

ADMINISTRATIVE AMENDMENT (PD) ADD2024-00219

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Atwell-Group filed an application for an administrative amendment to a Mixed Use Planned Development known as Blackstone Corporate Park MPD to:

1. Amend the Master Concept Plan (MCP) to update the development plan for Use Area A (Commercial);
2. Amend Condition 2.a, Schedule of Uses for Use Area A (Commercial), to allow Non-store retailers, Group II, Rental or Leasing Establishment, Group IV, and Storage, Open;
3. Amend Condition 3 to provide a clear breakdown of the amount of open space Use Area A (Commercial) and Use Area B (Industrial) must provide at time of development order for each area;
4. Amend Condition 4 to clarify the minimum indigenous preservation areas required for Use Area A (Commercial) and Use Area B (Industrial) and correct a scrivener's error;
5. Add Deviation 6 to allow an internal privately-maintained right-of-way to dead-end without a cul-de-sac since internal circulation will be provided within the commercial parking lot aisles; and
6. Add Deviation 7 to allow a minimum connection separation of 60 feet between internal access points within the development; and

WHEREAS, the subject property is generally located at the southeast corner of the intersection of Blackstone Drive and State Road 82, Lehigh Acres, and a legal description of the property is attached hereto as Exhibit "A"; and

WHEREAS, the subject property is in the Urban Community, Industrial Development and Wetlands Future Land Use Categories as designated by the Lee Plan; and

WHEREAS, 59.77± acres of the subject property were rezoned (Resolution ZAB-86-102) to permit a 96,300 square foot resort development called Little West Lake (Exhibit "B"); and

WHEREAS, Resolution Z-90-109 was approved to reinstate the vacated Master Concept Plan (Exhibit "C"); and

WHEREAS, approximately 93.03 acres of the subject property was rezoned to Mixed Use Planned Development (MPD) (Resolution Z-07-051) to include the land south of the 100-foot-wide Lee County Electric Cooperation Easement (LCEC) and exclude the parcels located along Blackstone Drive (Exhibit "D"); and

WHEREAS, the subject property was rezoned (Resolution Z-23-040) to add five acres of land zoned Commercial (C-1A) to the 93.03-acre MPD to allow 500,000 square feet of commercial floor area and 350,000 square feet of industrial floor area (Exhibit "E"); and

WHEREAS, the applicant has submitted a Development Order (DOS2025-00035) that depicts the backbone infrastructure for the development; and

WHEREAS, the applicant has submitted a Development Order (DOS2025-00077) that depicts a Big Box Retail development; and

WHEREAS, the applicant proposes to amend the Master Concept Plan to depict changes to Use Area A (Commercial) consistent with the development order applications currently under review (Exhibit "H"); and

WHEREAS, the applicant proposes to revise the Schedule of Uses for Use Area A (Commercial) to add Non-store Retailers, Group II, Rental or Leasing Establishment, Group IV, and Storage, Open (Exhibit "F"); and

WHEREAS, the uses being requested are consistent with the uses permitted in MPDs per LDC Section 34-934; and

WHEREAS, Condition 3 requires development order plans to depict 25.78 acres of open space and establishes a breakdown of the amount of open space required for Use Area A (Commercial) and Use Area B (Industrial); and

WHEREAS, the applicant proposes to revise Condition 3 to provide concise acreages for each development area that include the amount of indigenous preservation areas to be provided in Use Area A (Commercial) and Use Area B (Industrial); and

WHEREAS, Condition 4 requires the development order plans to depict 13.6 acres of indigenous preservation and restoration areas and establishes a detailed breakdown of each type of indigenous preserve; and

WHEREAS, the applicant proposes to revise Condition 4 to clarify the minimum indigenous preserve acreage in each area required for Use Area A (Commercial) and Use Area B (Industrial) that must be provided at time of development order for each area; and

WHEREAS, the applicant is requesting Deviation #6 from LDC Section 10-296(k), which requires dead end streets designed to be so permanently to be closed at one end by a circular turnaround for vehicles and constructed according to the standards listed in LDC Section 10-296(k); and

WHEREAS, the applicant is requesting to allow the internal privately-maintained right-of-way to dead end without a cul-de-sac at the northeast corner of the development since internal circulation will be provided within the commercial parking lot aisles; and

WHEREAS, the applicant submitted a Letter of No Objection from Lehigh Acres Fire District (Exhibit "I") stating that Parcels 1, 2, and 3 in Use Area A (Commercial) satisfy the ability for ingress and egress; and

WHEREAS, Development Services staff have reviewed Deviation #6 and the Letter of No Objection and recommended approval of this deviation; and

WHEREAS, the applicant is requesting Deviation #7 from LDC Section 10-285(a), which requires driveway spacing in future suburban areas to be a minimum of 125 feet from other driveways on a local road, to allow a minimum connection separation of 60 feet along the internal

private rights-of-way as depicted on the Master Concept Plan consistent with the requirement for future urban areas (see Exhibit “H”); and

