac.
TOTAL 7.65 Ac. (WITH INCENTIVE CREDIT)

WETLANDS

	WETLAND	BUFFER	TOTAL
CW-1	24.69 Ac.	1.93 Ac.	26.62 Ac.
CW-2	4.20 Ac.	0.78 Ac.	4.98 Ac.
CW-3	5.38 Ac.	0.84 Ac.	6.22 Ac.
TOTAL	34.27 Ac.	3.55 Ac.	37.82 Ac.

TOTAL INDIGENOUS AREA PROVIDED =
37.82 + 7.65 = 45.47 ACRE/CREDIT

GOLF COURSE OPEN SPACE (107.72 ACRES)

GOLF HOLE

OPEN SPACE TABLE:

GROSS ACREAGE	298.85± ACRES
LESS BETH STACEY BLVD.	- 8.71± ACRES
	<u>290.14± ACRES</u>

LESS SINGLE FAMILY LOTS OF 6,500 S.F. OR
GREATER & LOTS OF 3,750 S.F. OR GREATER
FOR TWO-FAMILY ATTACHED 43.90± ACRES

GROSS ACREAGE FOR OPEN SPACE CALCULATIONS	246.24± ACRES
---	---------------

40% TOTAL OPEN SPACE REQUIRED 98.50± ACRES

OPEN SPACE PROVIDED _____

GOLF COURSE AREAS	107.72± ACRES
LAKE (MAX 25% OF REQUIRED OPEN SPACE)	24.60± ACRES

INDIGENOUS OPEN SPACE	45.47± ACRE/CREDIT
TOTAL OPEN SPACE PROVIDED	177.79± ACRE/CREDIT

50% OF REQUIRED OPEN SPACE TO BE EXISTING

INDIGENOUS VEGETATION 98.50± AC. x 50% = 49.25± ACRES

ONLY 45.47 ACRE/CREDIT EXISTING INDIGENOUS SO MINIMUM
REQUIRED & PROVIDED 45.47 ACRE/CREDIT

REQUIRED & PROVIDED: 45.47 ACRE/CREDIT

THE SITE HAS PREVIOUSLY BEEN CLEARED AND NO OTHER INDIGENOUS VEGETATION AREAS EXIST.

THE OPEN SPACE TABLE WILL BE UPDATED DURING EACH

PHASE OF DEVELOPMENT

THE CABBAGE PALM HAMMOCK AREAS WILL BE PRESERVED IN ACCORDANCE WITH ZONING RESOLUTION #7-88-079. MINOR

ACCORDANCE WITH ZONING RESOLUTION #2 99 079, MINOR
CLEARING IS PERMITTED FOR THE GOLF COURSE FAIRWAYS.

ANY CABBAGE PALMS WITH 8" OR GREATER OF CLEAR TRUNK
REMOVED FOR THE CONSTRUCTION OF THE FAIRWAYS MUST BE

REMOVED FOR THE CONSTRUCTION OF THE FAIRWAYS MUST BE
RELOCATED ON SITE.

PREPARED FOR:

AQUABELLA DEVELOPMENT, LLC

10481 SIX MILE CYPRESS PARKWAY
FORT MYERS, FL. 33966
PHONE: (239) 278-1199
FAX: (239) 278-3174

BANKS
ENGINEERING

10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
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ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

MASTER CONCEPT PLAN - CONCEPTUAL OPEN SPACE EXHIBIT

IBIS | LANDING

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
2-29-2024	3142L	OPEN SPACE	JLW	JLW	DRU	1"=200'	3 of 3

Exhibit D

2. The following limits apply to the project and uses:

a. Schedule of Uses

Residential Areas:

Accessory Uses and Structures

Accessory Apartment

Administrative Offices

Dwelling Units:

Single-family

Two-family attached

Townhouse

Multi-family

Entrance Gates and/or Gatehouses

Essential Services

Essential Service Facilities, Group I

Excavation / Water Retention

Fences, Walls

Golf Course

Golf Driving Range (limited to the aqua range per MCP)

Home Occupation

Models: (see Condition 6)

Display Center

Model Home

Model Unit

Recreational Facilities:

Personal

Private, on-site

Signs, in accordance with LDC Chapter 30

Temporary Uses

Clubhouse Area:

Clubs, Country

Parking Lot, Accessory

Consumption on Premise (see Condition 19)

Day Care Center, Child

Food and Beverage Service, Limited

Personal Services, Groups I & II (limited to health club or spa)

Real Estate Sales Office (limited to one that only serves this project)

Restaurants, Groups I, II, & III

Specialty Retail Shops

Temporary Uses

Areas 1 and 6: Commercial Uses

Administrative Offices

ATM (automatic teller machine)

Automobile Service Station

	Banks and Financial Establishments, Groups I & II
	Bar or Cocktail Lounge, limited to two
	Business Services, Group I
	Car Wash
	Cleaning and Maintenance Services
	Clothing Stores, general
	Clubs:
	Commercial
	Country Club
	Fraternal, membership organization
	Private
	Computer and Data Processing Services
	Consumption on Premises (COP), limited to six – restaurants (four) and bar
cocktail	lounge (two)
	Convenience Food and Beverage Store
	Cultural Facilities, excluding zoos or other outdoor uses
	Day Care Center, child, adult
	Drive-Through Facility, for any permitted use
	Drugstore, Pharmacy
	Emergency Medical Service (limited to ambulance station)
	Essential Services
	Essential Services Facilities, Group I
	Excavation, Water Retention
	Fences, Walls
	Fire Station
	Food and Beverage Service, Limited
	Food Stores, Group I
	Gift and Souvenir Shop
	Hardware Store
	Health Care Facilities, Groups I, II, & III
	Hobby, Toy, and Game Shops
	Household and Office Furnishings, All Groups
	Insurance Companies
	Laundry or Dry Cleaning, Group I
	Lawn and Garden Supply Stores
	Library
	Medical Office
	Nonstore Retailers, All Groups
	Parcel and Express Services
	Package Store
	Paint, Glass and Wallpaper
	Parking Lot:
	Accessory
	Garage, public parking (limited to two-stories)
	Personal Services, Groups, I, II (excluding massage parlors), III, & IV (limited to babysitting bureaus, portrait copying, shopping services and tax return preparation services)
	Pet Shop
	Place of Worship
	Police or Sheriff's Station
	Post Office

permitted

- Recreational Facilities, Commercial, Groups I, III (excluding any outdoor cultural facilities operated as a commercial establishment, all water slides, and aquatic centers), & IV
- Religious Facilities
- Rental or Leasing Establishment, Groups I, II, & III
- Repair Shops, Groups I & II
- Restaurant, Fast Food
- Restaurants, Groups I, II, III, & IV (limited to four with COP)
- Retail and Wholesale Sales, when clearly incidental and subordinate to a principal use on the same premises
- Self-Service Fuel Pumps
- Signs, in accordance with Chapter 30
- Specialty Retail Shops, Groups I, II, III, and IV
- Temporary Uses
- Variety Store
- Vehicle and Equipment Dealer, Groups I & II

with

Areas 1 and 6: Residential Uses:
If Areas 1 or 6 are to be used for residential purposes, they must comply with Condition 12.

- Accessory Uses and Structures
- Dwelling Units:
 - Townhouse
 - Multiple Family
- Essential Service Facilities, Groups I
- Excavation, Water Retention
- Fences, Walls
- Home Occupation
- Recreational Facilities, Personal and Private

Exhibit E

b. Site Development Regulations

The property development regulations are as set out below for the residential and commercial uses, and as further limited by Deviations (1), (2), and (3).

