



AGENDA FOR THE HEARING EXAMINER

Tuesday, February 21, 2017

9:00 AM

Council Chambers

1. HEARINGS CALLED TO ORDER

2. HEARINGS

- A. Case #ZA16-0008*; Address: 1627 SW 15th Avenue; Applicant: Quyen Truong (Continued from February 7, 2017 Hearing)
- B. Case #PDP16-0010*; Address: 3560 De Navarra Pkwy.; Applicant: Casto Cape Coral, LLC
- C. Case #PDP16-0011*; Address: 2555 NE Pine Island Rd.; Applicant: KIRBY FAMILY LP #3 & Kirby FLP
- D. Case #SE16-0014*; Address: 3032 3108 Santa Barbara Blvd.; Applicant: Cory Noland

3. DATE AND TIME OF NEXT HEARINGS

- A. Tuesday, March 7, 2017, at 9:00 a.m. in Council Chambers

4. ADJOURNMENT

In accordance with the Americans with Disabilities Act and Florida Statutes 286.26, persons needing a special accommodation to participate in this proceeding should contact the City Clerk's Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0411 for assistance, if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8700 (v) for assistance.

If a person decides to appeal any decision made by the Board/Commission/Committee with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

PLEDGE OF CIVILITY

We will be respectful of each other even when we disagree.

We will direct all comments to the issues. We will avoid personal attacks.

The hearing shall, to the extent possible, be conducted as follows:

1. The Clerk shall read into the record the Ordinance or Resolution Title and Number, or the Applicant's name, file number, and the subject matter to be decided if there is no ordinance or resolution.
2. The Applicant, staff, and all Participants requesting to speak or present evidence or both the hearing shall be collectively sworn by an oath or affirmation by the Clerk.
3. Staff will testify regarding proper notice of the Hearing in accordance with City requirements.
4. The Applicant may waive the Applicant's right to an evidentiary hearing if Applicant agrees with the staff recommendation and no one from the audience wishes to speak for or against the application. The Hearing Examiner shall rule on the matter or make a recommendation, based upon the staff report and any other materials contained within the official file. Regardless of a waiver by the Applicant, a Public Hearing shall be held for all decisions requiring an ordinance or resolution.
5. If there is an evidentiary hearing, the order of the presentation shall be as follows, unless the Hearing Examiner, determines to proceed in a different order, taking proper consideration of fairness and due process:
 - The Applicant shall make the Applicant's presentation, including offering any documentary evidence, and introduce any witnesses as Applicant desires. The Applicant shall present the Applicant's entire case in thirty (30) minutes.
 - Staff shall present a brief synopsis of the application; introduce any appropriate additional exhibits from the official file that have not already been transmitted to the Hearing Examiner with the agenda materials, as staff desires; summarize issues; and make a recommendation on the application. Staff shall also introduce any witnesses that it wishes to provide testimony at the hearing. Staff shall present its entire case in thirty (30) minutes.
 - Participants in opposition to or support of the application shall make their presentation in any order as determined by the Hearing Examiner. Each Participant shall present their argument in 5 minutes.
 - The Applicant may cross-examine any witness and respond to any testimony presented.
 - Staff may cross-examine any witness and respond to any testimony presented.
 - The Hearing Examiner may choose to allow Participants to respond to any testimony if the Hearing Examiner deems the response to be necessary to ensure fairness and due process.
 - The Hearing Examiner, may ask questions of the staff, Applicant, and Participants.
 - Final argument may be made by the Applicant, related solely to the evidence in the record.
 - Final argument may be made by the staff, related solely to the evidence in the record.
 - For good cause shown, the Hearing Examiner may grant additional time to any of the hereinabove time limitations.
 - The Hearing Examiner's, decisions must be based upon Competent Substantial Evidence in the record.

Item Number:	2.A.
Meeting Date:	2/21/2017
Item Type:	HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case #ZA16-0008*; Address: 1627 SW 15th Avenue; Applicant: Quyen Truong (Continued from February 7, 2017 Hearing)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. Is this a Strategic Decision? No
If Yes, Priority Goals Supported are listed below.
If No, will it harm the intent or success of the Strategic Plan? No

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

The applicant is requesting a rezone for ±1.81 acres from Residential Development (RD) to the Agricultural (A) zoning district.

LEGAL REVIEW:

EXHIBITS:

See attached 'Backup Material'

PREPARED BY:

Kristin
Kantarze Division- Planning Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Wyatt Daltry, AICP, Planning Team Coordinator, 239-573-3160, wdaltry@capecoral.net

ATTACHMENTS:

Description	Type
□ Backup Material	Backup Material
Unofficial Transcript - ZA16-0008 Public Comment	

▢ Testimony

Backup Material



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0553

Case # 2A16-0008

REQUEST TO PLANNING & ZONING COMMISSION/LOCAL PLANNING AGENCY AND COUNCIL
FOR A REZONING

FEE \$2,050.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising costs will be billed and must be paid prior to hearing.

Following the approval of your request, the applicant shall be responsible for paying the City to electronically record the final signed Resolution or Ordinance with the Lee County Clerk of Court. Until this fee is paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the city from issuing any applicable building permits, site plans, certificates of use, or certificates of occupancy for any property covered by the Resolution or Ordinance.

OWNER OF PROPERTY

QUYEN - TRUONG

Address: 1627 SW 15TH AVE

City Cape Coral State: FL Zip 33991

Phone: 239-634-5998

Email: DANIELTRUONG223@yahoo.com

AUTHORIZED REPRESENTATIVE

Address: _____

City _____ State: _____ Zip _____

Phone: _____

Email: _____

Unit _____ Block _____ Lot(s) ☒ Subdivision _____

Address of Property 3916 NW 32ND PL Cape Coral FL 33993

Current Zoning RD Plat Book _____, Page _____

Proposed Zoning A Strap Number 19-43-23-C3-05519.2000

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

QUYEN - TRUONG

NAME (PLEASE TYPE OR PRINT)

[Signature]
APPLICANT'S SIGNATURE

[Signature]

(SIGNATURE MUST BE NOTARIZED)



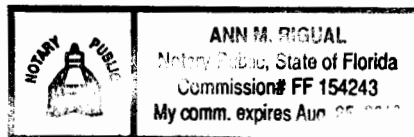
DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0553

Case # 2A16-0008

STATE OF FL, COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 3RD day of MAY, 2016, by
QUYEN TRUONG who is personally known or produced FL as identification.

Exp. Date: 8/25/18 Commission Number: FF 154243
Signature of Notary Public: [Signature]
Printed name of Notary Public: Ann M. Riquel





DEPARTMENT OF COMMUNITY DEVELOPMENT

REQUEST FOR REZONING APPLICATION

Questions: 239-574-0553

Case # ZA16-0008

ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Planning & Zoning Commission/Local Planning Agency, Board of Zoning Adjustments and Appeals, and Council.

I will have the opportunity, at the hearing, to present verbal information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising costs. All fees are to be submitted to the City of Cape Coral with the application or the item may be pulled from the agenda and continued to future date after fees are paid.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the 9 day of June, 20 16

QUYEN TRUONG

NAME (PLEASE TYPE OR PRINT)

[Signature]

APPLICANT'S SIGNATURE

STATE OF FL, COUNTY OF

Lee

Subscribed and sworn to (or affirmed) before me this 9 day of June, 2016 by Quyen Truong who is personally known or Driver's License

as identification.

Exp. Date: 2/16/19 Commission Number: FF200044



Signature of Notary Public:

[Signature]

Name of Notary Public:

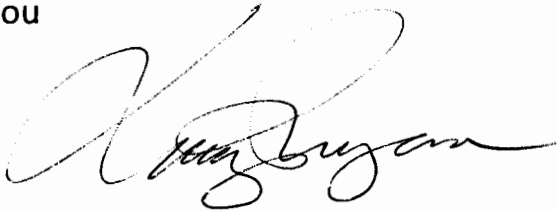
Jennifer Loumaugh

My name is Quyen Truong:

I am the owner of property 3816 NW 32nd Pl., Cape Coral, FL 33993

Total 1.82 Acre Lot. Zoning RD. Now I need to request change to zone A (Agricultural). I want to do for nursery and plant food tree in my lot.

Thank you

A handwritten signature in black ink, appearing to read "Quyen Truong", written in a cursive style.

Planning Division Staff Report

ZA 16-0008

Review Date: October 19, 2016

Prepared By: Wyatt Daltry, AICP, Planning Team Coordinator

Review Approval: Robert Pederson, AICP, Planning Manager

Recommendation: Denial

Applicant: Quyen Truong
1627 SW 15th Avenue
Cape Coral, FL 33991

Property Owners: Lena Van + Quyen Truong
1627 SW 15th Avenue
Cape Coral, FL 33991

Request: The applicant is requesting a rezone for ±1.81 acres from Residential Development (RD) to the Agricultural (A) zoning district.

Positive Aspects of Application:	<ul style="list-style-type: none">Proposed zoning designation is consistent with future land use map classification
Negative Aspects of Application:	<ul style="list-style-type: none">Activities permitted in the Agricultural zoning designation may disrupt nearby existing residential usesA 1.81-acre site is likely too small for agricultural opportunities
Mitigating Factors:	<ul style="list-style-type: none">Small site may not create sufficient traffic to negatively affect road network

STRAP Number: 18-43-23-C3-05519.2000

Site Address: 3816 NW 32nd Place
Cape Coral, FL 33991

Site Area: 78,804 square feet
±1.81 acres

<i>Subject Property:</i>	<i>Future Land Use</i>	<i>Zoning</i>
<i>Current:</i>	Single Family and Multi-Family Residential by PDP (SM)	Residential Development (RD)
<i>Proposed:</i>	N/A	Agricultural (A)
	<i>Surrounding Future Land Use</i>	<i>Surrounding Zoning</i>
<i>North:</i>	SM	RD
<i>South:</i>	Mixed Use (MX), and SM	RD
<i>East:</i>	SM	RD
<i>West:</i>	SM	A

Urban Service

Area: Reserve

City Water: No

City Sewer: No

Type of

Access Road: NW 32nd Place, a local road. The site is 800' west of Burnt Store Road, a principal arterial road.

Site Visit: October 7, 2016

Applicable Regulations

- Section §163.3194, F.S. requires that "all land development regulations enacted or amended...to be consistent with the adopted comprehensive plan."

STAFF RECOMMENDATION

For the reasons discussed below, staff believes the Agricultural zoning district is consistent with the Comprehensive Plan, but the specific request may disrupt existing adjacent residences and the existing character of the area. Staff recommends **Denial** of the proposed rezoning request.

Background/Analysis:

The site is adjacent to NW 32nd Place, a local road. The subject property is unimproved, but surrounding properties on Block 5591 (67% developed; 4 of 6 lots) have single-family residences on large residential lots. The site is approximately 450' in depth and 175' in width. The current owner purchased the property in February 2016.

The single-family structures on this block were built between 2004 and 2006. Sporadic single-family development exists to the north. The property is adjacent to a large agricultural parcel to the west (38.54 acres) that has been utilized as a borrow pit.

The Future Land Use Map classification of SM has been present since 1989. The subject property lies between two single-family residential lots, in the middle of the block.

Historically, the Agricultural (A) zoning district has been treated as a holding district for unsubdivided tracts in Cape Coral. Most of these tracts are in NW Cape Coral. The Agricultural zoning district has been considered to be consistent with the Mixed Use, Pine Island Road District, Public Facilities, and SM future land use map classifications. Since the adoption of the Comprehensive Plan in 1989, only two properties have been rezoned to the Agricultural district.

The site represents an outlier; at 1.81 acres it is larger than the standard 10,000-square foot, two-lot parcel, but it is subdivided as part of Cape Coral Subdivision. In spite of the lack of utilities, several nearby properties have developed with single-family residences, thus creating a residential character for the area. Consequently, there is a possibility that rezoning a mid-block property to Agricultural may permit uses that could have a negative impact to the character of the neighborhood.

Comprehensive Plan

The proposed rezone is consistent between the current SM future land use map classification and the zoning.

Land Use and Development Regulations -- Section 8.7 Amendments:

Staff reviewed this request in accordance with Section 8.7 Amendments, .3 Consistency with Comprehensive Plan and General Standards, B. 1.-10. of the Land Use and Development Regulations and

provides the following analysis. This section is used for future land use map amendments, comprehensive plan amendments, and for rezone requests.

1. The extent to which the value of the property is diminished by the proposed land use restriction or zoning of the property.

The rezoning of this property from RD to the A district **would not likely** diminish the land value because this proposed district increases the number of permitted and special exception uses.

2. The extent to which the removal of a proposed land use restriction or change depreciates the value of other properties in the area.

The proposed zoning district is **not anticipated** to depreciate the value of other properties in the area.

3. The suitability of the property for the zoning purpose or land use restriction imposed on the property as zoned.

The proposed zoning district would be consistent with the **current** land use classification of SM, which has been in place since 1989.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed land use restriction or zoning.