WHEREAS, the applicant has provided a memorandum from TR Transportation which analyzes the additional access to Blackstone Drive proposed within the existing 100-foot-wide LCEC easement and the separation distance for a future access point between the vacant CPD abutting Blackstone Drive and the internal roadway within the LCEC easement (Exhibit “J”); and

WHEREAS, the analysis states that the additional access point to the development from Blackstone Drive provides access to Use Area B (Industrial) and provides for more efficient circulation within the project and, working in tandem with the previously approved access to Blackstone Drive, allows for better traffic distribution from the development onto Blackstone Drive; and

WHEREAS, providing a future interconnection to the abutting vacant CPD will provide common access to Blackstone Drive for the traffic from the abutting CPD and Use Area B (Industrial); and

WHEREAS, the subject property and the vacant CPD were part of the same zoning resolution (Resolution Z-90-109) and the remnant CPD parcel is not included in the subject MPD; and

WHEREAS, the remnant CPD parcel will be required to amend Resolution Z-90-109 at time of development, and at that time an interconnection to the internal roadway within the LCEC easement on the subject property will be required; and

WHEREAS, staff has reviewed the deviation request and recommends approval of Deviation #7 as it pertains to the internal driveway spacing, but denies Deviation #7 as it relates to the interconnection for the vacant abutting CPD; and

WHEREAS, the Lee County Department of Transportation has provided a memorandum stating that the subject administrative amendment does not increase traffic in comparison with the previous zoning approval and the proposed the additional access along Blackstone Drive will operate at an acceptable level of service at the built-out of the site (Exhibit “K”); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans; 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 to revise the master concept plan and conditions approved by Resolution Z-23-040 (Blackstone Corporate Park MPD), and to seek two new deviations is **APPROVED**, subject to the following conditions:

1. The development must be consistent with the “Blackstone Corporate Park MPD” Master Concept Plan, last revised June 4, 2025, a copy of which is attached hereto as Exhibit “H.”
2. Condition 2.a of Resolution Z-23-040 is hereby amended to add the following uses to Use Area A (Commercial):
 - a. Non-store retailers, Group II, limited to Parcels 1 and 2
 - b. Rental or Leasing Establishment, Group IV, limited to Parcels 1 and 2
 - c. Storage, open, limited to Parcels 1 and 2
3. Condition 3 of Resolution Z-23-040, is hereby amended as follows:

Open Space

The development must provide a total of 25.78 acres of open space in accordance with the following:

- a. Development Order Plans for Use Area A (Commercial) must depict a minimum of 18.53 acres of open space, including a minimum of 9.27 acres of indigenous open space.
 - b. Development Order Plans for Use Area B (Industrial) must depict a minimum of 7.25 acres of open space, including a minimum of 3.63 acres of indigenous open space.
4. Condition 4 of Resolution Z-23-040 is hereby amended as follows:

Indigenous Open Space

- a. Development order plans must provide a total of 13.6 acres of indigenous preserve and restoration areas consisting of the following:
 - i. 6.21 acres of restored wetlands and 1.11 acres of restored uplands.
 - ii. 4.78 acres of existing indigenous uplands.
 - iii. 1.5 acres of indigenous preservation area credits consistent with the MCP.
- b. The indigenous preserve and restoration areas will be provided in two phases:

Use Area A (Commercial). The first development order within Use Area A (Commercial) will provide the following:

- i. Preserve Areas 1-8, 10-11, and 0.17-acre portion of Preserve Area 9, consistent with the MCP and Condition 3.

Use Area B (Industrial). The first development order within Use Area B (Industrial) will provide the following:

- i. The remaining 2.83-acre portion of Preserve Area 9 (4.33 acres within 1.5-acre credit) to complete the preserve areas consistent with the MCP and Conditions 3 and 4.a.
 - c. Development order plans for Use Area A (Commercial) and Use Area B (Industrial) must each include an indigenous preserve and restoration management plan with a map depicting the location of the mechanical and hand removal methods of exotic vegetation removal and restoration schedule demonstrating preserve restoration completion within five years of the issuance of the development order.
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.

List of Exhibits

Exhibit A:	Legal Description
Exhibit B:	Resolution ZAB86-102
Exhibit C:	Resolution Z-90-109
Exhibit D:	Resolution Z-07-051
Exhibit E:	Resolution Z-23-040
Exhibit F:	Request Statement
Exhibit G:	Deviation Request and Justification
Exhibit H:	"Blackstone Corporate Park MPD" Master Concept Plan
Exhibit I:	Lehigh Fire Department Letter of No Objection
Exhibit J:	TR Transportation Traffic Impact Statement
Exhibit K:	Department of Transportation Memorandum