Single-Family Detached (Any Area but 1 or 6)

Minimum Lot Area	5,000 square feet
Minimum Lot Width	40 feet
Minimum Corner Lot Width	50 feet
Minimum Lot Depth	100 feet
Front Setback from Street	20 feet ³
Side Setback	5 feet
Side Setback from Street	15 feet
Maximum Building Lot Coverage	60 percent
Maximum Building Height	35 feet or three stories
Minimum Rear Setback Abutting Lot	5 feet
Rear Setback to Golf Course	0 feet
Minimum Rear Setback from Waterbody	15 feet
Minimum Setback from Preserve	5 feet

Two Family Attached (Any Area but 1 or 6)

Minimum Lot Area	2,000 square feet
Minimum Lot Width	25 feet
Minimum Corner Lot Width	40 feet
Minimum Lot Depth	80 feet
Front Setback from Street	20 feet ³
Side Setback	5 feet ¹
Side Setback from Street	15 feet
Maximum Building Lot Coverage	60 percent
Maximum Building Height	35 feet or three stories
Minimum Rear Setback Abutting Lot	5 feet
Rear Setback to Golf Course	0 feet
Minimum Rear Setback from Waterbody	15 feet
Minimum Setback from Preserve	5 feet

Townhomes (Any Area)

Minimum Lot Area	1,500 square feet
Minimum Lot Width	18 feet
Minimum Corner Lot Width	35 feet
Minimum Lot Depth	80 feet
Front Setback from Street	20 feet ³
Side Setback	5 feet ¹
Side Setback from Street	15 feet
Maximum Building Lot Coverage	60 percent
Maximum Building Height	35 feet or three stories
Minimum Rear Setback Abutting Lot	5 feet
Rear Setback to Golf Course	0 feet
Minimum Rear Setback from Waterbody	15 feet
Minimum Setback from Preserve	5 feet

Multi-Family (Any Area)

Minimum Lot Area	10,000 square feet
Minimum Lot Width	100 feet

Minimum Corner Lot Width	110 feet
Minimum Lot Depth	100 feet
Front Setback from Street	20 feet ³
Side Setback	5 feet ¹
Side Setback from Street	15 feet
Maximum Building Lot Coverage	60 percent
Maximum Building Height	55 feet or four stories ²
Minimum Rear Setback Abutting Lot	20 feet
Rear Setback to Golf Course	0 feet
Minimum Rear Setback from Waterbody	15 feet
Minimum Setback from Preserve	5 feet

Clubhouse, Commercial, Private Recreational Facilities & Maintenance

Minimum Lot Area	7,500 square feet
Minimum Lot Width	75 feet
Minimum Corner Lot Width	90 feet
Minimum Lot Depth	100 feet
Front Setback from Street	20 feet ³
Side Setback	10 feet
Side Setback from Street	15 feet
Maximum Building Lot Coverage	50 percent
Maximum Building Height	35 feet or two stories
Minimum Rear Setback Abutting Lot	10 feet
Rear Setback to Golf Course	0 feet
Minimum Rear Setback from Waterbody	15 feet
Minimum Setback from Preserve	5 feet

NOTE:

- 1) Two family attached, townhomes, and multi-family buildings will have a 0-foot side setback on interior sides with a 5-foot side setback on the external sides.
- 2) 55' in areas 1, 4, 6, 7 and 11 only, all other areas 35'
- 3) Public street setback of 25'

Exhibit F

3. The development will be limited to a maximum of 100,000 square feet of commercial retail uses to be distributed as follows:
 - a. Up to a maximum of 20,000 square feet can be in the Club House Area for ancillary uses to the golf course and residential community.
 - b. The remaining square footage will be in Areas 1 and 6 and may not exceed 100,000 square feet in total.
4. The development will consist of a maximum of 990 dwelling units with a maximum of 250 single-family dwelling units, 270 two-family attached units, and 470 multiple-family townhouse units, or a combination not to exceed 990 dwelling units.
5. The following conditions are to help mitigate potential hurricane damage and/or loss of life, as well as to ensure compliance with comprehensive plan objectives.
 - a. Prior to approval of a local development order, the Developer must:
 1. Establish a homeowners' association or residents' association. The organization shall provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, which will provide literature brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards; and
 2. Formulate an emergency hurricane notification and evaluation plan for the development, which will be subject to review and approval by the Lee County Office of Emergency Management.
 - b. The project will be subject to any future, duly adopted evacuation or shelter mitigation requirements applicable to residential developments within the County.
6. Model units and homes are permitted in compliance with the following conditions:
 - a. Each model must be a unique example. Multiple examples of the same unit are not permitted; and
 - b. All model sites must be designated on the development order plans; and
 - c. Prior to model home construction, the lots upon which model homes will be constructed must be shown on the preliminary plat. The preliminary plat must be filed concurrently with the local development order application. The model homes must comply with the setbacks set forth in the property development regulations; and
 - d. Dry models are prohibited.
7. The following conditions address environmental issues:

EXHIBIT F

- a. The cabbage palm hammock areas (approximately 3.16 acres) delineated on attached Exhibit G, entitled "Cabbage Palm Hammock Preservation", (previously Exhibit D per Resolution Z-99-079) must be preserved. Minor clearing is permitted through the cabbage palm hammocks for golf course fairways. Proposed fairway crossings through the cabbage palm hammocks must be reviewed and approved by Lee County Environmental Sciences staff prior to local development order approval. Any cabbage palms with 8-foot or greater of clear trunk removed for the construction of the fairways must be relocated on-site.
 - b. Mature native trees and understory must be retained to the maximum extent possible within the golf course roughs.
 - c. If an incidental take permit is obtained from the Florida Fish and Wildlife Conservation Commission (FFWCC), the applicant must provide a final gopher tortoise management plan following the general guidelines committed to in the "Management Plan for Listed Species" prepared by Boylan Environmental dated October 1, 1998. If the FFWCC denies an incidental take permit, a final gopher tortoise relocation management plan per LDC Section 10-474 for on-site management must be provided to Lee County Environmental Sciences staff review and approval.
8. Prior to local development order approval, 40 percent open space must be provided for the single-family dwelling units proposed on lots less than 6,500 square feet, two-family attached on lots less than 3,750 square feet, townhomes, multiple-family dwelling units and golf course development area. Fifty percent of the required open space must be provided by existing indigenous preservation in substantial compliance with the Master Concept Plan composite which is Exhibit "C" of ADD2024-00046.
9. Single-family dwelling units, two-family attached, townhouse, and multiple-family dwelling units are permitted in Areas 2,3, 5, 8, 9, and 10, and are limited to a maximum height of 35 feet or three stories, whichever is the lesser amount.
10. Buffers will be provided in accordance with the LDC Section 10-416(d) for multiple-family and commercial areas. No buffering is required for single-family or two-family attached dwelling units.
11. Single-family, two-family attached, townhouse and multiple-family dwelling units are permitted in Areas 4, 7, and 11 and limited to a maximum height of 35 feet or three stories, with multiple-family dwelling units limited to 55 feet or four stories, whichever is less, with setbacks in compliance with LDC Section 34-2174.
12. Only townhouse and multiple-family dwelling units are permitted in Areas 1 and 6, with townhouses limited to a maximum height of 35 feet or three stories and multiple-family dwelling units limited to 55 feet or four stories, whichever is less, with setbacks in compliance with LDC Section 34-2174, as follows:
 - a. Townhouse and multiple-family dwelling units will be permitted on Areas 1 and 6 provided 50 percent or less of each area is developed for commercial purposes.

- b. If Areas 1 and 6 have commercial and residential uses, the residential uses must be clustered in the southern portion of Areas 1 and 6.
- c. The residential uses must be accessed from the interior of the proposed development.

13. During the development order process, the required 20-foot-wide maintenance easement (see LDC Section 10-328(a)) may be reduced, provided documentation from South Florida Management District is provided to Lee County Natural Resources staff approving the easement reduction to a minimum of 15 feet in width for easements abutting residential areas and does not require maintenance easements for areas that do not abut residential areas.

