



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 Nine deviations were approved of which deviations 5, 6 and 7 are being withdrawn as part of this request.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.