The surrounding area has a single family residential character. The subject property is located in the middle of Block 5591, on a local roadway (NW 32nd Place). A large borrow pit site is located to the west. The site is located between two existing single family detached residences, and the proposed rezoning could disrupt the residential nature present in the area. The request is **not compatible** with the surrounding area.

5. The relative gain to the community as compared to the hardship, if any imposed, by the proposed land use restrictions or from rezoning said property.

The purpose of this rezoning is to increase the City's inventory of agricultural properties. However, the location of the site is mid-block, disrupting a contiguous block of residential properties. As a result, this proposed rezoning **creates more hardships than gains** to the community.

6. The community need for the use proposed by the zoning or land use restriction.

While there has been a push toward urban farming nationwide, it is uncertain whether the proposed rezoning request would provide a benefit to the community. The subject property is ±1.81 acres, too small for an effective agricultural use. There is a **weak need** for the uses proposed by the proposed rezoning, given the property's size.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property.

The subject property is not developed. The property has been classified as SM since 1989.

8. The extent to which the proposed land use restriction or zoning promotes the health, safety, morals, or general welfare of this community.

Approval of this rezone should have a **negligible effect** upon the health, general welfare, safety, or morals of the community due to the small size of the site. Providing a zoning designation that is consistent with the future land use map classification should have a **positive effect** on the general welfare for the community. It should be noted, however, that a consistent zoning designation, Residential Development, already exists for the site. Residential Development zoning may be considered more compatible with nearby residential uses than the Agricultural district.

9. The extent to which the proposed land use, land use restriction, or zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan.

Impacts on infrastructure for development on this site will be **negligible** due to the size of the site, and the intention to develop the site with agricultural uses. Facility capacity exists for the transportation infrastructure network. Utilities are not available at this location.

10. Whether the proposed land use restriction, removal of a restriction, or zoning is consistent with the City of Cape Coral Comprehensive Land Use Plan.

Both the existing and proposed zoning designations are compatible with the SM future land use classification. However, due to the mid-block location, and the close proximity of single-family residences on adjacent lots, the proposed rezone would be considered an example of “spot-zoning” and thus inconsistent with the Comprehensive Plan.

Public Notification

This case will be publicly noticed as required by LUDR, Section 8.3.2.A as further described below.

Publication: A legal ad will be prepared and sent to the *News-Press* announcing the intent of the petitioners to rezone the property described within this report. The ad will appear in the *News-Press* a minimum of 10 days prior to the public hearing scheduled before the Hearing Examiner. Following the public hearing before the Commission, the ad announcing the final public hearing before the City Council

will appear once in the *News-Press*. The ad will appear in the newspaper not less than 10 days prior to the date of the final public hearing before the City Council.

Written notice: Property owners located within 500 feet from the property line of the land which the petitioners request to rezone will receive written notification of the scheduled public hearings. These letters will be mailed to the aforementioned parties a minimum of 10 days prior to the public hearing scheduled before the Planning and Zoning Commission.

Posting of a Sign: A large sign identifying the case and providing salient information will be posted on the property, as another means of providing notice of the rezoning request.

Recommendation:

Planning staff has reviewed this request in accordance with Section 8.7 Amendments, .3 Consistency with the Comprehensive Plan and General Standards A., B. 1.-10 of the Land Use and Development Regulations and the City's Comprehensive Plan. Planning Division recommends **denial** of the rezoning request.

Staff Contact Information:

Wyatt Daltry, AICP
Planning Team Coordinator
Department of Community Development
Planning Division
(239) 573-3160
email: wdaltry@capecoral.net

WEST LINE OF THE SE 1/4 OF THE SE 1/4 OF SECTION 18

TRACT 3

REMAINDER OF
TRACT 2 NOT
INCLUDED

NORTH 175 FEET
OF TRACT 2

79311.1 SQ.FT. +/-
1.82 ACRES +/-

CALOOSA PARKWAY

350.00'

174.97^b

FIR 5/8"
#4348

UTIL. RISER

FIR 1/2"
#4348

S 0°18'15"W 175.03

~EDGE OF PAVEMENT



NW 32nd PLACE (60')

CERTIFIED TO:

QUYEN TROUNG

SPO CONSTRUCTION

THE NORTH 175' OF TRACT 2, BLOCK 5519, UNIT 91, CAPE CORAL, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGES 88 THROUGH 98, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

BASIS FOR BEARINGS: NW 32nd PLACE — PLAT BEARING		SCALE: 0		50		SURVEY DATE: 6/07/16	
COMMUNITY NUMBER	125095	MAP & PANEL NUMBER	12071C0235	SUFFIX	F	DATE OF FIELD INDEX	8/28/08
FIELD ZONE	X	BASE FLOOD ELEVATION	N/A				
LEGEND FIR = FOUND IRON ROD FIP = FOUND IRON PIPE FDI = FOUND DRILL HOLE FCM = FOUND CONCRETE MONUMENT SR = SET IRON ROD 1/2" LB#7075 PU = PUBLIC UTILITY EASEMENT PU & C = PUBLIC UTILITY & ORANGE EASEMENT SNAO = SET NAIL & DISK LB #7075 PRM = PERMANENT REFERENCE MONUMENT FNAD = FOUND NAIL & DISK POB=POINT OF BEGINNING COR=CORNER C=COMPUTED W=NOT FIELD MEASURED WE=LINE, MAINTENANCE EASEMENT DE=ORANGE EASEMENT		+0.0 = EXISTING ELEVATION = UTILITY RISER = UTILITY POLE = FIRE HYDRANT = CATCH BASIN (P)=PLAT (P)=PERMANENT REFERENCE MONUMENT (D)=DEED (C)=COMPUTED ---X--- = WIRE FENCE ---W--- = WOOD FENCE NAD= NORTH AMERICAN VERTICAL DATUM OF 1988		THIS SURVEY IS HEREBY CERTIFIED CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS ZONING OR FREEDOM FROM ENCUMBRANCES, NO UNDERGROUND STRUCTURES HAVE BEEN LOCATED BY THIS SURVEY. ANY REFERENCE TO UNDERGROUND STRUCTURES IF ANY IS APPROXIMATE, UNLESS OTHERWISE SHOWN ALL FIELD MEASURED DIRECTIONS AND DISTANCES ARE IN SUBSTANTIAL AGREEMENT WITH THE DIRECTIONS & DISTANCES OF RECORD FOR THE PARCEL SURVEYED, NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER. NO ABSTRACT OF TITLE WAS PROVIDED. EASEMENTS SHOWN ARE FROM THE RECORD PLAT OR DEED ONLY. CONTRACTOR MUST VERIFY WITH CITY OR COUNTY THERE ARE NO OTHER EASEMENTS OR BUILDING SETBACK REQUIREMENTS BARRING THE PROPERTY PRIOR TO PERMITTING AND CONSTRUCTION.			
				6/08/16 C.E. DAVIS, CERTIFICATE NO. 4839 -OR- ERIC C. DAVIS, PSM # 5544 LB #7075			
DAVIS SURVEYING INC. WWW.DAVISLANDSURVEYS.COM 4336 SE 16th PLACE SUITE 3 CAPE CORAL, FLORIDA 33904 TEL (239) 549-6454 FAX (239) 549-2548 CONTACT@DAVISLANDSURVEYS.COM		JOB NUMBER:		16-1057			



NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: ZA16-0008

REQUEST: The applicant is requesting a rezone for ±1.81 acres from Residential Development (RD) to the Agricultural (A) zoning district.

LOCATION: 3816 NW 32nd Place
Cape Coral, FL 33991

CAPE CORAL STAFF CONTACT: Wyatt Daltry, AICP, Planning Team Coordinator, 239-573-3160,
wdaltry@capecoral.net

PROPERTY OWNER(S): Lena Van + Quyen Truong

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 AM on Tuesday, February 7th, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: CITY OF CAPE CORAL_DEPT OF COM

Ad No.: 0001880323

Address: 1015 CULTURAL PARK BLVD
CAPE CORAL FL 33990
USA

Net Amt: \$

Run Times: 1

No. of Affidavits: 1

Run Dates: 01/28/17

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: ZA16-0008

REQUEST: The applicant is requesting a rezone for ±1.81 acres from Residential Development (RD) to the Agricultural (A) zoning district.

LOCATION: 3816 NW 32nd Place
Cape Coral, FL 33991

CAPE CORAL STAFF CONTACT: Wyatt Daltry, AICP, Planning Team Coordinator, 239-573-3160, wdaltry@capecoral.net

PROPERTY OWNER(S): Lena Van + Quyen Truong

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After Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the City Council who will review the recommendation and make a final decision. You will receive another public hearing notice when this case is scheduled for a City Council hearing.

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by order of
Rebecca van Deutekom, MMC
City Clerk
REF # ZA16-0008
AD#1880323

1/28/2017

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Lena Van + Quyen Truong

APPLICATION NO: ZA16-0008

STATE OF FLORIDA)
) §
COUNTY OF LEE)

I, Vincent A. Cautero, AICP having first been duly sworn according to law, state on my oath the following:

That I am the Director of the Department of Community Development and responsible in performing duties as required for the City of Cape Coral.

That pursuant to City of Cape Coral code. Section 8.3.2A and Section 8.11.3.A all required written notice and publication has been provided. Also posting of a sign has been done when applicable per Section 8.3.2A.

DATED this 30 day of January, 2017.

Vincent A. Cautero

Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 30 day of January, 2017, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.



Exp. Date 11/30/17 Commission # FF060852

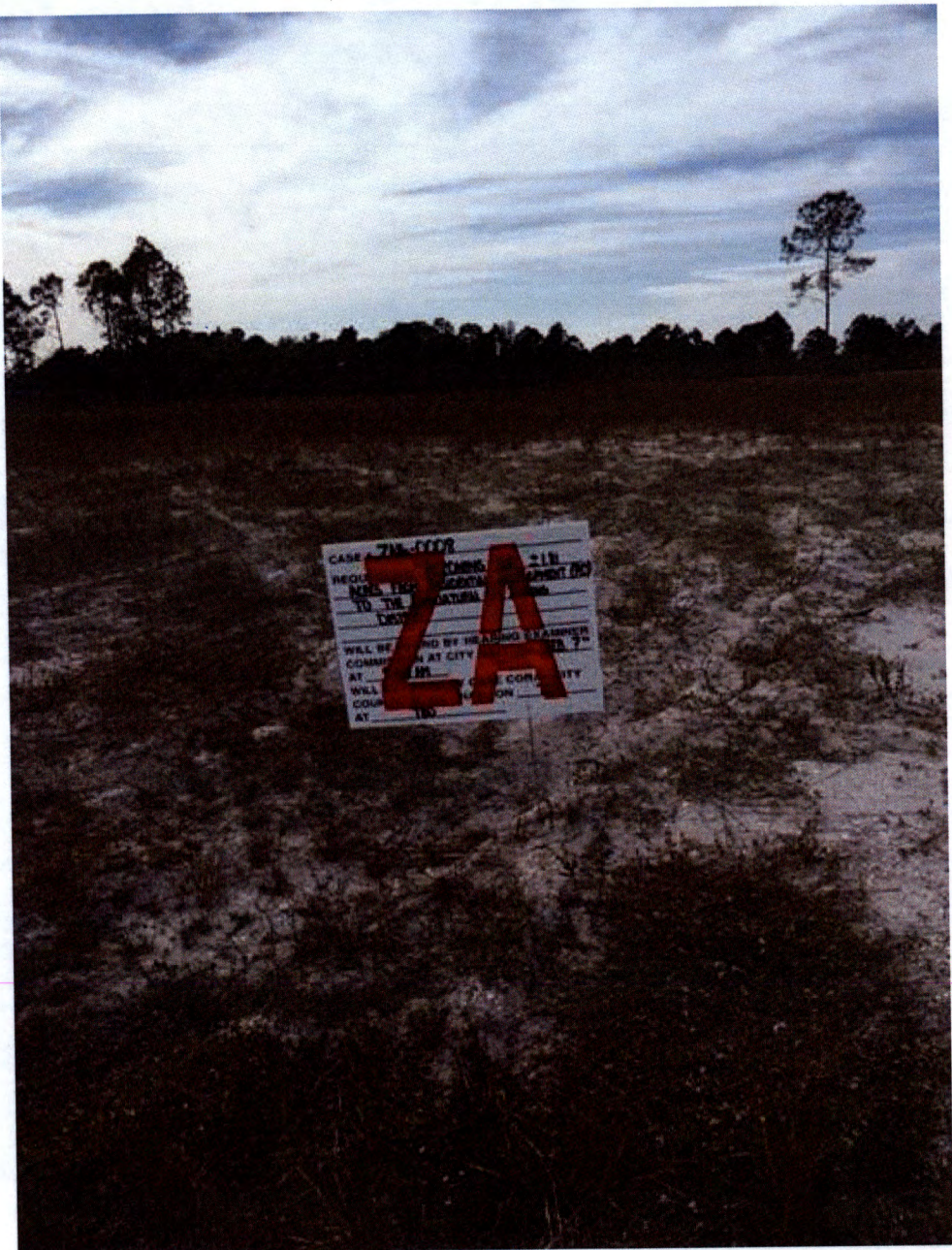
Michelle A. Miller
Signature of Notary Public