14. Transportation:

- a. Concurrent with the completion of this project, Lehigh Corporation, or their designee, including the applicant/developer herein, must complete the extension of Beth Stacey Boulevard from the current southern terminus at the intersection of 23rd Street in a southerly direction to connect to the existing northern terminus of Milwaukee Boulevard at the south line of Section 6, Township 45 South, Range 27 East near Parson Street, a distance of approximately 3,630 feet, in a manner consistent with the "Agreement Regarding the Construction of Improvements to Connect Beth Stacey Boulevard to Milwaukee Boulevard and the Dedication of Related Rights-of-Way" (Agreement) executed by Lehigh Corporation and approved by the Lee County Board of County Commissioners on November 24, 1998 (attached as Exhibit H previously Exhibit E per Resolution Z-99-079), or an amended to this "Agreement" as reviewed and approved by Lee County Department of Transportation and the County Attorney's Office. This roadway must be constructed to County standards, in accordance with the LDC and the "Agreement".
- b. In recognition of the financial situation of the developer and the County's projected long-range need for the interconnection of Beth Stacey Boulevard to Milwaukee Boulevard, Applicant is required to construct and have approved by the County through issuance of a Certificate of Completion the following road segments:
 - (1) The link of Beth Stacey Boulevard between the golf course clubhouse parcel and 23rd Street S.W., prior to issuance of the project's first residential dwelling unit's Certificate of Occupancy; and
 - (2) The southernmost link of Beth Stacey Boulevard from its intersection with the south branch of the project's internal spine road to its interconnection with the existing northerly terminus of Beth Stacey Boulevard, prior to issuance of the project's 495th Certificate of Occupancy for residential dwelling units.
- c. Until the full southerly extension of Beth Stacey Boulevard is completed and open to traffic between 23rd Street S.W. and Milwaukee Boulevard, Applicant is limited to a maximum of 30,000 square feet of retail commercial uses on Parcels 1 and 6.
- d. Constructing the Beth Stacey Boulevard extension in the manner allowed by this approval does not guarantee that applicant/developer will receive road impact fee credits. Road impact fee credits will be awarded in compliance with the LDC and Administrative Code provisions in effect at the time of the construction of the portions

of the extended roadway, and in accordance with the road impact fee credit provisions of the Agreement referenced in Paragraph "a." above.

15. Prior to acceptance of Beth Stacey Boulevard by the County for maintenance, the existing platted road right-of-way must be successfully vacated, and the new right-of-way dedicated to the County.
16. If Beth Stacey Boulevard and the golf cart overpass crossing are constructed concurrently, then, prior to the acceptance of Beth Stacey Boulevard by the County for maintenance, a maintenance agreement for the proposed golf cart overpass crossing will need to be reviewed and approved by Lee County Department of Transportation (LCDOT) and the County Attorney's Office and executed and recorded in the Lee County Public Records. If Beth Stacey Boulevard has been constructed and accepted for County maintenance prior to construction of the golf cart overpass crossing, then, prior to issuance of the Certificate of Compliance for the proposed golf cart overpass crossing, the maintenance agreement must be reviewed and approved by LCDOT and the County Attorney's Office and executed and recorded in the Lee County Public Records.
17. The Applicant will provide traffic monitoring reports within three months of the issuance date of the Certificates of Occupancy for the 248th, 496th, and 744th dwelling unit, and a final monitoring report at project buildout. These reports must show background traffic at the intersection of 23rd Street S.W. and Beth Stacey Boulevard as well as traffic generated by or attached to the various parts of this project including the project access points. The purpose of the monitoring report is to determine when warrants are met for signalization.
18. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).
19. The development orders depicting the T-turnarounds must not depict residential parking within the road right-of-way on the east/west portion of the intersection, or the road pavement in front of the lots 9-16 of block 9 (per Lehigh Acres Fire Control and Rescue District).
20. Prior to local development order approval, the backout parking is limited to the guest parking as shown in the three locations on the Master Concept Plan and the two-story multi-family dwelling units with driveways and associated garages that function like townhouses in these areas.

SECTION C. DEVIATIONS:

1. **Deviation (1)** seeks relief from the LDC Sections 34-695, 34-715, and 34-845 standard requirements for property development regulations to establish property development regulations for the residential and commercial uses. This deviation is **APPROVED, SUBJECT TO COMPLIANCE WITH** the minimum property development typical drawings and property development regulations on the MCP and Exhibit E.
2. **Deviation (2)** seeks relief from the LDC Section 34-935(e)(4) requirement to provide a minimum building separation of one-half the sum of the heights, or 10 feet, whichever is greater, to allow a 10-foot minimum building separation. This deviation is **APPROVED,**

PROVIDED Applicant receives and submits to the County, a letter(s) of approval from the appropriate fire district(s) prior to development order approval.

3. **Deviation (3)** seeks relief from the LDC Section 34-2222(1) requirement to provide a 15-foot increase in the minimum lot width for corner lots, to allow a minimum increase of 10 feet for corner lots. This deviation is **APPROVED, SUBJECT TO CONDITION** that adequate sight distances are maintained.
4. **Deviation (4)** seeks relief from the LDC Section 10-285(a) requirement for a minor arterial road in a future urban area minimum separation of 440 feet for posted speed >45 and 330 feet for <45, to allow a minimum of 312 feet on 23rd Street from the Anita Avenue intersection for full access into the golf course maintenance area. This deviation is **APPROVED**.
5. **Deviation (5)** seeks relief from the LDC Section 0-328(a) requirement for a 20-foot-wide maintenance easement around watercourses, drainageways, canals, I.D.D. easements, lakes, ponds, or streams, to allow for no maintenance easement for areas that do not abut single-family lots and 15-foot-wide maintenance easement for areas directly abutting single-family lots. This deviation is **APPROVED SUBJECT TO** Condition 13.
6. **Deviation (6)** seeks relief from the LDC Section 30-152(2) requirement that identification signs be set back a minimum of 15 feet from any right-of-way or easement, to allow identification signs to be zero feet from a right-of-way. This deviation is **APPROVED, PROVIDED** the location and construction of the identification signs are in accordance with regulations for minimum safety sight distances.
7. **Deviation (7)** seeks relief from the LDC Section 10-416(a)(2) requirement that residential developments must provide one tree per 3,000 square feet of development area, to allow the residential development to provide one tree per 3,000 square feet of development area less the wetland preserve areas of 37.80 acres. This deviation is **DENIED**.
8. **Deviation (8)** seeks relief from LDC Section 10-296 which requires a minimum 40-foot right-of-way width, to allow a 35-foot-wide right-of-way width for local streets for the existing constructed portions of Copperhead Drive and Leatherwood Loop. The remaining internal private roads must provide the 40-foot-wide rights-of-way. This deviation is **APPROVED**.
9. **Deviation (9)** seeks relief from LDC Section 10-296(k), which requires dead-end streets to provide a circular turnaround, as shown in LDC Section 10-714(b), to allow T-turnarounds in the locations depicted on the Master Concept Plan. This deviation is **APPROVED SUBJECT TO** Condition 19.
10. **Deviation (10)** seeks relief from LDC Section 10-261(a) solid waste facilities provision of container spaces which require 216 square feet (120 + 96) for the first 25 multi-family units plus 8 square feet for each additional unit, to allow curbside pickup for the two-story multi-family units with garages. This deviation is **APPROVED**.
11. **Deviation (11)** seeks relief from LDC Section 34-2015(2)(c), which states that stacking of vehicles will be permitted only for single-family, duplex, two-family, and townhouses

where each dwelling unit has a garage or driveway appurtenant to it, to allow stacking vehicles for the two-story multi-family sites with associated garages. This deviation is **APPROVED**.

12. **Deviation (12)** seeks relief from LDC Section 34-2013(a)(2), which requires parking that backs out into rights-of-way in residential developments to be limited to amenities to the development such as parks and recreational facilities and not for dwelling units or commercial uses, to allow backout spaces for the two-story multi-family dwelling units and guests limited to the location shown on the Master Concept Plan. This deviation is **APPROVED SUBJECT TO** condition 20.

