



Professional Engineers, Planners & Land Surveyors

Whispering Lakes I RPD
Administrative Amendment to Planned Development
Narrative of Request
ADD2022-00139 – Revised November 2022

Background

The applicant is requesting an administrative amendment to the undeveloped eastern 120.67± acres of the approved Whispering Lakes I Residential Planned Development (RPD) f/k/a Bethany Trace II f/k/a Lehigh Corp RPD to amend the Master Concept Plan, reallocate approved density, add townhouse and two-family attached uses with conversion ratio, amend property development regulations and add new deviation requests to allow the existing lakes to remain in their current configuration where identified on the Master Concept Plan.

The property was originally rezoned from AG-2 to RPD by Z-89-100 on January 22, 1990 which approved 375 conventional single-family dwelling units and 300 multi-family dwelling units and denied a request for a rezoning from AG-2 to Commercial Planned Development (CPD). Subsequent Administrative Amendments to the RPD include:

- DCI2001-00018 – Extended Master Concept Plan
- ADD2002-00059 - Modify Master Concept plan Revised Aug 12, 2002, which includes 6 model homes on specific sites abutting main entrance road from Sunrise Blvd; Master Concept Plan added Entrance Gates and Gatehouse
- ADD2004-00171 – Administrative Deviation approval from LDC Section 10-285 connection separation requirements on local private roads from the required 125 feet to allow a minimum 50 feet for eyebrow medians, measured centerline to centerline.
- ADD2004-00258 - Revised Master Concept Plan for Bethany Trace Phase II
- ADD2005-00179 - Add excessive soil removal to the schedule of uses for up to 350,000 cubic yards to be shipped off-site for purposes of creating stormwater retention lakes on project known as Whispering Lakes I.
- ADD2006-00197 - Modify Master Concept Plan to relocate within the development a total of six model homes, an on-site 4,200 sq ft temporary sales center. And a

temporary access road from Sunrise Blvd (proposed extension) to the on-site sales center

As demonstrated in the below table, a total of 510 dwelling units remain consisting of 290 single-family and 220 multi-family units.

	Approved	Developed	Remaining
Single-family	375	85 (Bethany Trace)	290
Multi-family	300	80 (Bethany Trace Villas)	220
Total	675	165	510

The property adjacent to the west is Bethany Trace Phase 1A (DOS91-01-008.00D which also included the subject property) containing 85 single-family dwelling units. The westernmost portion of the overall RPD received development order approval under case number DOS95-02-044.00D and is developed with Bethany Trace Villas containing 80 two-family attached individual condo units on a common element tract approved as multi-family dwelling units. The subject property received development order approval under Whispering Lakes case number DOS2004-00282 for a 288 single-family subdivision and constructed the lakes for the entire site and installed water and sewer along the northern portion of the site that exist today. The remnants of the parking lot for the temporary sales center are in the northeast corner of the site.

The request remains consistent with the Lehigh Acres Community Mixed Use Activity Center Node Policy 25.1.2. There are existing commercial uses such as a retail store, landscaping store and appliance repair along Homestead Road and public uses such as Lehigh Acres Middle School to the northeast and a church and non-profit business on Homestead Road all within this same Community Mixed Use Activity Center Node. The subject request adds two-family attached, multi-family or townhouse uses to the existing approved single-family uses on site and adds to the single-family and multi-family villas within the Community Mixed Use Activity Center Node.

Request Summary

The applicant is requesting to reallocate approved density, add two-family attached and townhouse use with a conversion ratio, amend property development regulations and add new deviation requests to allow the existing lakes to remain in their current configuration. There are 510 dwelling units remaining consisting of 290 single-family (SF) dwelling units and 220 multi-family (MF) dwelling units that remain undeveloped within the approved zoning and the subject property is the only remaining undeveloped portion of the RPD. The applicant proposes to maintain a maximum total of 510 dwelling units while allowing the following conversion ratios to allow up to 150 two-family attached (TF) units:

- Up to 100 SF units at 1 SF unit = 1.5 TF units
- Up to 100 MF units at 1 MF units = 0.8 TF unit

An example development scenario would be as follows:

190 SF + 210 MF + 110 TF* = 510 total dwelling units

*converted from 73 SF

The proposed conversion ratios are more restrictive than the following traffic generation comparison between these uses contained in the attached email. LDC defined two-family attached falls under ITE single-family attached.

- 1 Multi-Family (low-rise) = 0.90 Single-Family Attached
- 1 Single-Family Detached = 1.65 Single-Family Attached

The Master Concept Plan has been revised to reflect the location of the proposed single-family, two-family attached, multi-family or townhouse uses and to identify the location of the deviation requests.

Although Lee Plan Policy 25.1.7 allows development within the Specialized Mixed Use Nodes to utilize development standards allowed within the Mixed Use Overlay, the applicant proposes to provide property development regulations and buffers above and beyond what the Mixed Use Overlay allows.

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.

The request is consistent with the administrative amendment requirements contained in LDC Section 34-174(i)(2). The request reallocates the existing density that was originally approved as part of this development so it does not increase height, density or intensity of the development. The requested revisions do not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development. 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 shown on the existing MCP. The buffers identified on the MCP are equivalent or better by comparison with the approved MCP. 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. 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.