Michelle Miller
Print Name of Notary Public

Shawn Baker

From:
Sent:
To:

Shawn <heybuddgirl@aol.com>
Friday, January 27, 2017 8:43 AM
Shawn Baker



Sent from my iPhone

NW 39TH LN

NW 32ND PL

ONYX CANAL

OLMOS CANAL


BURNT STORE RD N

Subject Parcel

CITY OF CAPE CORAL

Department of
Community Development

Case # ZA16-0008

 Subject Parcel



Map Date: December 14, 2016
Aerial Date: 2016

0 125 250
Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

CALOOSA






CITY OF CAPE CORAL

Department of
Community Development
Planning Division

CURRENT ZONING MAP
500 Proximity Boundary

Case No. ZA16-0008

Legend

-  Subject Parcel
-  500' Boundary
-  A
-  R-1B
-  RD

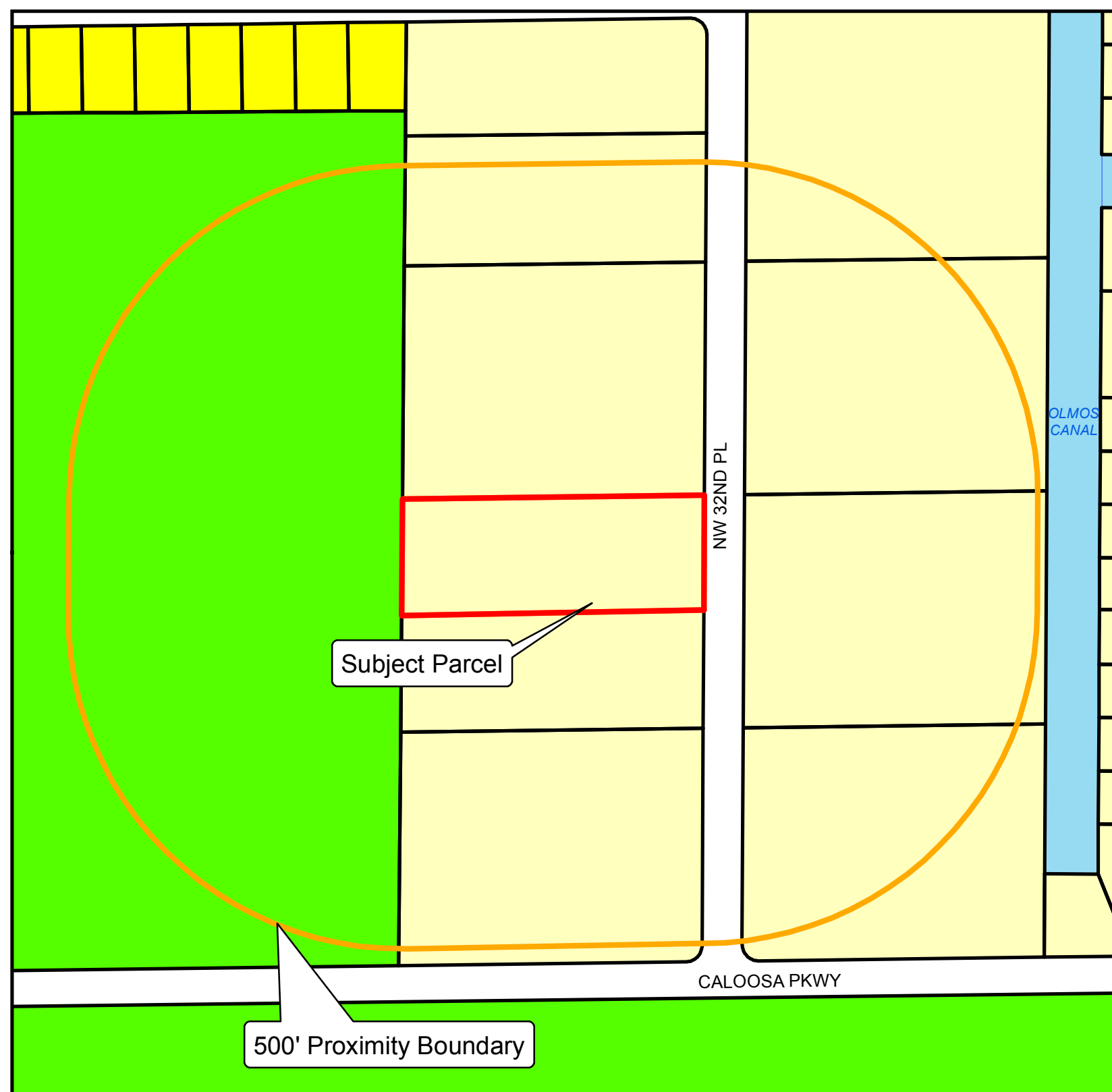


DECEMBER 12, 2016

0 80 160 240 320 Feet

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KRKA








CITY OF CAPE CORAL

Department of
Community Development
Planning Division

PROPOSED ZONING MAP 500 Proximity Boundary

Case No. ZA16-0008

Legend

-  Subject Parcel
-  500' Boundary
-  A
-  R-1B
-  RD

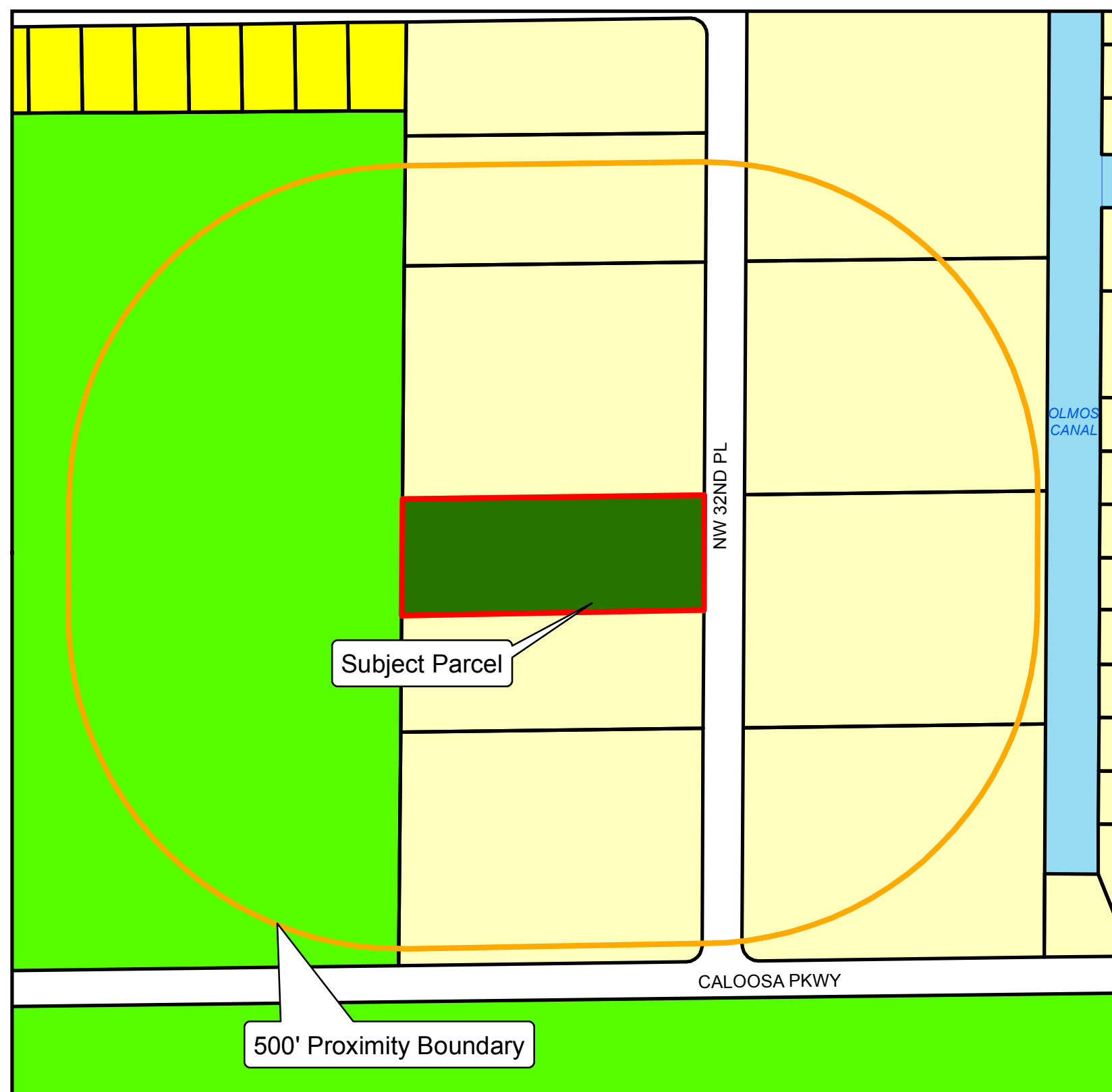


DECEMBER 12, 2016

0 80 160 240 320 Feet

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KRKA





CITY OF CAPE CORAL

Department of
Community Development
Planning Division


FUTURE LAND USE MAP 500 Proximity Boundary

Case No. ZA16-0008

Legend

-  Subject Parcel
-  500' Boundary

Future Land Use

-  SM
-  MX

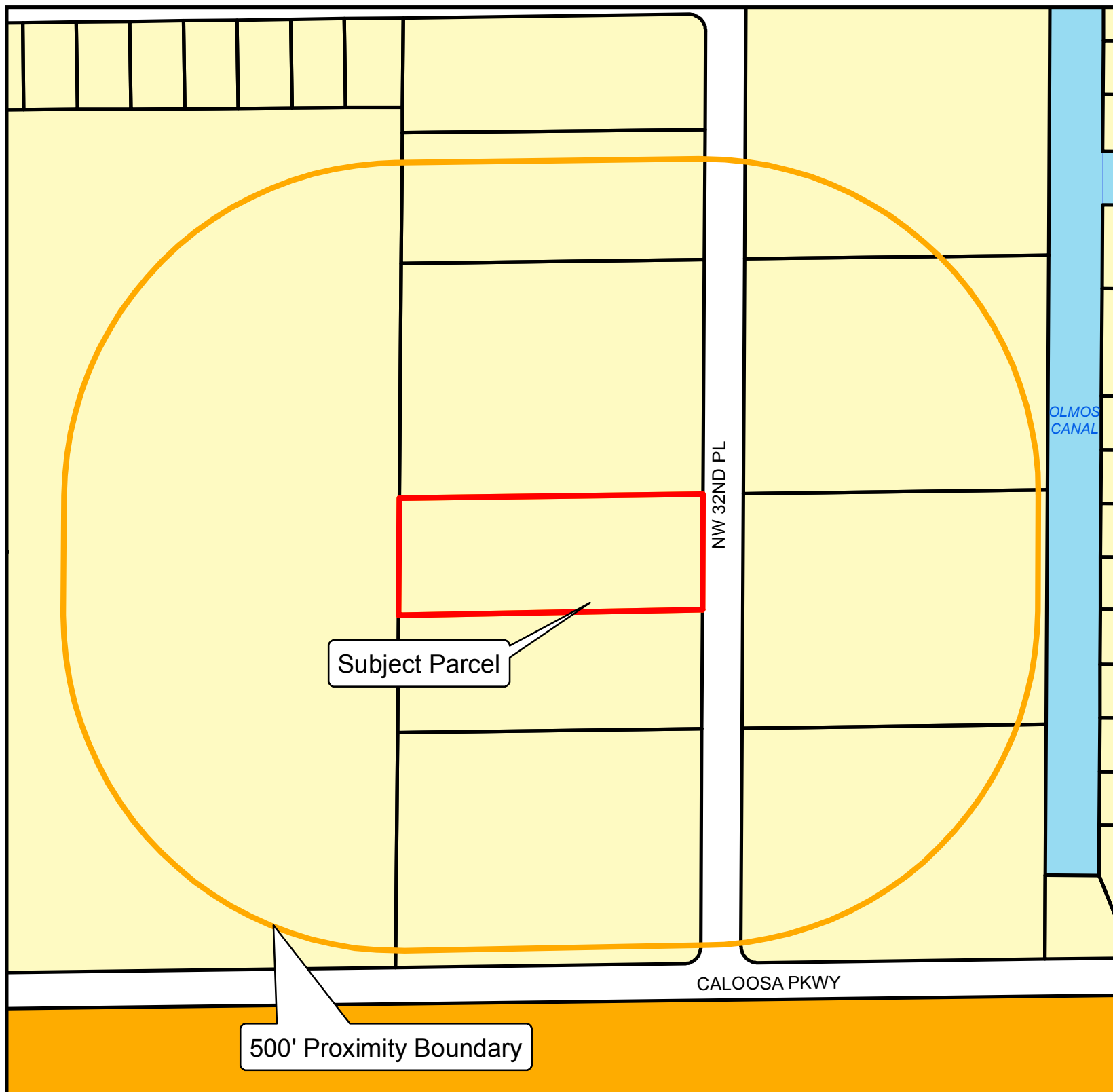


DECEMBER 12, 2016

0 80 160 240 320 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

KRKA



Unofficial Transcript

Excerpt from February 7, 2017 Hearing Examiner Hearing

Case #ZA16-0008 Public Comment

REQUESTED BY: Madam Hearing Examiner Dalton

Start stop time 08 41 57

ARBERTBERRY: Good morning. My name is Melissa Arterberry, last name spelled A-R-T-E-R-B-E-R-R-Y.