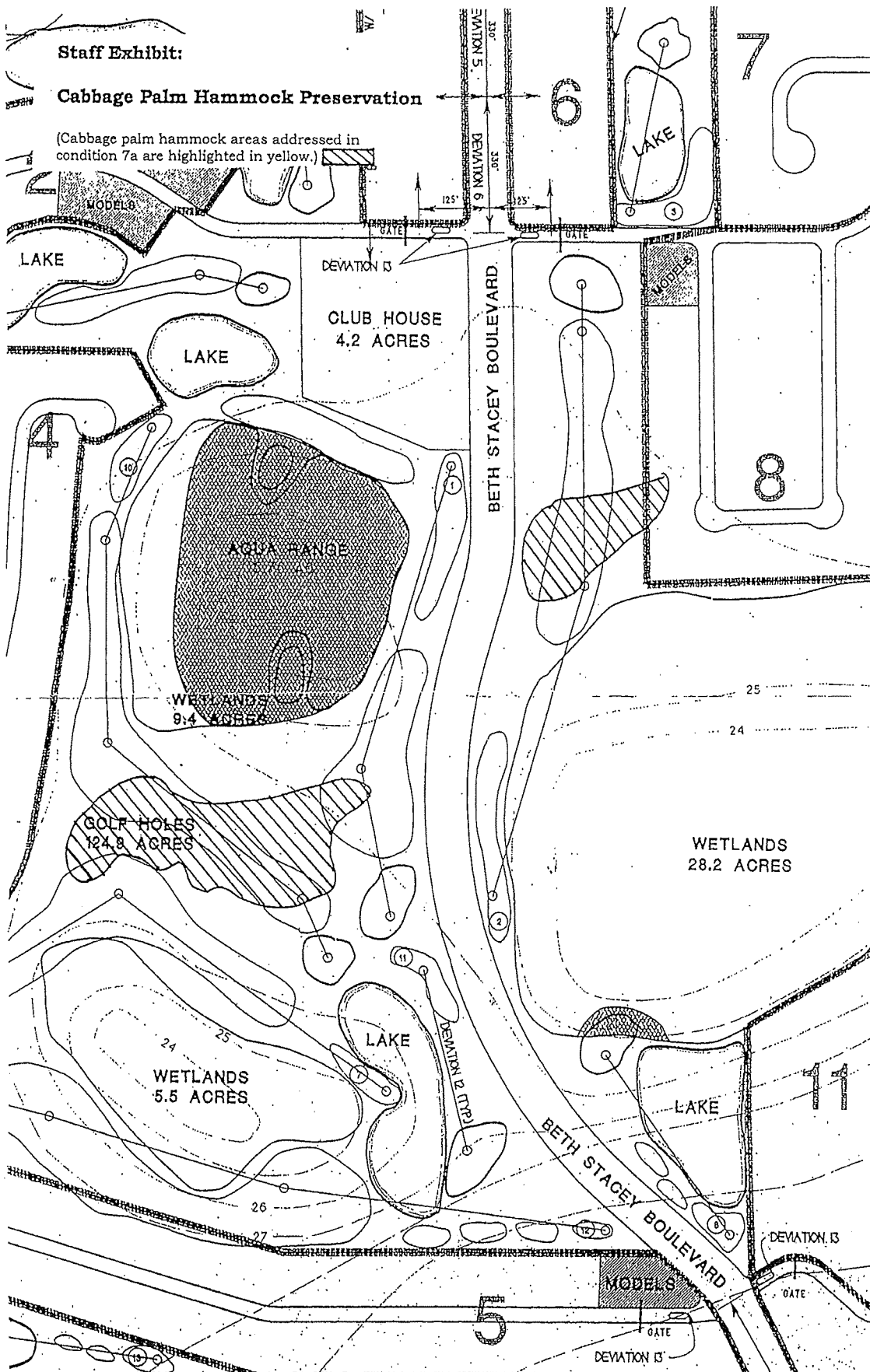


Exhibit H

**AGREEMENT REGARDING THE CONSTRUCTION OF IMPROVEMENTS TO
CONNECT BETH STACEY BOULEVARD TO MILWAUKEE BOULEVARD AND
THE DEDICATION OF RELATED RIGHTS-OF-WAY.**

This is an agreement by and between Lehigh Corporation, a Florida Corporation, (Lehigh), and Lee County, a political subdivision of the State of Florida (County).

RECITALS

1. An additional east/west road corridor through Lehigh Acres would afford relief to certain Lehigh Acres roads as well as address a long standing public transportation need.
2. The County has examined the feasibility of constructing an alternate east/west corridor *other than* the Beth Stacey/Milwaukee Corridor and has concluded that the extension of the Beth Stacey Boulevard to Milwaukee Boulevard is the best alternative in light of costs, safety, and environmental considerations.
3. The County and Lehigh desire to collaborate on the construction of two segments of roadway designed to complete a continuous roadway from the intersection of Beth Stacey Boulevard and 23rd Street to Milwaukee Boulevard at Homestead Road in accordance with the terms and conditions of this agreement.
4. As part of the collaboration, Lehigh Corporation will be responsible for constructing the two segments of the east/west corridor necessary to complete the roadway from the intersection of Beth Stacey Boulevard and 23rd Street to Milwaukee Boulevard at Homestead. The County will be responsible for reviewing all design plans and inspections. The County will issue road impact fee credits for the new construction in accordance with Section D of this agreement.
5. The Board of County Commissioners has the authority under the Florida Statutes and the Lee County Land Development Code to issue road impact fee credits in exchange for roadway construction by private entities.
6. The County is willing to issue road impact fees credits for the construction of the two roadway segments needed to connect Beth Stacey Boulevard to Milwaukee Boulevard.

NOW THEREFORE, in light of the foregoing recitals, the parties agree as follows:

A. DEFINED TERMS

When used herein, each of the following terms will have the meaning set forth for it as follows:

1. "East/West Corridor" means the continuous roadway from the existing intersection of Beth Stacey Boulevard and 23rd Street southerly to and including the existing Milwaukee Boulevard located in Section 7, Township 45 S, Range 27 E, and continuing from the southern end of existing Milwaukee Boulevard in Section 7 Township 45 S, Range 27 E southerly then easterly to connect to Homestead Road at the existing intersection with Milwaukee Boulevard from the east.
2. "East/West Corridor - Segment 1" means the segment of the east/west corridor from the current southern terminus of Beth Stacey Boulevard at the intersection of 23rd Street connecting to the northern terminus of Milwaukee Boulevard at the south line of Section 6, Township 45 South, Range 27 East, for a distance of approximately 3,630 feet, as shown on Exhibit "A".
3. "East/West Corridor - Segment 2" means the segment of the east/west corridor from the current southern terminus of Milwaukee Boulevard in Section 7, Township 45 S, Range 27 E, near Preston Street connecting to the western terminus of Milwaukee Boulevard at the intersection with Homestead Road, for a distance of approximately 8,175 feet, as shown on Exhibit "A".
4. "County" means Lee County, a political subdivision of the State of Florida.
5. "DOT" means the Lee County Department of Transportation.
6. "Lehigh" means Lehigh Corporation, a Florida corporation or its successors or assigns.

B. DEDICATION OF RIGHT-OF-WAY

1. Right-of-way for Segments 1 and 2 of the new east/west corridor are currently platted and dedicated to Lee County. Lehigh proposes to realign the roadway by acquiring new right-of-way. The purpose of the realignment is to avoid wetlands located within the existing platted alignment. The realignment will be in accordance with the County's short and long range plans for the segments.
2. After the County reviews and approves the new alignment, Lehigh will commence design of a two-lane collector roadway in accordance with good engineering principles and practices and subject to Lee County DOT review and approval.

3. Lehigh will dedicate the new right-of-way alignment for segments 1 and 2 of the new east/west corridor within 30 days of the issuance of a Certificate of Completion on the roadway improvements. The dedication to the County will be in the form of a warranty deed conveying unencumbered title in fee simple. The County will accept the right-of-way dedication of the newly aligned segments 1 and 2 of the east/west collector roadway. Lehigh will pay documentary stamp taxes and prorated ad valorem taxes on the dedicated right-of-way. Lehigh will also pay for all costs associated with preparing the deed for recording, including surveys. The County will pay for recording costs and the title insurance policy premium, if necessary.
4. There will be no road impact fee credits issued for the right-of-way dedicated for Segments 1 and 2 because the County already owns the existing right-of-way alignments.

C. DESIGN AND CONSTRUCTION OF ROADWAY IMPROVEMENTS

1. Lehigh will design a two-lane collector road within the right-of-way of segments 1 and 2 of the new east/west collector.
2. The roadway design is subject to the approval of Lee County DOT.
3. No development order for construction may be issued until Lehigh obtains written documentation of DOT's approval of the proposed design.
4. Upon receipt of the development order and other required permits, Lehigh will diligently pursue the construction of the roadway segments.
5. If Lehigh constructs a two-lane roadway within newly dedicated right-of-way brought about by the realignment of the road, Lehigh may, at their expense, pursue the vacation of the unused portions of the existing County right-of-way.

