



Blackstone Corporate Park MPD – Commercial Use Area A Administrative Amendment to Planned Development Narrative of Request

ADD2024-00219 - Revised March 2025

Request Summary

The applicant is requesting an administrative amendment to Commercial Use Area A of the previously approved Blackstone Corporate Park Mixed Use Planned Development (MPD) zoning (Z-23-040) for the following revisions to accommodate development of Walmart on proposed Parcel 1 and Lowes on proposed Parcel 2:

1. Amend Master Concept Plan (MCP) to update development plan for Commercial Use Area A;
2. Amend Condition 2.a Schedule of Uses for Commercial Use Area A, to allow the following additional uses limited to Parcels 1 and 2:
 - a. Nonstore retailers, Group II,
 - b. Rental or leasing establishment, Group IV, and
 - c. Storage, open;
3. Amend Condition 4 to clarify the minimum indigenous preservation areas required for the Commercial Use Area A and Industrial Use Area B as described in further detail below;
4. Add Deviation 6 to allow the 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.
5. Add Deviation 7 to allow the internal minimum access connection separation of 60 feet to remain and to allow minimum connection separation of 60 feet for the Lee County DOT required future access to the external CPD to the proposed access within the LCEC easement.

The subject property is located along the south side of State Road 82, east of Blackstone Drive. The subject property is located within the Urban Community, Industrial Development, and Wetlands Future Land Use categories according to Lee Plan Map 1-A. The site is also located within the Lehigh Acres Community Plan area.

The Rental and Leasing Establishment, Group IV and the Storage, Open require supplementary requirements per LDC Sections 34-1352 and 34-3005. The proposed uses are internal to the Planned Development. The applicant will be required to demonstrate compliance with these sections of code at time of development order review or provide proof of approval of any potential necessary deviations if determined required during site design and permitting.

Request Justification

The applicant proposes to update the proposed layout of Commercial Use Area A to reflect the current proposed development plan to accommodate development of Walmart on proposed Parcel 1 and Lowes on proposed Parcel 2. Potential temporary cul-de-sacs have been added to the plan which will be removed for right-of-way connection when Industrial Use Area B is developed and when parking lot internal circulation is provided through Parcel 2. The proposed outparcels along S.R. 82 have been revised as well as the stormwater management areas for Commercial Use Area A. The internal access points are clarified to be conceptual with the number and location to be identified at the time of development order for each parcel.

The revision to the schedule of uses is to provide uses required for development of Walmart on proposed Parcel 1 and Lowes on proposed Parcel 2 which are internal to the site and will have no external impact and no change to the previously approved intensities analyzed for the project.

The applicant is also proposing an amendment to condition 4 to clarify the minimum indigenous preservation areas required for the Commercial Use Area A and Industrial Use Area B. The original approval anticipated development of the entire parcel as a whole and the current development plan proposes

development of the Commercial Use Area A north of the LCEC easement to be developed prior to the Industrial Use Area B. It should be noted that existing condition 4.a.i included a typographical error: as noted below in strike-through/underline format for clarification only and shown in excerpt from MCP provided on the following page:

4.a.i: 7.32 6.21 acres of restored wetlands and 1.11 acres of restored uplands.

INDIGENOUS PRESERVE AREA

PRESERVE #	FLUCCS	AREA
1	4119E3	0.36 AC.
4	4159E2	0.91 AC.
6	4159E2	0.51 AC.
SUB-TOTAL		1.78 AC. (ALL UPLANDS)

UPLAND INDIGENOUS PRESERVE AREA W/ CREDIT

PRESERVE #	FLUCCS	AREA	CREDIT	AREA W/ CREDIT
9	4119E1	3.00 AC.	150%	4.50 AC.
SUB-TOTAL				4.50 AC.

INDIGENOUS RESTORATION AREA

PRESERVE #	FLUCCS	AREA
2	4241 *	1.24 AC.
3	6219E4*	0.53 AC.
5	7401*	0.40 AC.
7	6259E4*	3.96 AC.
8	4159E4	1.08 AC.
10	832	0.03 AC.
11	8321 *	0.08 AC.
SUB-TOTAL		7.32 AC. (6.21 AC WETLANDS & 1.11 AC UPLANDS)

TOTAL INDIGENOUS AREA W/ CREDIT 13.60 AC.

The applicant proposes the following revisions to condition 4 shown in strike-through/underline format:

4. Indigenous Open Space

a. ~~Development order plans must depict 13.6 acres of indigenous preserve and restoration consisting of:~~

- i. ~~7.32 acres of restored wetlands~~
- ii. ~~4.78 acres of existing indigenous uplands~~
- iii. ~~1.5 acres of indigenous preservation area credits consistent with the MCP.~~

b. ~~Development order plans must 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.~~

a. Development must provide a total of 13.6 acres of indigenous preserve and restoration areas consisting of

- 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: Commercial Area A and Industrial Area B. First development order within Commercial Use Area A will provide 9.27 acres consisting of the following: Preserve Areas 1-8, 10-11, and 0.17-acre portion of Preserve Area 9, consistent with the MCP and Condition 3. First development order within Industrial Use Area B will provide the following: Remaining 2.83-acre portion

of Preserve Area 9 (4.33 acres with 1.5-acre credit) to complete the preserve areas consistent with the MCP and Conditions 3 and 4.a

- c. Development order plans for Commercial Area A and Industrial Area B 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.

The applicant has met with Lee County staff and discussed the proposed revision to allow Commercial Area A north of the LCEC easement to be developed prior to Industrial Area B south of the LCEC easement and phasing of the indigenous preserve areas. The requested revision does not result in any reductions in the amount of open space or indigenous open space provided by the MCP. Access was already shown onto Blackstone Drive on the existing MCP and the proposed additional access will allow for the traffic to be dispersed between two separate connection points that will be an enhancement to both the public and the project. The proposed revisions allow development of the anchor parcels with Walmart and Lowes to move forward which will incentivize and facilitate the development of the remainder of the MPD which has remained vacant since its original approval in 2008. The proposed changes will bring much needed employment opportunities and goods and services to Lehigh Acres and surrounding communities while reducing travel distances.

Please refer to the submitted Schedule of Deviations and Justifications regarding the proposed three new deviations.

Background and Approval History

92.85± acres of the Blackstone Corporate Park MPD were originally rezoned from AG-2 to MPD by zoning resolution Z-07-051 on January 7, 2008, to allow development of a maximum 1,060,000 square feet of floor area (maximum 810,000 square feet of industrial uses, 200,000 square feet of commercial office and 250,000 square feet of commercial retail uses with a conversion table.

On March 6, 2024, the MPD was amended by zoning resolution Z-23-040 which added 5 acres zoned C-1A to the northwest corner of the MPD and revised the intensities to allow a maximum of 500,000 square feet of commercial floor area and 350,000 square feet of industrial floor area with a maximum height of 65 feet.

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 MPD, 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 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 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 the proposed and existing approved deviations. The requested amendment is the minimum necessary to the already approved planned development to allow the project to proceed with development. The proposed and existing approved 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.