DALTON: And how do you spell Melissa?

ARTERBERRY: M-E-L-I-S-S-A.

DALTON: Ah, the traditional way.

ARTERBERRY: The only way.

DALTON: Yes ma'am.

ARTERBERRY: Um, I reside at 3822 NW 32nd Place, which is just next door to the land that's, is being questioned to be rezoned to the agricultural. Um, we have resided at the property for two years now and um, all the neighbors, everyone in the community is residential. Our property is I believe just over, like, approximately three and a half acres. Um, our concern is that with the agricultural changeover, what that will do to our property values, um, we purchased our home for over \$400,000. It wasn't a small investment. I think that's a pretty substantial investment for a home in a residential area, and our concern is when you go to agricultural, what does, how does that impact our property value. Um, I'm not sure when he talks about in his um request here, um, he wanted to have a nursery and, and I quote, it says "I want to do for nursery and plant food tree in my lot." So, with over an acre to plant food trees and have a nursery, um, to me that's a

business now that he's requesting to have, and that lot is very small, it, while it's under two acres, we have residential homes with children that live right next door to that. The traffic coming in and out, um, to us would be a nuisance. There's a safety issue involved with a commercial business being right between two residential homes that have children, as well as other children in the neighborhood and on that same block. Um, I don't know what sort of noise this is going to create, what sort of operating hours would then be, you know, going on right next door to us. Um, this has already been denied once, um, it's in the report that um, since 1989 only two other rezonings have been granted to agricultural. To me, right in a residential neighborhood, that's not grounds to um, be in a very small limited category to then rezone to agricultural. Um, it states that it creates more hardships than gains, which we totally agree with as residents in the neighborhood. Um, there does not appear to be a strong need for a nursery in our neighborhood. Um, it also speaks to in, in point number ten, um, due to the mid-block location and the close proximity of single family residences on adjacent lots, the proposed rezone would be considered an example of spot zoning and thus inconsistent with the comprehensive plan. So we just want to reiterate that we are um, concerned about this rezoning. We do not want it to happen, um, and want to go on record as stating such.

DALTON: Thank you. May I ask you a question?

ALTERBERRY: Sure.

DALTON: You said in the beginning of your presentation that it would affect the property values. I, I think I can extract the answer, but I'd rather have you testify. I'm assuming that you are saying that it would be a negative impact.

ALTERBERRY: Yes ma'am. We think it would be uh diminish our property values, that they would have a negative impact. Definitely.

DALTON: Okay, thank you. I just wanted to clarify that one point.

ALTERBERRY: Sure, thank you.

DALTON: Thank you very much. Okay. Um, ma'am, you had, you wanted to testify as well?

KIEFFER: My name is Cindy Kieffer.

DALTON: How do I spell your name Ms. Keiffer?

KIEFFER: The first name is C-I-N-D-Y.

DALTON: Yes ma'am.

KIEFFER: The last name is K-I-E-F-F-E-R.

DALTON: Okay.

KIEFFER: I live at 3840 NW 32nd Place which is on the same road um, a couple lots down from where this spot is, and I just want to go on record saying I am not for this. It is in between two residential houses that are already built that have kids, um, it seems like it is going to be a business which would be, to me, not a very, where where we are located, um, it's it's just, it's between two residential houses. It doesn't seem like there should be a nursery right in between there. It is, it's, it's all houses right there, and um, it seems like it would be a safety issue with more people coming in and out of that end of the road, and I just want to go on record saying I am not for this.

DALTON: Okay. Thank you very much. Um, sir, did you want to testify?

UNKNOWN MEMBER OF THE PUBLIC: No.

DALTON: No? Alright.

ALTERBERRY: May I add one thing?

DALTON: Um, sure.

ALTERBERRY: Do I need to restate my name?

DALTON: No.

ALTERBERRY: Um, I just wanted to add that, um, when this lot was bought by this gentleman, um, we had, um concerns because there were, there was not any permits that were obtained and he cleared his lot of all the trees pre-existing. Um, we went out when this was being happened, when this was occurring. There were no permits. Um, we actually got the City involved because when we went out, our concern was that our natural trees that were pre-existing before we bought our home were right on the property line. We had our lot staked. They never put in stakes for their lot which was fine. I went out and showed that the people that he hired to work to clear his property, the stakes, and said please do not take any of my trees down. They cut down our natural pre-existing trees. I called the City of Cape Coral Police Department, they came out, they made a report of it. Um, we then had to work with him to um, the gentleman that was operating the vehicle that cut them down, he actually owns a tree business. He ended up um, repaying us by bringing royal trees out to our property. Um, but my concern is that we've already had problems with this gentleman and how he's operating his lot. Um, so much so that we had to get the police involved. Um, he first of all didn't want to compensate us for cutting down our trees and he said to my husband, and I quote um "it's not my problem." But he hired the workers to clear his lot that did this. So, my concern is just future problems we may have, given what's already transpired.

DALTON: Thank you very much, I appreciate that.

Item Number:	2.B.
Meeting Date:	2/21/2017
Item Type:	HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case #PDP16-0010*; Address: 3560 De Navarra Pkwy.; Applicant: Casto Cape Coral, LLC

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. Is this a Strategic Decision? No
If Yes, Priority Goals Supported are listed below.
If No, will it harm the intent or success of the Strategic Plan? No

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

A PDP to subdivide a 10.56-acre site into three development tracts. The tracts could be developed with commercial and multi-family development. The entire property is undeveloped.

LEGAL REVIEW:

EXHIBITS:

See attached "Backup Material"

PREPARED BY:

Kristin Kantarze Division- Planning Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Chad Boyko, Principal Planner, 239-573-3162, cboyko@capecoral.net

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Backup Material	Backup Material



PLANNED DEVELOPMENT PROJECT (PDP) APPLICATION

PROPERTY OWNER IS A CORPORATION, LIMITED LIABILITY COMPANY (LLC),
LIMITED COMPANY (LC), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUST

Project Name: Entrada PDP Amendment for Tract MF-3

Project Number: PDP 16-0010

To help prepare this application, the applicant should obtain copies of the following:

- [Land Use and Development Regulations](#) (this document is linked)
 1. Land Development Regulations (Article 4)
 2. Parking Requirements (Article 5.1)
 3. Landscape Ordinance (Article 5.2)
 4. Sign Ordinance (Article 7)
- NFPA 1 Fire Prevention Code
- Engineering Design Standards

The advisory review is conceptual only and any staff comments are subject to change based on detailed information with an application to the City of Cape Coral. Formal review may result in additional changes not noted at this time. The final design or project must comply with the Land Use and Development Regulations, Engineering Design Standards, City Code of Ordinances, Comprehensive Plan and other applicable laws and regulations.

ACKNOWLEDGEMENT

I J. Brett Hutchens, as the owner of this property or the duly Authorized Representative, agree to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State and County laws, and certify that all information supplied is correct to the best of my knowledge.

In addition, I understand that prior to the issuance of the Certificate of Occupancy for this development, the engineer of record must supply the Department of Community Development with record drawings and a letter of substantial compliance for the project.

In addition, I authorize the staff of the City of Cape Coral to enter upon the property for purposes of investigating and evaluating the request made through this application.

Please note: Advertising fees must be paid in full at least 10 days prior to public hearing or the item may be pulled from the agenda and continued to a future date once the fees have been paid.

(Name of Entity)

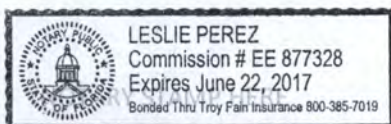
* Casto Cape Coral, LLC, By: J. Brett Hutchens, MGR

By: NAME AND TITLE (PLEASE TYPE OR PRINT)

J. Brett Hutchens
SIGNATURE

STATE OF Florida, COUNTY OF San Marcos (SIGNATURE MUST BE NOTARIZED)

Sworn to (or affirmed) and subscribed before me this 26 day of May, 2016, by J. Brett Hutchens who is personally known or produced as identification.



Exp. Date: 6/22/17 Commission Number: _____

Signature of Notary Public: Leslie Perez

Printed name of Notary Public: _____

***Please include additional pages for multiple property owners.**



BH authorized representative
or property owner's initials

**Authorization to Represent Property Owner(s) –
Property Owner is a Corporation, Limited Liability Company (LLC),
Limited Company (LC), Partnership, Limited Partnership, or Trustee**

Please be advised that

Avalon Engineering, Inc.

(Name of Authorized Representative(s) and business entity, if any)

is authorized to submit an application and represent me in the hearing(s) to the Planning & Zoning Commission/Local Planning Agency, Board of Zoning Adjustments and Appeals and /or City Council for a Planned Development Project.

Unit _____ Block 8044 Lot _____ Tract MF-3 Subdivision Entrada

Or Legal Description: ☐ (described as an exhibit A in Microsoft Word format and attached hereto)

* Casto Cape Coral, LLC

MGR

** Name of Entity (Corporation, Partnership, LLC, etc)

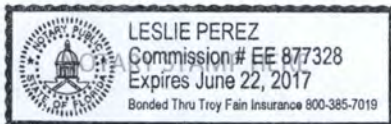
Title of Signatory

J. Brett Hutchens
Signature

J. Brett Hutchens
Name (Please print or type)

STATE OF Florida, COUNTY OF Sarasota (SIGNATURE MUST BE NOTARIZED)

Sworn to (or affirmed) and subscribed before me this 26 day of May, 2016, by J. Brett Hutchens who is personally known or produced as identification.



Exp. Date: 6/22/17 Commission Number: _____

Signature of Notary Public: _____

Printed name of Notary Public: _____

*Please include additional pages for multiple property owners.

****Notes:**

If the applicant is a corporation, then it is executed by the corp. pres. or v. pres, sec, tres, or a director, .

If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should be signed by the Company's "Managing Member."

If the applicant is a partnership, then a partner can sign on behalf of the partnership.

If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.

If the applicant is a trust, then they must include their title of "trustee."

In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

BH

PDP Applicant Checklist

Project Name: Entrada PDP Amendment for Tract MF-3

Applicant must submit the completed application and the associated documentation listed below, collated into 17 separate packets (one (1) original and 16 copies). These are minimum requirements for all PDP applications. Based on the nature of your project, additional items may be required by staff.

Incomplete submittals will not be accepted

- _____ All application pages must be initialed by the property owner or their authorized representative
- _____ 24" x 36" engineered PDP Development Plans, including landscape buffer areas and building elevations – See pages 7 – 10 for further information
- _____ Certified Boundary Surveys, in NGVD 1929, completed within the last six (6) months showing elevations – See page 7 for further information
- _____ PDP application fees paid in full at time of application – See page 11 for further information
- _____ Letter of Intent (LOI) – See page 6 for further instructions
- _____ Environmental Survey/Report – See page 7 for further instructions
- _____ Warranty or Quit Claim Deed – Applicant shall provide a copy of Warranty or Quit Claim Deed for one hundred (100) percent of the property comprising the Planned Development Project.
- _____ Vacation of Plat requests must include letter of "No Objection" from the electric company, the telephone company, and the cable company – See page 9 for further instructions
- _____ Page 1 must be signed and notarized by either all property owner(s) or the authorized agent
- _____ The "Authorization to Represent Property Owners", page of the application, must be signed by all property owner(s) and notarized
- _____ Properties owned by corporations, limited liability companies, limited partnerships, general partnerships, and trustees must provide legal documentation (For example, the Articles of Incorporation) listing persons authorized to sign for the entity and in these situations the property owner(s) must sign all applicable PDP forms in their corporate capacity.

As an alternative to submitting everything in paper format, the applicant may opt to submit the following:

- ☒ 11 sets of plans, in paper format, as described above
- ☒ 11 signed and sealed Boundary Surveys, in paper format, as described above
- ☒ One (1) copy of the application & all other documents you are submitting for review
- ☒ 1 CD/DVD with PDFs of documents you are submitting:
 - Each document you are submitting needs to be a separate PDF, appropriately identified by name. For example, the application will be one PDF, titled "Application", the Letter of Intent will be another PDF, titled "Letter of Intent", plans, boundary surveys, etc.