D. ISSUANCE OF CREDITS

1. In consideration for the design, permitting, and construction of segments 1 and 2 of the new east/west corridor, the County will issue to Lehigh road impact fee credit in the amount of 53 percent of the costs associated with those tasks and in accordance with the Land Development Code. The creditable amount will be based on the cost of the design, permitting and construction of a two-lane undivided, at grade collector roadway, and will be based on an engineer's certification and subject to Lee County DOT review and approval. If Lehigh chooses to design, permit and construct an alternative configuration (i.e. a two-lane divided collector), any additional costs associated with that alternative configuration would be solely Lehigh's responsibility.

2. Road impact fee credits will be issued in two stages on each of the roadway segments. The first disbursement will occur upon commencement of construction. This disbursement will be for 53 percent of the documented costs of design and permitting of a two-lane undivided, at grade collector for each roadway segment. The second disbursement will occur when construction is complete and accepted by the county for maintenance in accordance with AC 11-7 or when the total construction costs have been bonded guaranteeing completion in accordance with Land Development Code Section 2-275(a)(4). This disbursement will be for 53 percent of the documented costs of construction for a two-lane undivided, at grade, collector roadway..
3. Road impact fee credits may be issued separately for each of the two segments for the east/west collector roadway.

E. WAIVER OF PAYMENTS UNDER THE 23RD STREET AGREEMENT

Lehigh waives the \$45,000 potentially due to Lehigh pursuant to paragraph 3(h) of the agreement entitled "Agreement Regarding Alvin Avenue Improvements, 23rd Street SW improvements, Beth Stacey Boulevard Improvements and related rights of way Dedication" dated June 5, 1996.

F. GENERAL PROVISIONS

1. The County's Impact Fee Coordinator will maintain an accounting of the road impact fee credits to which Lehigh is entitled from time to time in accordance with this Agreement. Any Assignee from Lehigh may also use the road impact fee credits, but only if written notice to the County's Impact Fee Coordinator is signed by both the assignee and Lehigh. This provision shall survive any completion of the terms of this agreement.
2. This Agreement imposes no obligation on any of the parties hereto except as expressly provided for herein.
3. In the event of any action filed in Circuit Court to interpret or enforce this Agreement, any provision hereof or any matter arising here from, the prevailing party shall be entitled to recover its reasonable costs, fees and expenses, including but not limited to, witness fees, expert fees, consultant fees, attorney, paralegal and legal assistant fees, county staff time costs and expenses and any other professional fees, costs and expenses. Venue for any action to interpret or enforce this agreement will be Lee County, Florida. The terms of this agreement will be governed by the laws of the State of Florida.
4. Any notices which may be permitted or required hereunder must be in writing and will be deemed to have been duly given as of the date and time the same are personally delivered, transmitted electronically (Fax'ed) or within three (3)

days after depositing with the United States Postal Service, postage prepaid by registered or certified mail, return receipt requested, or within one (1) day after depositing with Federal Express or other overnight delivery service from which a receipt may be obtained, and addressed as follows:

If to the County: Lee County
Department of Transportation
P.O. Box 398
Fort Myers, Florida 33902-0398

If to Lehigh: Lehigh Corporation
226 E. Joel Boulevard 12
Lehigh Acres, Florida 33936

5. If Lehigh fails to complete the construction of segments 1 and 2 of the new east/west corridor by June 1, 2003, or within five years from the date this agreement is executed, whichever is later, then in that event, this document is null and void and of no further force and effect.
6. The parties hereto agree that Lehigh shall have the right to assign its rights under this Agreement, either in whole or in part, to a third party, provided that said third party assumes Lehigh's duties and obligations under this Agreement.
7. This agreement embodies the entire agreement between the parties and may not be waived or amended except by written instrument signed by both parties.
8. The Exhibits referred to herein are incorporated into the agreement by reference.
9. Lehigh and the County acknowledge that this agreement was prepared after negotiations between them. Accordingly, the agreement will not be interpreted against either party solely because that party's counsel took the lead in drafting the agreement.
10. This agreement may be executed in one or more counterparts, each of which will be deemed an original.
11. The date of this Agreement is the date of the public hearing at which the Board of County Commissioners approves this Agreement by oral motion.

IN WITNESS WHEREOF, Lehigh Corporation and Lee County have executed this agreement on the date set forth below.

Attest

Lehigh Corporation

Janet Allison
Janet Allison, Secretary

Gregory M. Morris
By: Gregory M. Morris, President

(SEAL)

NOTARY
State of Florida
County of Lee

The foregoing instrument was acknowledged before me on 10/30/98, 1998 by Gregory M. Morris of Lehigh Corporation, in his capacity as President. He is personally known to me.

(SEAL)

Tena M. Wyskochil
Signature of Notary

Tena M. Wyskochil

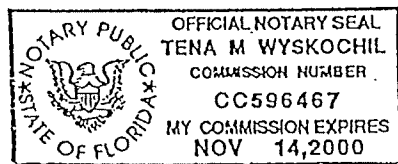
Print Name of Notary

Nov. 14, 2000

Commission Expiration

CC596467

Commissioner Number



ATTEST: Charlie Green, Clerk

BOARD OF COUNTY COMMISSIONERS
LEE COUNTY FLORIDA

By: Debra L. Green
Deputy Clerk

By: Ray Judah
Ray Judah, Chairman

Approved as to form by the
Office of the Lee County Attorney

By: [Signature]

Attachments: Exhibit A, Map of Segments 1 and 2



Lehigh Acres Fire Control and Rescue District

Life Safety Division

636 Thomas Sherwin Ave S.
Lehigh Acres FL
239-303-5335
LifeSafety@Lehighfd.com

Mailing Address:
11 Homestead Rd S
Lehigh Acres FL 33936
www.Lehighfd.com

May 2, 2024

Stacy Ellis Hewitt, AICP
Atwell, LLC
10511 Six Mile Cypress Pkwy, Suite 101
Fort Myers FL 33966

Reference: Ibis Landing – Proposed T-Intersection
Copperhead Ct N, Lehigh Acres FL

Dear Ms. Hewitt,

Pursuant to your request, I have reviewed the proposal to provide a t-intersection to allow normal access to residential lots 9-16 of block 9 and for the emergency vehicle access as well (see attached sheets). The fire district does not have any objections to the t-intersection being constructed to allow for the emergency vehicle access and turn around from Copperhead Ct N, as specified.

To ensure that the fire apparatus are able to safely navigate the t-intersection, the fire district would like to stipulate that residential parking not be permitted within the road right-of-way on the east/west portion of the intersection, or the road pavement in front of the lots 9-16 of block 9.

Please advise if you have any questions or need further assistance.

Sincerely,


Ken Bennett
Fire Marshal

Attachments: Stacy Hewitt Email (dated 4/29/2024 at 1:17 PM)
MCP.pdf
Engineering Plans T-Turnaround sheet.pdf
Stacy Hewitt Email (dated 4/29/2024 at 3:16 PM)

Ken Bennett

From: Stacy Hewitt <shewitt@atwell-group.com>
Sent: Monday, April 29, 2024 1:17 PM
To: Rachel Reith
Cc: Rob Dilallo; Ken Bennett
Subject: Ibis Landing (f/k/a Copperhead) - Request for letter of no objection
Attachments: MCP.pdf; Engineering Plans-T-turnaround sheet.pdf

Good afternoon 😊 I hope all is well.

We are working on a zoning amendment and development order for Ibis Landing and Lee County staff has requested that we obtain and provide a Letter of No Objection to allow the below deviation to allow a t-turnaround as shown in the attached plans. Please forward the letter or email to my attention and don't hesitate to contact me via cell or email if you have any questions or need further information.

Deviation (11): seeks relief from LDC Section 10-296(k) which requires dead-end streets to provide a circular turnaround, as show in 10-714(b); to allow T-turnarounds where shown on the MCP.

Justification: The requested deviation is included in LDC Section 10-104(a)(9) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is requested to allow T-turnarounds less than 150' in length in the areas identified on the MCP. These short joint driveway configurations do not require a turn-around per NFPA standards. These short joint driveways only serve four units each side for a total of eight units and should not be held to the dimensional requirements for a roadway. These joint driveways provide adequate access to the units. The intent of this regulation to protect the health, safety and welfare of the public will be served and the planned development will be enhanced by approval of this deviation. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable.