GENERAL INFORMATION

Project Name: Entrada PDP Amendment for Tract MF 3
Applicant: Casto Cape Coral, LLC, By: J. Brett Hutchens, MGR
Address: 5391 Lakewood Ranch Boulevard, Suite 100, Sarasota, Florida 34240
Phone: (941) 552-2718 Fax: (941) 806-0618 E-Mail: jconroy@castoinfo.com

*Property Owner: Same as Applicant

Address _____
Phone _____ Fax _____ E-Mail _____

Authorized Representative Avalon Engineering, Inc. / Linda Miller

Address 2503 Del Prado Boulevard South, Suite 200, Cape Coral, Florida 33904
Phone 239-573-2077 Ext. 216 Fax 239-573-2076 E-Mail linda@avaloneng.com

Location

Unit _____ Block 8044 Lot(S) Tract MF-3
Subdivision Entrada Strap Number(s) 21-43-24-C1-009MF.0030

Legal Description ☒ (Described as Exhibit A in Microsoft Word Format and attached hereto)

Property Address: 3560 DeNavara Parkway

Plat Book _____ Page _____ Current Zoning R-3 Future Land Use MX
Instrument #2006000409641

This application includes the following requests: (Please check all that apply)			
<input checked="" type="checkbox"/> Subdivision	<input checked="" type="checkbox"/> Special Exception	<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Variance
<input type="checkbox"/> Deviation to Landscaping	<input type="checkbox"/> Deviation to Non-residential Design Standards	<input type="checkbox"/> Deviation to Engineering Design Standards (EDS)	<input type="checkbox"/> All Other Deviation Requests
<input type="checkbox"/> Borrow Pit	<input type="checkbox"/> Vacation of Plat		

*Please include additional pages for multiple property owners.

PROPERTY and PROJECT DEVELOPMENT DATA

a.	Zoning District	<u>R-3</u>		
b.	Future Land Use Class	<u>MX</u>		
c.	Area of Subject Property	<u>10.57+/-</u>	acres	
d.	Type of Development	<u></u>		
e.	Estimated Number of Employees	<u>N/A</u>		
	Number of Seats in Assembly	<u>N/A</u>		
f.	Parking Spaces Required	<u>N/A</u>		
g.	Parking Spaces Provided	<u>N/A</u>		
h.	Parking and Street Area	<u>N/A</u>	sq. ft.	<u>N/A</u> % of Site
i.	Ground Floor Building Area	<u>N/A</u>	sq. ft.	<u>N/A</u> % of Site
j.	Total Floor Area	<u>N/A</u>	sq. ft.	<u>N/A</u> % of Site
k.	Building Heights	<u>N/A</u>	feet	<u>N/A</u> stories
l.	Total Proposed Impervious Surface Area	<u>sq. ft.</u>		% of Site <u>N/A</u>
m.	Permanent Open Space	<u>sq. ft.</u>		% of Site <u>N/A</u>
	Landscaped Area	<u>N/A</u>	sq. ft.	% of Site <u>N/A</u>
n.	Recreation Area	<u>N/A</u>	sq. ft.	% of Site <u>N/A</u>

If the proposed project is a multifamily residential development, the following additional data shall be shown on the plans.

o.	Number of Dwelling Units (du)	<u>96</u>		
p.	Gross Density (du/acres)	<u>16</u>		
q.	Number, Type, and Floor Area of each Dwelling Unit: Undetermined at this time			
1.	Efficiency	<u></u>	Floor Area <u></u>	sq. ft. <u></u>
2.	1 Bedroom	<u></u>	Floor Area <u></u>	sq. ft. <u></u>
3.	2 Bedroom	<u></u>	Floor Area <u></u>	sq. ft. <u></u>
4.	3 Bedroom	<u></u>	Floor Area <u></u>	sq. ft. <u></u>
5.	4 Bedroom	<u></u>	Floor Area <u></u>	sq. ft. <u></u>

LETTER OF INTENT

Please include a Letter of intent (LOI), stipulating your request, addressed to the Community Development Director. This letter must specify all applicable requests. Such requests may include any and/or all of the following:

- a. General purpose and intent of the PDP
- b. Subdivision requests – See Article 4.1 and 4.2.5
- c. Rezoning requests specifying the actual request and explanation of need for the rezoning
- d. Special exception requests and explanation of need for the special exception
- e. Variance requests specifying the actual request and explanation of need. All variance requests must address the five (5) criteria for the granting the a variance, per Land Use and Development Regulations, section 8.10. Note: Variances run with the land.
- f. Vacation of Plat as outlined in section 8.11 and explanation of vacation request
- g. Borrow pit requests as outlined in section 3.23, 4.2.5, and 8.3.2

DEVIATION REQUEST LETTER(S)

Applicant must complete a separate deviation request letter for each deviation type requested. Please ensure that proper justification for the requested deviation accompanies each request. Staff will not analyze any requested deviation that does not include justification for the deviation sought and this may result in a rejection of your application. Refer to the appropriate section of the LUDRs for guidance on the criteria for which a particular deviation may be sought. Note: Deviations do not run with the land.

- Landscaping Deviations shall be in accordance with Section 5.2.19
- Non-residential Design Standards Deviations shall be in accordance with Section 5.6.10 Deviation,
- Engineering Design Standards (EDS) Deviations in accordance with sheet 1, "Foreword" paragraph 5,
- All Other Deviation Requests, shall be in accordance with Section 4.2.4.K

TRAFFIC GENERATION ESTIMATE

Updated Traffic Report Provided

The following will determine the need of a Traffic Impact Statement. Trip Generation Estimate, based on the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation manual:

ITE Code _____ Is estimate based on locally collected data? _____

Regression equation (if used) _____

Independent Variable _____

Daily Two Way Trip Estimate _____

Peak Hour (of generator) Entering _____

Peak Hour (of generator) Exiting _____

Total Peak Hour (of generator) _____

Peak Hour Entering and Exiting trips greater than 300 trips _____

If the total peak hour traffic exceeds 300 trips, a Traffic Impact Statement (TIS) will be required. A methodology meeting with the City staff is required prior to submitting the TIS. The methodology meeting will be scheduled after the initial submittal of the PDP application.



GRAPHIC STANDARDS: GENERAL INFORMATION

Sheet # of submitted plans: The Development Plan shall be of sufficient scale to show all detail. The scale of the Plan shall be illustrated by a graphic scale on every sheet. The date and true north arrow shall be shown on every sheet. The following general information is required:

Provided

1. Names and addresses of the owners, planner, architect, landscape architect Engineer and surveyor.

1

2. A General Location and Vicinity Map (plat sheet). Please indicate the relationship of the proposed project site to surrounding existing land uses, zonings, future land uses, community facilities, major streets, utilities and any other principal buildings or physical features in and adjoining the subject property. These features shall be indicated for a distance of three hundred (300) feet from the outside boundaries of the subject property. Indicate all names and locations of adjoining subdivisions, development projects, unplatted properties, and streets within unincorporated Lee County.

Provided

3. Certified Boundary Survey, completed within the last 6 months, meeting the Minimum Technical Standards as set forth in Chapter 5J-17, Florida Administrative Code.

EXISTING PROPERTY CONDITIONS

Sheet # of submitted plans:

1

1. Acreage of land within property.

1

2. Boundary lines of the project and their bearings and distances.

1

3. Existing and proposed easements and their locations, widths and distance, as well as existing structures.

1

4. Streets and waterways on and adjacent to the project, their names, widths and other dimensions as may be required.

6

5. The location of all existing utilities connections available to the property site.

during site review

6. Tree Survey: The location, quantity, diameter/caliper, botanical and common name, and native status of all heritage trees and other existing trees with a caliper of two inches or greater, and whether they are proposed to be preserved or removed. Trees to be removed, if any, shall be indicated on a separate sheet. Reference 5.2.6 of the City's Land Development Regulations. The City is a designated "Tree City" and tree retention is encouraged.

Provided

7. Environmental Site Survey - see the City's guidelines for conducting an environmental survey

1

8. Flood elevation data and flood zone boundary lines delineated, if applicable.

1

9. Any other significant existing features, as may be required by the Director.

DEVELOPMENT PLANS

(Site Plan approval not requested in this PDP Amendment)

Sheet # of submitted plans:

The Development Plan should be viewed as a conceptual plan and not construction drawings or a site plan. A high level detailed site plan with information not needed will be rejected at submittal. The Development Plan shall show the following information, as applicable to the type of project being proposed, including the proposed dimensions, size, location and arrangement of the following.

- _____ 1. Name of project, north arrow, date and scale.
- _____ 2. Elevations, (drawing of front, sides, and rear faces of buildings), and use of all proposed buildings and structures.
- _____ 3. Internal and peripheral landscaping locations showing landscape area sizes and overall dimensions of the various planting areas, providing calculations per Article 5.2.
- _____ 4. Approximate location of curb cuts, driveways, access roads, alleys, and parking areas indicating the number of spaces and all dimensions.
- _____ 5. Location of existing and proposed pedestrian walks, malls, yards, and open areas.
- _____ 6. Location, number, dimensions, character and orientation of all existing and proposed signs.
- _____ 7. Location and heights of all proposed buffers, fences, screens, and walls.
- _____ 8. Location of all existing and proposed buildings and structures with setback distances from the property lines and roadways.
- _____ 9. Location of all known existing and proposed water, sewer and irrigation mains including the point of connection to the existing system and buildings, if applicable, including:
 - a) Estimate of the average daily flow for potable water.
 - b) Estimate of the average daily flow of wastewater
 - c) Estimate of the average daily flow for irrigation water.
- _____ 10. Location of all known existing and proposed easements and /or right of way.
- _____ 11. Location of proposed outdoor lighting, showing direction, height and type.
- _____ 12. An exhibit providing the peak hour trip distribution at the project entrance and adjacent local streets out to a collector.
- _____ 13. Location and character of all outside waste disposal facilities and existing or proposed appropriate screening.
- _____ 14. Phasing Plan: Where a project will be developed in phases, a Phasing Plan shall be presented for review of the entire project. Proposed development phases shall be numbered in sequence, and shall indicate the density for residential and/or floor area for non-residential uses, as applicable, for each phase. The phasing plan shall identify size, location, sequence and timing of the various phases of the development.



authorized representative
or property owner's initials

ADDITIONAL INFORMATION

Sheet # of
submitted
plans:

Provided

1. **Landscape Maintenance:**

The proposed method of assuring the provision and permanent maintenance of areas required for landscaping, screening, and common uses, including a proposed statement of such assurance. The coordinated development of the site shall be compatible with the surrounding area.

Provided

2. **Maintenance Assurance:**

The proposed method of assuring the perpetual ownership and maintenance of areas within the project that area to be used for open space, recreation or other quasi-public purposes, including a detailed statement of such assurance, including covenants, agreements or other specific documents as required.

during plat
review

3. **If seeking Subdivision approval; Covenants:**

Copies of proposed restriction or protective covenants, if any.

Provided

4. **Economics:**

The Commission or City Council, as applicable, may also require that the applicant provide additional supporting data, such as economic justification, financing, and construction scheduling, topographic data or similar information when deemed necessary for project review.

N/A

5. **Vacation of Plat**

In the case of vacation of plats submitted in conjunction with a PDP, the following additional information shall be required:

- a. Affidavits of city and county tax collectors stating that all city and county taxes levied against land covered by the portion of the plat of which vacation is sought have been paid;
- b. Sketches and descriptions; and
- c. Letter of no objection from the following utilities:
 - i. Lee County Electric Cooperative, Inc (LCEC)
 - ii. Century Link Telephone Company
 - iii. Comcast Cable Company



SUBDIVISION, PER FLORIDA STATUTES, CHAPTER 177 – IF APPLICABLE

- | | |
|-----------------------------------|---|
| Sheet # of submitted plans | The Subdivision Plan shall show the following information, as applicable to the type of project being proposed, including the proposed dimensions, size, location and arrangement of the following with accurate dimensions to the nearest one-hundredth of a foot. If flexibility is requested for property lines prior to Plat recording, this request must be requested in the Letter of Intent (LOI). |
| 3 | 1. Contours at an interval of not greater than one foot. |
| 3 | 2. Access roads and their relationship to existing and proposed streets, alleys and other public ways. |
| 3 | 3. Setback lines, permanent open space, recreation areas, separation strips, existing and proposed landscape areas and general land use activity areas. |
| 3 | 4. Location of areas and their acreages, if any, to be reserved or dedicated for public parks, playgrounds, schools, or other public uses, including bikeways or walks. |
| 3 | 5. Proposed lot numbers, lot lines, lot dimensions, lot areas, lot descriptions, lot locations, minimum yard requirements, and any other appropriate data and information for areas or parcels within the project property lines which have been designated for subdivision for any purpose or use. |
| 3 | 6. Utility locations on and adjacent to the project showing proposed dimensions and connections to existing utility systems. |
| 3 | 7. All dimensions, angles, bearings and similar data on the plan shall be tied to primary control points approved by the City Engineer. The location and description of said control points shall be given. |
| 3 | 8. Approximate location of proposed and existing surface water management system components including treatment, storage, conveyance, and discharge locations. |
| 3 | 9. Project boundary lines, right-of-way lines of streets, waterways, easements and other rights-of-way. Bearings or deflection angles, radii, arcs and central angles of all curves with dimensions to the nearest minute shall be provided for the center line of all streets and easements. Block corner radii dimensions shall also be shown. |
| 3 | 10. Name of each street, waterway, easement or other right-of-way and the designation of all buildings, parking areas, access roads, permanent open spaces, recreation areas, separation strips, landscaped areas, dedication or reserved areas, and other land use activity areas by name, use, purpose or other appropriate method as well as by width, length, land area or floor area devoted to such use or purpose. |
| during plat review | 11. Certification of title and dedication, on plat, showing that the applicant is the owner and a statement by such owner dedicating streets, rights-of-way and any other sites for public use, if any. |
| during plat review | 12. Certification by the City Engineer, on plat, that a surety bond, certified check or other guarantee has been posted with the City in sufficient amount to assure completion of all such required site improvements. |
| during plat review | 13. Certificate of approval for recording, on plat, suitable to be signed by the Mayor as applicable, to indicate that the plan has been approved for recording. |
| during plat review | 14. Any other appropriate certification required by the Governing Body or Necessary to comply with Florida Statutes, Chapter 177. |

Btb

Planned Development Project (PDP) Application Fees *

	Administrative Review	Fees	Your Costs
<input type="checkbox"/>	PDP - without Subdivision	\$2,525.00	\$
<input type="checkbox"/>	** Additional charge for PDP's in excess of ten (10) acres: _____ acres x \$55.00 for each acre or portion thereof in excess of 10 acres.	(with maximum cap of \$3,625.00 for additional acres)	\$
<input checked="" type="checkbox"/>	PDP - with Subdivision	\$2,815.00	\$ 2,815.00
<input type="checkbox"/>	** Additional charge for PDP's in excess of ten (10) acres: <u>1</u> acres x \$55.00 for each acre or portion thereof in excess of 10 acres.	(with maximum cap of \$3,915.00 for additional acres)	\$ 55.00
	Fire Review		
<input checked="" type="checkbox"/>	Fire review (mandatory)	\$104.00	\$ 104.00
Public Hearing			
<input type="checkbox"/>	PDP - without Subdivision	\$665.00	\$
<input checked="" type="checkbox"/>	PDP - with Subdivision	\$1,415.00	\$ 1,415.00
<input checked="" type="checkbox"/>	Zoning Amendment within PDP	\$1,165.00	\$ 1,165.00
<input type="checkbox"/>	Vacation of Plat within PDP	\$880.00	\$
<input type="checkbox"/>	Variance/Deviation within PDP	\$1,250.00	\$
<input checked="" type="checkbox"/>	Special Exception within PDP	\$1,365.00	\$ 1,365.00
<input type="checkbox"/>	Borrow Pit within PDP	\$1,725.00	\$
		Total	\$ 6,919.00

* Advertising fees will be due at time of advertising.

** PDP – Acres x \$55.00 for each acre or portion thereof in excess of 10 acres (i.e. A 20.2 acre of land is calculated as follows.

20.2 – 10.00 = 10.2, then the 10.2 acres is rounded up to 11 acres)

BA



W. Dexter Bender & Associates, Inc.

Environmental & Marine Consultants

info@dexbender.com

4470 Camino Real Way, Suite 101
Fort Myers, Florida 33966

(239) 334-3680 Phone
(239) 334-8714 Fax

January 29, 2016

Mr. Jim Conroy
Casto Southeast Reality Services, LLC
5391 Lakewood Ranch Blvd., Suite 100
Sarasota, FL 34240

RE: 10.57± Acre Entrada Parcel
STRAP Number 21-43-24-C1-009MF.0030
Lee County, Florida

Dear Mr. Conroy:

Pursuant to your request, W. Dexter Bender & Associates, Inc. conducted a preliminary review of the above referenced property. This evaluation consisted of mapping potential jurisdictional wetlands and preliminary observations of listed species and their potential habitat. Our evaluation is based on a site inspection conducted on January 27, 2016 and our past experiences with the regulatory agencies.

Location

The 10.57± acre Entrada Parcel is located within a portion of Section 21, Township 43 South, Range 24 East, Lee County, Florida. The site is bordered to the west by the Bella Vida residential development, to the north and east by De Navarra Parkway, and to the south by Del Prado Boulevard North.

Soils

The Soil Survey of Lee County, Florida depicts two soil types as occurring on-site. One of these soil types is considered to be hydric (wetland) soils by the *Hydric Soils of Florida Handbook*. A hydric soil is defined as a soil that, in its natural condition, is saturated, ponded, or flooded for a sufficient period during the growing season to develop anaerobic conditions that favor growth and regeneration of hydrophytic (wetland) vegetation. The northern portions of the site are mapped as Isles fine sand, depressionnal which is a soil typically associated with cypress wetlands, mixed wetland hardwoods, and wax myrtle wetlands. The remainder of the site is mapped as Boca fine sand which is typically associated with upland pine flatwoods and palmetto prairies. This soils information is provided for general informational purposes and the accuracy of the soils mapping contained in the Soil Survey of Lee County, Florida has not been confirmed.

Vegetation

The predominant upland and wetland vegetation associations were mapped in the field on 2015 digital color 1" = 100' scale aerial photography. The property boundary was obtained from Banks Engineering, Inc. and inserted into the digital aerial. Six vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 1 depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is also provided below.

In order to minimize redundancy only the base FLUCCS Codes are described (i.e. description provided for FLUCCS Code 411 but not for FLUCCS Codes 411E2 and 411E3). In general, as the density of exotics increases the density and diversity of native plants in the canopy, midstory, and ground cover strata decreases. Habitats containing more than 75 percent cover by exotics contain only scattered native plant species.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
411	Pine Flatwoods	6.99
411E2	Pine Flatwoods Invaded by Exotics (26-50%)	0.46
411E3	Pine Flatwoods Invaded by Exotics (51-75%)	0.85
*617E4	Mixed Wetland Hardwoods Invaded by Exotics (76-90%)	1.41
740	Disturbed Land	0.54
*740H	Hydric Disturbed Land	0.32
Upland Subtotal		8.84
Wetland Subtotal		1.73
Total		10.57

* Potential jurisdictional wetland

FLUCCS Code 411, Pine Flatwoods

This upland association is characterized by a canopy of slash pine (*Pinus elliottii*) and a groundcover strata dominated by saw palmetto (*Serenoa repens*). Additional vegetative species include gallberry (*Ilex glabra*), pennyroyal (*Piloblephis rigida*), rusty lyonia (*Lyonia ferruginea*), scattered wax myrtle (*Myrica cerifera*), broomsedge (*Andropogon* sp.), poison ivy (*Toxicodendron radicans*), greenbrier (*Smilax* sp.), and very widely scattered saw grass (*Cladium jamaicense*). Portions of the areas mapped as pine flatwoods habitat have been invaded to varying degrees by exotic vegetation including melaleuca (*Melaleuca quinquenervia*), Brazilian pepper (*Schinus terebinthifolius*), and downy rose-myrtle (*Rhodomyrtus tomentosa*).

FLUCCS Code 617E4, Mixed Wetland Hardwoods

Laurel oak (*Quercus laurifolia*) and scattered slash pine are present in the canopy of this wetland association. Groundcover and midstory vegetation is sparse and includes scattered broomsedge, myrsine (*Rapanea punctata*), and seedling laurel oak. Melaleuca and Brazilian

pepper have invaded this area and constitute between 76 and 90 percent of the vegetative cover. At the time of the site inspection these areas were inundated by an average of approximately one to two inches of water.

FLUCCS Code 740, Disturbed Land

This FLUCCS Code was used to denote previously disturbed upland areas along the perimeter of the subject parcel. Vegetation in these areas includes Bahia grass (*Paspalum notatum*), ragweed (*Ambrosia artemisiifolia*), Florida pusley (*Richardia* sp.), beggars tick (*Bidens alba*), and sida (*Sida* sp.)

FLUCCS Code 740H, Hydric Disturbed Land

Vegetation present in this disturbed wetland association includes road grass (*Eleocharis baldwinii*), star rush (*Rynchospora colorata*), love grass (*Eragrostis* sp.), false buttonweed (*Spermacoce* sp.), needleleaf witchgrass (*Dichanthelium aciculare*), scattered red ludwigia (*Ludwigia repens*), torpedo grass (*Panicum repens*), tickseed (*Coreopsis* sp.), stinkweed (*Pluchea* sp.), and seedling slash pine. At the time of the site inspection these areas were inundated by an average of approximately two to four inches of water.

Wetlands

The United States Army Corps of Engineers (COE) will base their wetland jurisdiction on the presence or absence of three factors: dominance of wetland vegetation, presence of hydric (wetland) soils, and evidence of wetland hydrology. Additionally, in order for a wetland to be within the regulatory jurisdiction of the COE, the wetland must be connected or adjacent to waters of the United States. The June 19, 2006 Supreme Court decision in the Rapanos and Carabell Cases affects the scope of COE wetland jurisdiction under the Clean Water Act. Pursuant to that decision, the COE issued guidance on June 5, 2007 and the U.S. Environmental Protection Agency provided further guidance in April 2011 to clarify the limits of federal wetland jurisdiction. The guidance states that the following waters are protected by the Clean Water Act:

1. Traditional navigable waters,
2. Wetlands adjacent to traditional navigable waters including adjacent wetlands that do not have a continuous surface connection to the traditional navigable waters,
3. Non-navigable tributaries of traditional navigable waters that have relatively permanent continuous flow at least seasonally (i.e. typically three months),
4. Wetlands adjacent non-navigable tributaries of traditional navigable waters that have a continuous surface connection (i.e. not separated by uplands or berms), and
5. Non-navigable, not relatively permanent tributaries and there adjacent wetlands that have a significant nexus (based on hydrologic and biological functions) to traditional navigable waters.

The South Florida Water Management District (SFWMD) uses similar criteria for determining the extent of state wetland jurisdiction. The SFWMD does not require wetlands to be connected or adjacent to waters of the United States in order to exert jurisdiction.

Permits will be required for development activities (mechanical clearing, excavation, or fill) from both the COE and SFWMD for areas determined to be within their respective wetland jurisdiction. Areas mapped as FLUCCS Codes 617E4 and 740H (1.73± acres) could potentially be claimed as jurisdictional wetland by the COE and the SFWMD. These areas were previously assessed by the SFWMD during the review of SFWMD Permit No. 36-05074-P and were not considered jurisdictional at that time. There is the potential based on current conditions for these areas to be considered jurisdictional wetlands by the SFWMD but it is unlikely. There is also the potential that these areas do not currently contain hydric soils and therefore would not be considered jurisdictional by the COE. Due to the questionable jurisdictional status of these areas, we recommend hiring a consulting soil scientist familiar with COE/SFWMD criteria for hydric soils in southwest Florida to assist with the delineation of jurisdictional wetlands.

It will be necessary to conduct a wetland delineation (i.e. flagging the limits of the wetlands), reviewed and approved by the agencies, to determine the actual acreage of jurisdictional wetlands on-site. Depending on agency workloads, the SFWMD and the COE typically verifies limits of wetland jurisdiction only after a permit application has been received. A formal wetland jurisdictional determination can also be obtained from the SFWMD by filing a Petition for a Formal Determination of the Landward Extent of Wetlands and Other Surface Waters and paying the appropriate application fee.

A site development plan that preserves the on-site wetlands and an adjacent 25 feet wide upland buffer would avoid wetland permitting issues. The potential on-site wetlands are of very low quality and permits from the COE and SFWMD to impact portions of them should be obtainable. Given the presence of an existing mitigation area along the northern edge of the areas mapped as FLUCCS Code 617E4, it is likely that the COE and SFWMD will strongly discourage impacts to the wetlands located directly adjacent to that area. Mitigation such as on-site wetland creation, restoration, or enhancement or off-site mitigation such as the purchase of credits from a mitigation bank will be required to offset unavoidable wetland impacts. The two regulatory agencies have differing policies on the location of compensatory wetland mitigation for unavoidable wetland impacts. Under current agency policies, the SFWMD prefers wetland mitigation be undertaken on-site while the COE prefers that the mitigation occur off-site at a wetland mitigation bank.

If less than 0.5 acre of impacts are proposed to any COE jurisdictional wetlands present on the site then those impacts would qualify for a COE Nationwide 39 Permit. This would accelerate the COE review of the proposed project.

The COE and SFWMD use the Uniform Mitigation Assessment Method (UMAM) to evaluate the quantity of wetland mitigation required to off-set unavoidable wetland impacts. UMAM evaluates several parameters (i.e. vegetation, wildlife utilization, and hydrology) of the wetlands in context with existing adjacent land uses to calculate the functional value of the wetlands. The UMAM score, which ranges from 1.0 for a pristine wetland located within a native setting to a 0.0 for a highly degraded wetland located within a very disturbed setting, is multiplied by the acreage of the wetland to determine the number of functional units the wetland provides. This calculation is done for both the existing condition and the proposed condition once the project has been completed. The difference between the number of

existing functional units and the number of functional units occurring post-development is the amount of mitigation required to compensate for the proposed wetland impacts. Based on current conditions the UMAM scores for the wetlands on-site are estimated to range from approximately 0.1 – 0.3.

In the event that off-site wetland mitigation is proposed in the form of mitigation bank credits, the number of credits required is based on the functional analysis procedure used by the bank. Given the location of this property and the type of wetlands involved, one mitigation bank could potentially be used for this project. Currently, mitigation credits at this bank range from approximately \$75,000 to \$115,000 per credit.