Thank you in advance for your help and please take care,

Stacy

Stacy Ellis Hewitt, AICP

Planner

ATWELL, LLC

239.770.2527 Cell

239.939.5490 Office

Banks Engineering has merged with Atwell, LLC

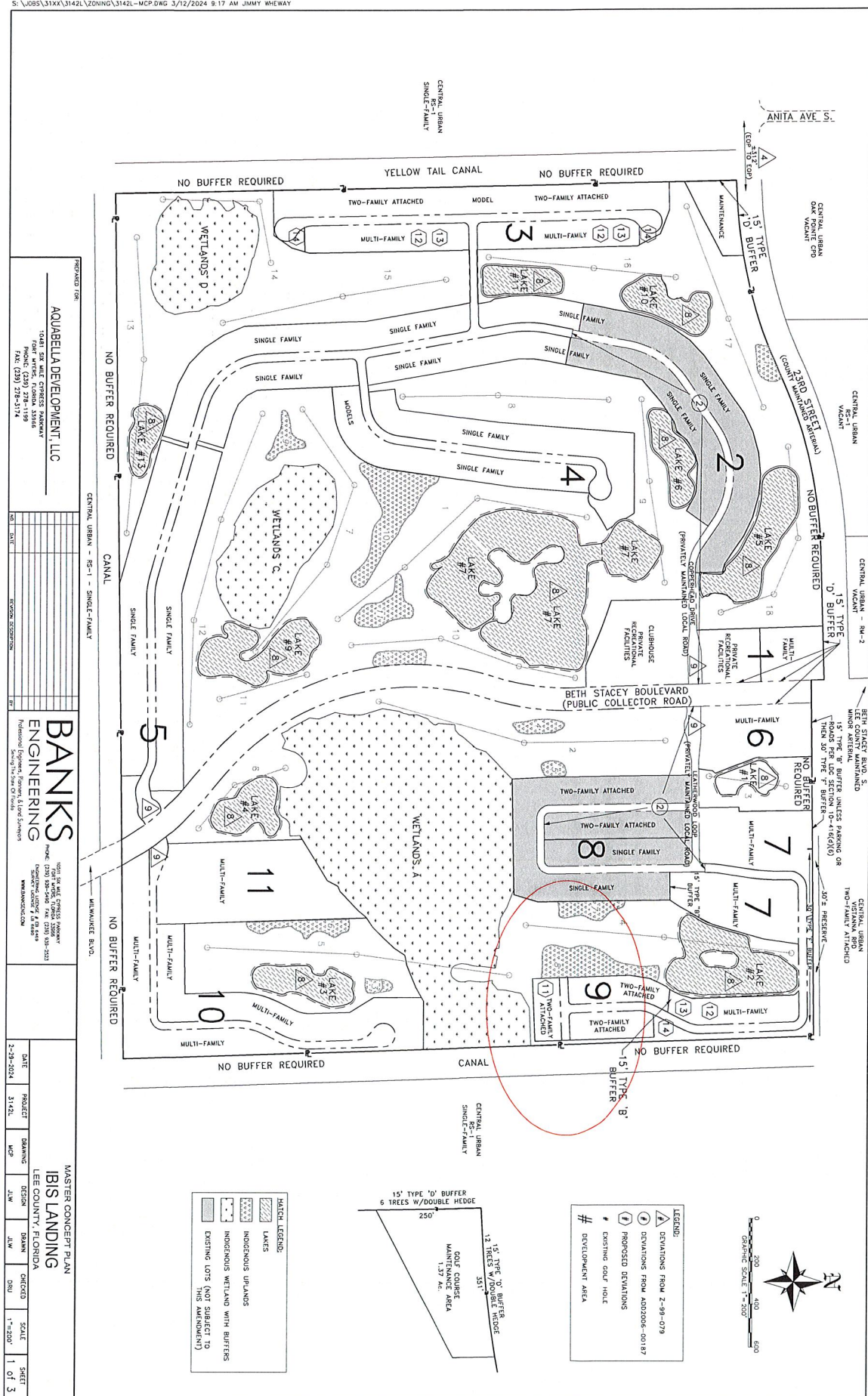
10511 Six Mile Cypress Pkwy, Ste. 101 | Fort Myers, FL 33966

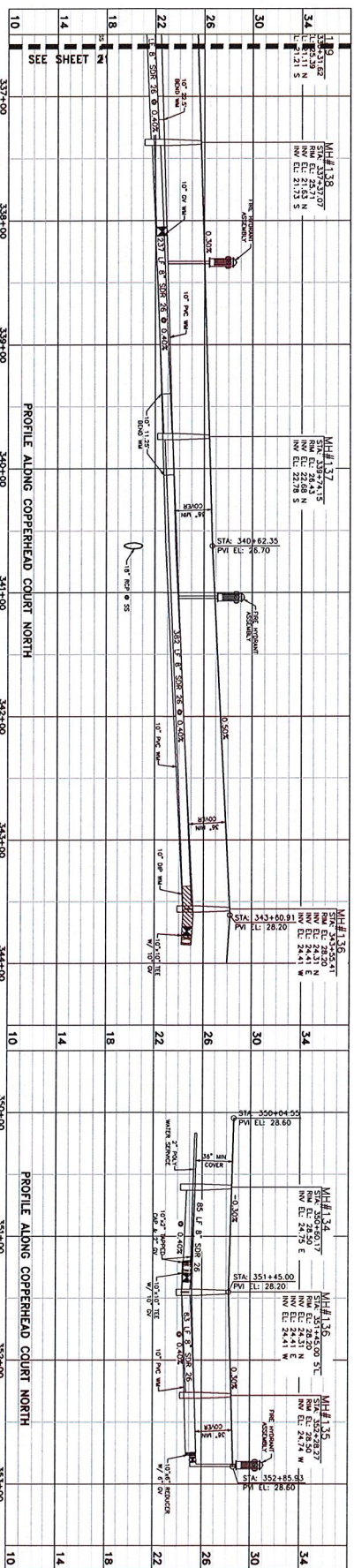
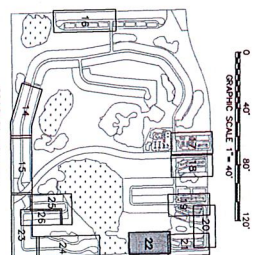
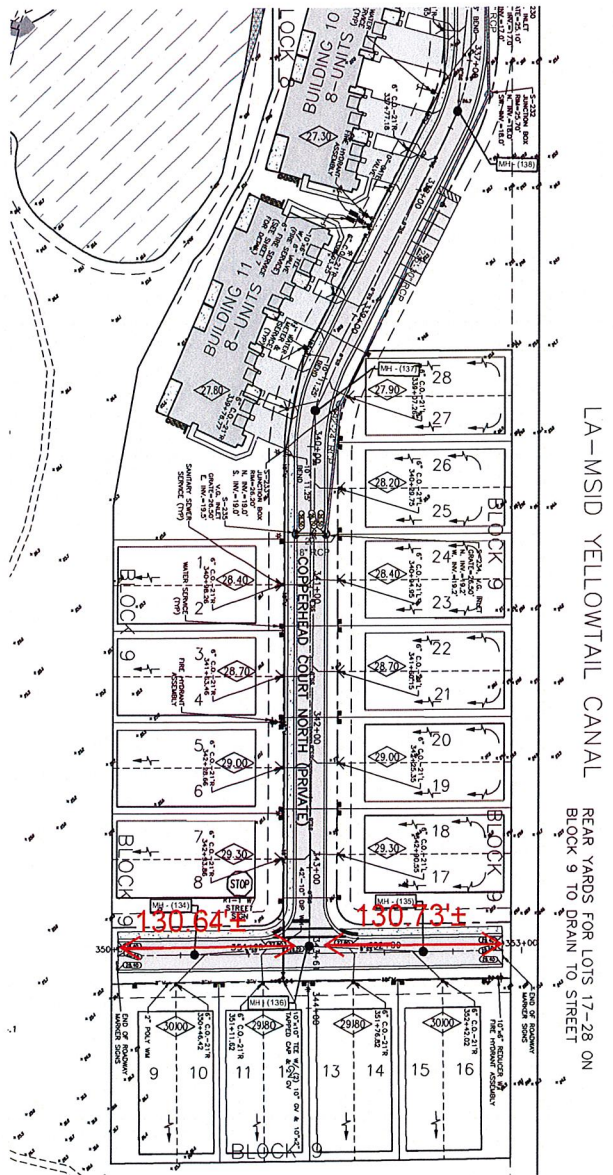
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ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988