In addition to the mitigation described above, the COE will require that wetland impacts be avoided and minimized to the extent practicable. Wetland impact avoidance is typically addressed via an alternative sites analysis. This analysis discusses why there were no other properties that could have been purchased and developed by the applicant for the intended purpose which would result in less environmental impacts. Wetland impact minimization is addressed by preparing a series of site plans that demonstrate a reduction in the acreage of wetland impacts to the maximum extent practicable and the relocation of unavoidable impacts to the lower quality wetlands. Both of these issues must be addressed to the COE's satisfaction in order to receive the federal wetland dredge and fill permit.

Listed Species

Prior to inspecting the site, the Florida Fish and Wildlife Conservation Commission (FWC) listed species occurrence database (updated June 2015) was reviewed to determine the known occurrence of species listed by the FWC and/or U.S. Fish and Wildlife Service (FWS) as threatened, endangered, or species of special concern in the project area. According to that database there are no known listed species sightings on or immediately adjacent to the subject property.

According to the FWC listed species occurrence database the property is located within the FWS Red-cockaded Woodpecker Consultation Area. Red-cockaded woodpeckers (*Picoides borealis*) (RCW) are listed as a species of special concern by the FWC and as endangered by the FWS. The FWS has developed a survey protocol for determining if RCW are nesting or foraging on a particular site. This consists of a cavity tree survey and a nesting season (April 15th – June 15th) and non nesting season (October 15th – December 15th) foraging survey. Each foraging survey consists of 14 days of morning surveys. If impacts to federal jurisdictional wetlands are proposed, the FWS is likely to request that these surveys be completed for areas of suitable RCW habitat (pine flatwoods), particularly if there are records of RCW activity within one half mile of the property. The results of these surveys will determine the amount and location, if any, of RCW habitat that may need to be preserved on-site. Utilization of the site by RCW is not anticipated.

The subject parcel is within the FWS consultation area for the Florida scrub jay (*Aphelocoma coerulescens*) which is listed as threatened by the FWC and FWS. While no suitable scrub habitat for the Florida scrub jay was observed on the subject parcel, scrub jays have been reported approximately 1.5 miles south of the property. Based on these factors, the FWS

may request a scrub jay survey be conducted on the subject parcel. Utilization of the site by Florida scrub jays is not anticipated.

According to the FWC listed species occurrence database the property is located within the FWS designated Core Foraging Area of two wood stork colonies. The wood stork (*Myrcteria americana*) is listed as endangered by both the FWC and the FWS. In the event that a COE permit is required for the development of this project, the FWS will require that the quality of wood stork foraging habitat to be impacted is evaluated using their evaluation matrix and that suitable in kind compensation is provided. In the vast majority of cases the wood stork compensation can be provided by the wetland mitigation plan approved by the COE.

The Florida bonneted bat (*Eumops floridanus*) is listed as endangered by the FWS and as threatened by the FWC. The FWS has established a Consultation Area and several Focal Areas for this species. The subject parcel is located within the overall Consultation Area but not within a Focal Area. This bat typically roosts in cavities within large live or dead trees but may also roost in abandoned buildings and under bridges. Scattered dead trees containing potential cavities entrances were observed during our cursory inspection. These trees consist of pine tree snags in advanced stages of decay. The potential cavity entrances are primarily less than approximately two inches in diameter and are likely very shallow, not penetrating the heartwood of the snag. Therefore, the Florida bonneted bat is not likely to be a significant issue for this project. However, the FWS will likely require that a cavity tree survey and multi-night acoustic survey be conducted to verify the absence of this species on-site.

The potential burrow of one gopher tortoise (*Gopherus polyphemus*), which is listed as threatened by the FWC but not listed by the FWS, was observed in the southern portion of the area mapped as pine flatwoods (FLUCCS Code 411). At the time of the survey the burrow was inundated due to heavy rains and as a result, it could not be accurately determined if this burrow is that of a gopher tortoise. If it is determined to be a potentially occupied gopher tortoise burrow or if additional gopher tortoise burrows are determined to be located on the subject parcel, a permit from the FWC will be required if development activities are proposed within 25 feet of the burrow(s). The FWC gopher tortoise permitting process is outlined in the February 2015 Gopher Tortoise Permitting Guidelines. A summary of these guidelines are provided below.

A site development plan that impacts 10 or fewer gopher tortoise burrows qualifies for a 10 or Fewer Burrows Permit. Provided that potential upland gopher tortoise habitat will remain post development, the resident gopher tortoises can be relocated to these on-site areas. This permit requires the development area to be fenced off with silt screen to prevent the gopher tortoises from re-entering the construction area. There is no FWC size requirement for the preserve or gopher tortoise density limitations. However, current Lee County policies strongly encourage that gopher tortoises be relocated off-site when only small isolated areas of potential habitat will remain post development. If sufficient on-site habitat will not remain, the gopher tortoises must be relocated to a FWC permitted recipient site that has long term or short term protection. Off-site relocation will likely be required for this property. The FWC permit fee is \$207. Additional costs may be required if the gopher tortoises are relocated off-site.

A site development plan that impacts more than 10 gopher tortoise burrows will require a Conservation Permit. Under the Conservation Permit, the gopher tortoises can be moved to either an on-site or off-site recipient site. Recipient sites must be a minimum of 25 acres of suitable gopher tortoise habitat (based on soil, ground water, and vegetation characteristics). The final density of gopher tortoises at the recipient site (existing gopher tortoise plus the gopher tortoises that are relocated) cannot exceed between two and four gopher tortoises per acre depending on the suitability gopher tortoise habitat. The FWC permit fee for this type of permit is based on the number of gopher tortoises to be relocated and the protection status of the recipient site. The FWC fees are as follows:

- Long-term Protected Site: \$207 for the first five gopher tortoises plus \$310 for each additional gopher tortoise
- Short-Term Protected Site: \$207 for the first five gopher tortoises plus \$3,098 for each additional gopher tortoise
- Unprotected Site: \$3,098 for each gopher tortoise

An off-site relocation site must be reviewed and approved by the FWC. As a result of the FWC's current permitting process numerous gopher tortoise "banks" have been established by private landowners and approved by the FWC across the state. These recipient sites charge varying fees to accept gopher tortoises. These fees generally range from \$700 to \$1,000 per gopher tortoise depending on the number of gopher tortoises to be relocated.

If it is confirmed that gopher tortoise burrows occur on-site, it is possible that the eastern indigo snake (*Drymarchon corais couperi*) is also present. The eastern indigo snake is listed as threatened by the FWC and FWS. Typically, the preservation measures required for the gopher tortoise are sufficient to address any potential impacts to the eastern indigo snake.

A detailed survey for listed species should be conducted to verify the presence or absence of gopher tortoises on-site. If this species, or other listed species, are determined in the future to occur on-site, then appropriate permits will be required by the agencies.

Phase One Environmental Audit

A Phase One Environmental Audit is a review of a subject property for the presence of potentially hazardous materials based on current and historic land use practices. Conducting a Phase One Environmental Audit is beyond our scope of services.

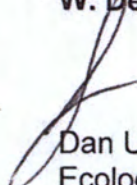
The information provided herein is based on a preliminary investigation of the site. We recommend that the wetland areas be flagged with the assistance of a soil scientist and field located prior to designing a site development plan for the property. Depending on agency workloads, the SFWMD and the COE typically verifies limits of wetland jurisdiction only after a permit application has been received. Based on this current policy, it is recommended that site plans be developed with the knowledge that the extent of jurisdictional wetlands on-site may change subsequent to permit application submittal. A detailed survey for listed species should also be conducted to verify the presence or absence of such species on-site.

Mr. Jim Conroy
January 29, 2016
Page 8

Thank you for the opportunity to provide you with our comments on this property. Please contact Paul Owen or me at (239) 334-3680 if you have any questions regarding this report.

Sincerely,

W. Dexter Bender & Associates, Inc.



Dan Underhill
Ecologist

Enclosure

EXHIBIT A

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING ALL OF TRACT MF-3 OF BLOCK 8044, OF ENTRADA AS RECORDED IN INSTRUMENT NUMBER 2006000409641, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.



Avalon Engineering, Inc.

2503 Del Prado Boulevard South, Suite 200
Cape Coral, Florida 33904
Phone: (239) 573-2077 Fax: (239) 573-2076
#AA C001936 #EB 0003128

June 23, 2016

Mr. Vince Cautero, Director
Department of Community Development
City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

PROJECT: PROPOSED COMMERCIAL PROJECT
BLOCK 8044 TRACT MF-3, ENTRADA SUBDIVISION

SUBJECT: TRAFFIC GENERATION STATEMENT FOR 10.565 ACRES REQUESTING A
ZONING MAP AMENDMENT

Dear Mr. Cautero:

Included herewith are the traffic generation calculations for the proposed uses of the above referenced site. The source used to obtain these trip numbers was the I.T.E. Trip Generation Manual, 9th Edition. The proposed development will include two outparcel tracts, one for a sit-down restaurant and one for a gas station with convenience store. The main development will be an Multi-family development on approx 7 acres. As the project creates more than 300 vehicle peak hour of adjacent street traffic without a capture rate, a meeting to discuss if a traffic impact statement will be necessary will be scheduled with staff.

Proposed Land Use: (945) Gasoline/Service Station with Convenience Market
Vehicle Fueling Positions: 8 pumps - 16 fueling positions

A.M. Peak Hour of Adjacent Street:

Average Rate = 10.16 per fueling position
81 vehicles entering 50%
82 vehicles exiting 50%
163 TOTAL VEHICLES

Plus

Proposed Land Use: (932) High-Turnover Sit-Down Restaurant
Gross Floor Area: 6,000

A.M. Peak Hour of Adjacent Street:

Average Rate = 10.81 per 1000 sq. ft.
34 vehicles entering 52%
31 vehicles exiting 48%
65 TOTAL VEHICLES

P.M. Peak Hour of Adjacent Street:

Average Rate = 13.51 per fueling position
108 vehicles entering 50%
108 vehicles exiting 50%
216 TOTAL VEHICLES

P.M. Peak Hour of Adjacent Street:

Average Rate = 9.85 per 1000 sq. ft.
30 vehicles entering 51%
29 vehicles exiting 49%
59 TOTAL VEHICLES

Plus

Proposed Land Use: (230) Residential Condominium
Dwelling Units: 96

A.M. Peak Hour of Adjacent Street:

Average Rate = 0.44 per Dwelling Unit
9 vehicles entering 19%
34 vehicles exiting 81%
43 TOTAL VEHICLES

P.M. Peak Hour of Adjacent Street:

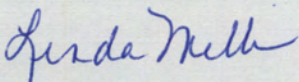
Average Rate = 0.52 per Dwelling Unit
32 vehicles entering 64%
18 vehicles exiting 36%
50 TOTAL VEHICLES

Total Peak Hour of the Adjacent Street Trips
A.M.: 271
P.M.: 325

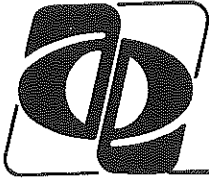
If you should have any questions or require additional information, please feel free to call me.

Sincerely,

AVALON ENGINEERING, INC.



Linda Miller, AICP
Sr. Planner



Avalon Engineering, Inc.

2503 Del Prado Boulevard South, Suite 200
Cape Coral, Florida 33904
Phone: (239) 573-2077 Fax: (239) 573-2076
#AA C001936 #EB 0003128

December 28, 2016

Mr. Vince Cautero, Director
Department of Community Development
City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

PROJECT: ENTRADA COMMERCIAL WEST SUBDIVISION
BLOCK 8044, TRACT MF-3

SUBJECT: REVISED PDP AMENDMENT LETTER OF INTENT

Dear Mr. Cautero:

It is the intent of the property owner, Casto Cape Coral, LLC, to request approval to Amend Ordinance 14-05, for the MF-3 Tract within the Entrada Planned Development Project (PDP) in order to rezone and subdivide this Tract.

History of Entrada

Entrada, as approved within Ordinance 14-05, as a Mixed-Use project consisting of 721 single family lots, 3 multi-family development tracts and 13 commercial tracts. Ordinance 14-05 was approved on January 31, 2005. The physical development authorized under this development order was valid for a period of 10 years or January 31, 2015. In December, 2014, Avalon Engineering submitted and obtained approval of a two-year extension to the expiration of Ordinance 14-05, extending the expiration of the Entrada development to January 31, 2017.

Since the approval of the Entrada development, the required ROW improvements have been constructed, utility facilities have been installed, and the Subdivision Plat has been recorded, all completed according to the Master Development and Plat Plans submitted within Ordinance 14-05. Development has occurred on one of the MF Tracts and a couple of the C-1 Tracts. Currently, the single family subdivision infrastructure has obtain a site plan permit to complete the necessary site improvements to begin building houses within the single family portion of Estrada.