AQUABELLA DEVELOPMENT, LLC
TOTAL SITE DEVELOPMENT
FORT WORTH, TX 76104
PH: (817) 278-3114
FAX: (817) 278-3114

NO.	DATE	DESCRIPTION	BY	CHKD.
1	10/1/2023	ISSUED FOR PERMIT	DAVID	DAVID
2	10/1/2023	REVISIONS	DAVID	DAVID

BANKS ENGINEERING
10000 W. US HWY 90, SUITE 100
FORT WORTH, TX 76133
PH: (817) 278-3114
FAX: (817) 278-3114
WWW.BANKSENG.COM

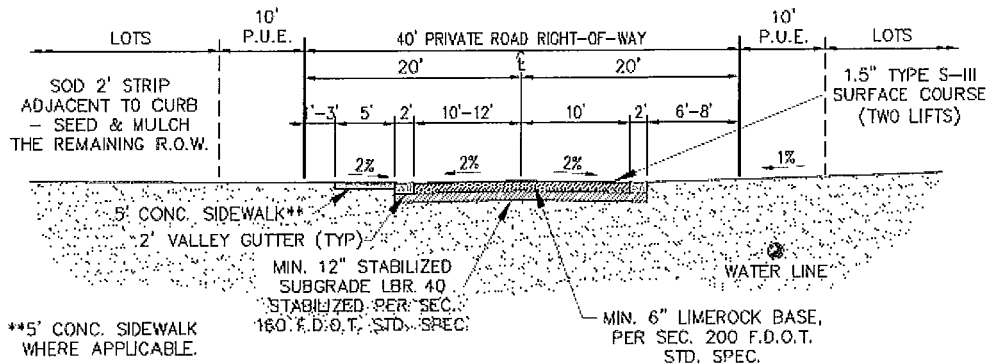
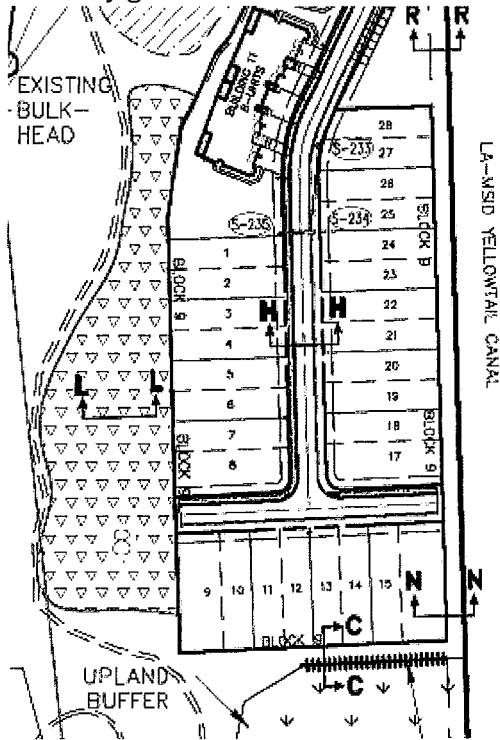
DATE	PROJECT	DESIGNED	CHECKED	SCALE	SHEET
AUG 2023	IBIS LANDING	PPH	AW	1"=40'	22

Engineering Plans T-Turnaround sheet.pdf

Ken Bennett

From: Stacy Hewitt <shewitt@atwell-group.com>
Sent: Monday, April 29, 2024 2:10 PM
To: Ken Bennett
Cc: Rob Dilallo
Subject: RE: Ibis Landing (f/k/a Copperhead) - Request for letter of no objection

Thanks for getting back to me so quickly! Please see below excerpt from the plans. 10' travel lanes with 2' valley gutter on each side.



SECTION H-H TYPICAL 40' RIGHT OF WAY ROAD

NTS

Stacy Ellis Hewitt, AICP

Planner

ATWELL, LLC

239.770.2527 Cell

239.939.5490 Office

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<https://url2.mailanyone.net/scanner?m=1s1VSN-0006Ts-5X&d=4%7Cmail%2F90%2F1714414200%2F1s1VSN-0006Ts-5X%7Cin2d%7C57e1b682%7C26836922%7C11687972%7C662FE29371EEE1D69B6788DF4A5A8C11&o=e.www.ltwlwac-o-gmp.oru&s=HkgeBiKkQzP1Uu2AmiqOSShvH2I>

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From: Ken Bennett <KenB@lehighfd.com>

Sent: Monday, April 29, 2024 1:58 PM

To: Stacy Hewitt <shewitt@atwell-group.com>

Cc: Rob Dilallo <robertd@lehighfd.com>

Subject: RE: Ibis Landing (f/k/a Copperhead) - Request for letter of no objection

Stacey,

Can you identify what the road width is for the hammerhead intersection? Specifically, the width for Copperhead Ct N at the intersection and the east/west road pavement in front of units 9-16. Thank you for identifying the lengths.

Ken Bennett

Assistant Chief of Life Safety Division / Fire Marshal

Lehigh Acres Fire Control and Rescue District

Office: 636 Thomas Sherwin Ave S

Lehigh Acres, FL

Mailing: 11 Homestead Rd S

Lehigh Acres, FL 33936

239-303-5335 Main Phone

239-303-5302 Office

239-369-2436 Fax

KenB@Lehighfd.com

Office Hours - Monday through Friday 7 AM to 3 PM

www.lehighfd.com



Lehigh Acres Fire Control and Rescue District
Excellence, Safety, Valor, Integrity, Dedication

Florida has a very broad public records law. As a result, any written communication created or received by Lehigh Acres Fire Control and Rescue District officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone.



Please consider the environment before printing this message

From: Stacy Hewitt <shewitt@atwell-group.com>
Sent: Monday, April 29, 2024 1:17 PM
To: Rachel Reith <Rachel.Reith@lehighfd.com>
Cc: Rob Dilallo <robertd@lehighfd.com>; Ken Bennett <KenB@lehighfd.com>
Subject: Ibis Landing (f/k/a Copperhead) - Request for letter of no objection

Good afternoon 😊 I hope all is well.

We are working on a zoning amendment and development order for Ibis Landing and Lee County staff has requested that we obtain and provide a Letter of No Objection to allow the below deviation to allow a turn-around as shown in the attached plans. Please forward the letter or email to my attention and don't hesitate to contact me via cell or email if you have any questions or need further information.

Deviation (11): seeks relief from LDC Section 10-296(k) which requires dead-end streets to provide a circular turnaround, as show in 10-714(b); to allow T-turnarounds where shown on the MCP.

Justification: The requested deviation is included in LDC Section 10-104(a)(9) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is requested to allow T-turnarounds less than 150' in length in the areas identified on the MCP. These short joint driveway configurations do not require a turn-around per NFPA standards. These short joint driveways only serve four units each side for a total of eight units and should not be held to the dimensional requirements for a roadway. These joint driveways provide adequate access to the units. The intent of this regulation to protect the health, safety and welfare of the public will be served and the planned development will be enhanced by approval of this deviation. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable.

Thank you in advance for your help and please take care,

Stacy

Stacy Ellis Hewitt, AICP

Planner

ATWELL, LLC

239.770.2527 Cell

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Exhibit J

Ibis Landing a/k/a Copperhead f/k/a Classic Hills MPD Summary of Public Information Session

Administrative Amendment to Planned Development: ADD2024-00046 Development Order – DOS2023-00161

The subject property is located within the Lehigh Acres Community Planning Area. Consistent with Lee Plan Policy 17.3.5 and Lee County Land Development Code (LDC) Section 33-1401, a publicly advertised Public Informational Session within the Lehigh Acres Planning Community was held on March 28, 2024 at 5:30 p.m. before the Lehigh Acres Architectural, Planning & Zoning Review Board (LAAPZRB) at their monthly meeting held at the Lehigh Acres Municipal Services Improvement District (LAMSID) office located at 601 E County Lane, Lehigh Acres, FL 33936. During the meeting, the applicant provided a general overview of the above project requests for any interested citizens.

Attached please find the following backup documentation:

- Affidavit of Publication for ad run in the Fort Myers News Press 3/18/24
- LAAPZRB Facebook Notice of agenda posted 3/27/24
- Sign in Sheet/Attendee List

No public provided any questions or comments at the meeting. The following questions/comments were received from the Board, followed by the applicant's response.

Comment: How old is the traffic study?

Response: Recent traffic studies have been submitted to Lee County.

Comment: A permit from LAMSID was issued with some maintenance work noted.

Response: Acknowledged.

Comment: Is the T turn okay with the Fire Department

Response: The applicant has obtained a letter of no objection from the Fire Department and submitted it to Lee County.

Comment: Request to install a traffic signal somewhere to slow things down on Beth Stacey Blvd.

Response: Traffic signals are up to the county based on signal warrants.

Comment: Request to provide a playground as part of private amenity package.

Response: We have shared this feedback with the client for consideration.

Although not required, the Board approved the project, including Board Members Tami Baker, Derek Felder who approved the project by email.

10511 Six Mile Cypress Pkwy, Suite 101, Fort Myers, FL 33966

www.atwell-group.com



PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Banks Engineering
10511 Ben C Pratt/6 Mile Cypress PKWY
Fort Myers FL 33966-6547

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

03/18/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 03/18/2024

Legal Clerk



Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$171.00

Order No: 9959964

of Copies:

Customer No: 1126733

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PO #: LSAR0074012

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NICOLE JACOBS
Notary Public
State of Wisconsin

PUBLIC INFORMATION
MEETING

The public is invited to attend a presentation to the Lehigh Acres Architectural Planning & Zoning Review Board by Banks Engineering held on: Thursday, March 28, 2024, at 5:30 pm at Lehigh Acres Municipal Services Improvement District (LAMSID), 601 East County Lane, Lehigh Acres, FL 33936

PROJECT NAME: Ibis Landing f/k/a Copperhead f/k/a Classic Hills MPD

PROJECT LOCATION: 298± acres south of intersection of Beth Stacey Blvd S & 23rd St. SW, Lehigh Acres, FL

ACTIONS REQUESTED: (1) Zoning administrative amendment to existing Mixed Use Planned Development (MPD) to update Master Concept Plan, conditions of approval & deviations to reflect current development plan with no change to existing approved intensities; (2) Concurrent Development Order for overall development of 109 existing dwelling units & 796 proposed dwelling units (single-family, two-family attached, townhomes & multi-family) with private amenities & associated infrastructure including minor adjustments to existing tracts, golf course & lakes.

During the meeting, developer representative will provide a general overview of the project. All interested citizens are encouraged to attend the presentation & ask questions regarding the proposed development. Should you have any questions or comments, they can be directed to: Stacy Ellis Hewitt, Banks Engineering, 10511 Six Mile Cypress Pkwy, Fort Myers, FL 33966, (239) 770-2527, shewitt@bankseng.com.

March 18 2024
LSAR0074012

LEHIGH ACRES ARCHITECTURAL, PLANNING & ZONING REVIEW BOARD

Meeting Agenda – March 28, 2024 * 5:30 pm
Lehigh Acres Municipal Services Improvement District
601 East County Lane, Lehigh Acres, FL 33936

Call To Order

Roll Call

Inke Schirmacher, Thomas Pfuner, Mohamed Yasin, Laurie [Stemowski](#)
Excused: Tami Baker, Derek Felder, Janis Williams – LAFRD
Consulting: Mike Cook – LAMSID
Minutes: Melissa Barry

Public Comments on non-agenda items:

Approval of Agenda:

Approval of February Minutes:

New Project Reviews

- A. Request for an Administrative Amendment to existing Mixed Use Planned Development (MPD) for Ibis Landing f/k/a Copperhead f/k/a Classic Hills MPD at 296 acres south of intersection Beth Stacy Blvd S & 23rd St W. The applicant is requesting an Administrative Amendment to existing Mixed Use Planned Development (MPD) to update the Master Concept Plan conditions of approval & deviations to reflect current development plan with no change to existing approved intensities & current Development Order for overall development including 109 existing dwelling units & 796 proposed dwelling units (single-family, two-family attached, townhomes and multi-family) with private amenities & associated infrastructure including minor adjustments to existing tracts, golf course & lakes. Project is presented by David R. Underhill Jr, PE w/ Banks Engineering ■

Old Business:

- A. Updates to By-Laws

New Business:

- a) Board Members Comments
b) FDOT Public Meeting for SR 82 Safety Improvements 04/09/24 6pm or 04/11/24 5:30 pm

Adjourn:

Next LAAPZRB Meeting on **April 25th, 2024** (if projects are submitted)
Project Submittal Deadline is April 15th, 2024

1 👍

👍 Like

💬 Comment

Sign In Sheet/Attendee List

LEHIGH ACRES ARCHITECTURAL, PLANNING & ZONING REVIEW BOARD

**March 28, 2024 5:30 pm In Person Meeting at Lehigh Acres Municipal Services Improvement District,
601 East County Lane, Lehigh Acres, FL 33936**

Board Members Present: Thomas Pfuner, Laurie Sternowski, Inke Schirrmacher, Mohamed Yasin

Consulting Present: Mike Cook - LAMSID

Minutes Present: Melissa Barry

Applicant Presenter: David R. Underhill Jr, PE w/ Banks Engineering

No public attendees

NOT SUPERSEDED

ADMINISTRATIVE AMENDMENT (PD) ADD2017-00038A

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, RR Copperhead LLC filed an application for an administrative amendment to a Mixed Use Planned Development on a project known as Classic Hills Golf Community, AKA Copperhead to amend the schedule of uses for Block #7 to include Assisted Living Facility, Independent Living Facility and Continuing Care Facility on property located in Lehigh, described more particularly as:

LEGAL DESCRIPTION: In Section 06, Township 45 South, Range 27 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in resolution number Z-99-079 (with subsequent amendments in case number ADD2003-00031 and ADD2006-00187); and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant wishes to include Assisted Living Facility, Continuing Care Facility and Independent Living Facility to the Schedule of Uses for Block #7 of this Mixed-Use Planned Development; and

WHEREAS, the residential areas of this Planned Development allows Single-family, Two-family attached, Townhouses, Multiple-family and Zero lot lines dwellings; and

WHEREAS, the permitted residential use in Block #7 is multiple family development; and

WHEREAS, Assisted Living Facility, Continuing Care Facility, and Independent Living Facility are intended for human habitation and are similar in nature to multiple-family dwelling development; and

WHEREAS, the density equivalency for the proposed uses will be in compliance with the Land Development Code Sections 34-1414 and 34-1494; and

WHEREAS, this request is not proposing any changes to the approved Master Concept Plan; and

WHEREAS, the applicant has held a public informational meeting in the Lehigh Acres Planning Community, as required by the Land Development Code Sec 33-1401, on October 26, 2017 to discuss the proposed amendment to the schedule of uses for this MPD; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Mixed Use Planned Development to amend the schedule of uses for Block #7 to include Assisted Living Facility, Independent Living Facility and Continuing Care Facility is **APPROVED**.

Approval is subject to the following conditions:

- 1. The terms, conditions and Master Concept Plan of the original zoning resolutions remain in full force and effect, except as amended herein.**
- 2. The Schedule of Uses for this project is hereby amended to include Assisted Living Facility, Independent Living Facility and Continuing Care Facility for Residential Block #7 only.**
- 3. Assisted Living Facility, Independent Living Facility and Continuing Care Facility must be developed in compliance with the Development Regulations for Multiple-Family Housing of Resolution Z-99-079.**
- 4. The density equivalency for the proposed uses shall be in compliance with the Land Development Code Sections 34-1414 and 34-1494.**
- 5. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 3/8/2018 by

Audra Ennis, Zoning Manager
Lee County Community Development

Attachment: Exhibit "A" STRAP Number

EXHIBIT A

CASE NUMBER: ADD2017-00038

STRAP NUMBER

06-45-27-10-00007.0000

REVIEWED
ADD2017-00038
Jessica Leatherman,
Planner
Lee County DCD
3/15/2017