PDP Amendment

This PDP Amendment is amending the MF-3 Tract within Entrada only. The MF-3 Tract is located at the northwest corner of De Navarra Parkway and Del Prado Boulevard Extension. The site consists of 10.57 acres and has a Mixed-Use (MX) Land Use designation and a Multi-family (R-3) Zoning.

The purpose of this PDP Amendment is to obtain approval of a commercial subdivision and approve the future development of the proposed lots. The PDP Amendment will request approval of a rezoning from R-3 (Multi-family residential) to C-1 (Pedestrian Commercial) in accordance with the Mixed Use Land Use, obtain preliminary subdivision approval in accordance with FS Chapter 177, obtain approval of a Master Development Plan in accordance with the C-1 Zoning Regulations, obtain approval for a Special Exception Use on one of the commercial tracts, in accordance with Section 8.8 of the City's Land Use and Development Regulations, establish density and intensities, and establish an expiration date for physical development.

The specific requests are as follows:

Preliminary Subdivision Approval

The applicant is requesting Preliminary Subdivision Plan approval to subdivide this tract into three development tracts; a Future Development Tract (Tract A), consisting of 6.05 acres, and two Commercial Tracts, Tract B, containing 2.42 acres, and Tract C, containing 2.10 acres. Common areas for ingress and egress, drainage, buffers and general use areas are also addressed. Platting shall be accomplished in accordance with Chapter 177, Florida Statutes and the City's Final Plat Administrative Review procedures.

Rezoning of the Tract from R-3 to C-1

The applicant requests approval to rezone the parcel from R-3 (Multi-family) to C-1 (Pedestrian Commercial). The C-1 Zoning is consistent with the Mixed-Use Land Use designation and allows for the development of a variety of uses including Multi-family. Legal Description and Sketch has been provided.

When Entrada was approved 2005, De Navarra Parkway had not been constructed, as a divided highway. Since the extension of De Navarra Parkway north of the intersection of Del Prado Blvd Extension, the layout of this tract has a large amount of street frontage and is more suitable for commercial uses. Please accept this evaluation of the proposed Zoning Amendment with respect to determining consistency with the City of Cape Coral's Comprehensive Plan and General Standards.

1. The extent to which the value of the property is diminished by the proposed zoning of the property;

The subject parcel is located at the intersection of two major city arterial roadways, both of which, are a four lane divided parkway or boulevard. The proposed zoning will support the highest and best use of the subject property and will not diminish the value of the property.

2. The extent to which the change in zoning depreciates the value of other property in the area;

The proposed zoning amendment will have little effect on the surrounding parcels. The Bella Vida subdivision, when approved, provided for a Buffer Tract between the residential lots within their development and the subject parcel. There are no residential home sites which are proposed to abut the subject parcel.

3. The suitability of the property for the zoning being proposed on the property;

The City staff has continued to support commercial zoning and commercial development in designated areas, near major intersections, in order to increase the commercial square footage within the City.

Commercial zoning on this parcel is consistent with the definition of a Commercial Node (Policy 1.13 of the Future Land Use Element in the City's Comprehensive Plan), the City's Commercial Sitting Policy (Policy 1.14 of the Future Land Use Element in the City's Comprehensive Plan), and the Mixed-Use Future Land Use (Policy 1.15.f of the Future Land Use Element in the City's Comprehensive Plan).

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed zoning;

The neighborhood consists of two large gated communities (Entrada and Bella Vida). These mixed-use communities contain a variety of residential housing product types. The Entrada Subdivision also includes commercial tracts around the intersection of the major roadways (Del Prado Blvd and De Navarra Parkway).

All of the parcels adjacent to the ROW intersection to the northeast, southwest and southeast of the subject parcel are all zoned C-1 (Pedestrian Commercial), except for the subject parcel. Rezoning the subject parcel to C-1 would provide commercial uses on all corners of the intersection.

5. The relative gain to the community as compared to the hardship, if any imposed, by the rezoning of said property;

There would be a positive effect in amending the zoning for the subject parcel. The proposed zoning establishes a zoning that can be supported by the Objective 3 of the Future Land Use Element of the Comprehensive Plan and Policies 3.1, 3.2, 3.3 for this parcel.

This rezoning enhances the development opportunities for this parcel, in addition to, easing the City's deficiency of commercial properties.

6. The community need for the use proposed by the zoning;

The City of Cape Coral is deficient in commercial acreage and has determined the amount of commercial acreage needed on Del Prado Blvd North (Policy 3.3 and Table of Commercial Centers by Corridor). The zoning of this Tract to C-1 increases the amount of commercial acreage on Del Prado Blvd North, advancing the City's commercial needs in this area of the Cape.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property;

This parcel was platted as a Multi-family Tract within The Entrada Subdivision, approved in 2004. No construction has commenced on this parcel since it was platted and Del Navarra Parkway was constructed. The commercial tracts within the southeast corner of the intersection did develop, as well as, one of the larger Multi-family Tracts within Entrada, located to the southeast of the project site.

8. The extent to which the proposed zoning promotes the health, safety, morals, or general welfare of this community;

The proposed rezoning advances many of the Policies (as listed above) within the Future Land Use Element of the City's Comprehensive Plan. The rezoning and future use of this parcel will provide additional commercial uses not currently offered in this area of the Cape and this part of North Fort Myers, which will reduce the trip lengths for everyday items (Policy 3.2 of the Future Land Use Element of the City's Comprehensive Plan).

9. The extent to which the proposed zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan; and

The site is served with City Utilities (Water, Wastewater and Irrigation). Right-of-way improvements were constructed as part of the Entrada PDP and this proposed development will not degrade the level of service on the adjacent roadways below the adopted level of service, but this development will reduce the number and length of trips required by the residents within this area of Cape Coral.

To develop the tracts the applicant will have to provide supporting information which demonstrates compliance with the City's acceptable level of service for public facilities as specified in the Comprehensive Plan.

10. Whether the proposed zoning is consistent with the City of Cape Coral Comprehensive Land Use Plan.

This request for a C-1 zoning is consistent with the parcel's Mixed Use Land Use as C-1 is a compatible zoning district to the Mixed-use Land Use.

The location of the parcel complies with the City's Policies and methods of determining the proper locations for commercial uses within the City (Objective 3 of the Future Land Use Element of the City's Comprehensive Plan).

Special Exception Approval

The applicant is requesting approval of a Special Exception use for an Automobile Service Station—Limited with Convenience Store within a C-1 Zoning District. The Automobile Service Station use is proposed on one of the Outparcel Tracts. A site plan complying with Section 8.8.5 of the Land Use and Development Regulations will be submitted at time of development.

As required by Section 8.8.5 of the Land Use and Development Regulations, the following addresses standards that shall apply to all applications for Special Exception uses.

- a. *Generally* - The proposal shall comply with all requirements of the zoning districts in which the property is located, this ordinance, and all other applicable law.

The proposed use will be located on a outparcel within a commercial subdivision and will comply with all of the C-1 Dimensional Regulations within the City of Cape Coral Land Use and Development Regulations.

- b. *Compatibility* - The tract of land must be suitable for the type of special exception use proposed by virtue of its location, shape, topography and the nature of surrounding development.

The outparcel sizes, location, and accessibility are consistent with this proposed use and the surrounding area.

- c. *Minimum lot frontage; access.* Minimum lot frontage on a street shall be sufficient to permit properly spaced and located access points designed to serve the type of special exception use proposed. Wider spacing between access points and intersecting street right-of-way lines should be required when the lot has more than the minimum required frontage on a street. All access points shall be specifically approved by the Board.

Either of the two outparcels within this development are well suited for an Automobile Service Station Limited with Convenience Store use because of the other compatible commercial uses, the shared access within the development, and the properly sizing lots that can accommodate this use.

- d. *Building location; setbacks.* All buildings shall be located an adequate distance from all property lines and street right-of-way lines. Greater building setback lines may be required when the lot has more than the minimum lot area required or when deemed necessary to protect surrounding properties.

The proposed use will be located on one of the commercial outparcels within this development and will comply with all of the C-1 Dimensional Regulations within the City of Cape Coral Land Use and Development Regulations at the time of Site Plan Permitting.

- e. *Screening and buffering.* A continuous strip of properly maintained landscaped area should be provided along all property lines and along all streets serving the premises. Such continuous strip of properly maintained landscaped area may, however, be allowed to contain walkway(s) and driveway entrances.

The required continuous strip of landscaped area will be provide along all property lines of the Tract specified for this use. Landscaping will be provided for both aesthesis purposes as well as meeting the requirements of the City's Land Use and Development Regulations for buffering of the adjacent uses.

Density and Intensity

The proposed density, if a MF development is constructed on Tract A, will not exceed 96 Multi-family units, or 9.082 dwelling units per acre. The Entrada PDP established a density of 16 dwelling units per acre, with an average of 9.537 units per the three MF Tracts. The Entrada PDP, approved in 2005, established stand-alone residential (Single Family and Multi-Family) tracts on parcels that had a Future Land designation of Mixed-Use. These approvals were obtained prior to the City amended the Mixed Use Future Land Use Element of their Comprehensive Plan to limit the percent of building floor area of stand-alone residential uses to 20% on a parcel 1 acre or larger in size.

The intensity proposed, if a commercial development is constructed on Tract A, will not exceed an FAR of 0.50. The out-parcels end-use proposes a 6,000 square foot high turnover restaurant and a gas station with 16 fueling positions and a convenience store. The applicant requests approval to modify the proposed uses, as listed in the Traffic Impact Report, to other permitted commercial uses that do not exceed the peak hour of the generator traffic trips provided within this PDP, by written notification to the DCD Director and by providing an update Traffic Impact Report.

Master Development Plan Approval

The applicant is requesting Master Development Plan approval for Subdivision only. Site Plan approval, as required by Section 4.4. of the City's Land Use and Development Regulations, will be requested for construction of the subdivision infrastructure and for end-user development.

Expiration Date and Commencing Construction Timeline

The applicant requests staff's consideration in extending the time required to obtain a building permit from two (2) years to four (4) years.

The applicant requests approval to terminate the physical development granted within this PDP Amendment ten (10) years from the date of approval.

This project will:

- provide job opportunities within the City of Cape Coral
- provide new shopping and dining opportunities for the NE Section of the Cape
- bring new national chains to Cape Coral
- increase the City's tax base
- assist the City in achieving its goal to diversify the tax base
- shortened shopping trip lengths for the residents within the NE Cape
- complete the vision planned for this part of the Cape
- help stimulate new residential and other commercial development within this area

Approving this PDP Amendment will provide the residents within this NE Section of the Cape with the additional retail and service opportunities as envisioned within this mixed-use area. Should you or your staff have questions regarding this project, please feel free to contact me.

Sincerely,

AVALON ENGINEERING, INC.



Linda Miller, AICP
Senior Planner

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AVALON ENGINEERING, INC.



Linda Miller, AICP
Senior Planner

Entrada Tract 3 PDP Amendment / (PDP 16-0010)
City of Cape Coral Planning Division
Project Staff Report
Hearing Examiner Date – February 21, 2017

APPLICATION SUMMARY

Applicant: Casto Cape Coral, LLC

Request: A PDP to subdivide a 10.56 acre site into three development tracts. The tracts could be developed with commercial and multi-family development. The entire property is undeveloped.

Location: The address of the site is 3560 De Navarra Parkway.

RECOMMENDATION

Staff recommends **approval** of the application's PDP request with conditions per Attachment "A".

DESCRIPTION OF SUBJECT PROPERTY

The subject property is an undeveloped 10.56 acre site in the northeastern quadrant of Cape Coral. The site is platted as Tract MF-3 in the Entrada mixed-use subdivision. The site is at the northwest intersection of Del Prado Boulevard¹ and De Navarra Parkway. The surrounding area is an undeveloped subdivision to the east and north, the Entrada subdivision to south, the Bella Vida residential subdivision to the west. The site is in the Urban Services Reserve Area and utilities are available from a nearby utility company. The Future Land Use and the Zoning designations of the site and surrounding properties are below:

<i>Subject Property:</i>	<i>Future Land Use</i>	<i>Zoning</i>
<i>Current:</i>	Mixed-Use (MX)	Multi-Family Residential (R-3)
<i>Proposed:</i>	N/A	Pedestrian Commercial (C-1)
	<i>Surrounding Future Land Use</i>	<i>Surrounding Zoning</i>
<i>North:</i>	MX	R-3
<i>South:</i>	MX	Single-Family Residential (R-1B) / C-1
<i>East:</i>	MX	R-3 / C-1
<i>West:</i>	MX	R-1B

¹ A principal arterial. De Navarra was constructed after most recent Functional Classification Map.

NEED FOR THE PDP

The City of Cape Coral Land Use and Development Regulations (LUDR) Article Four, Section 1.2.A.1 states:

“The subdivision of land within the City of Cape Coral, except as provided in § 4.2 of this article, shall be permitted only within approved developments of regional impact (DRIs) or planned development projects (PDPs).”

The applicant proposes to subdivide the site into three parcels which can only be accomplished through a PDP.

DESCRIPTION OF THE PROJECT

The applicant requests a PDP amendment to subdivide the 10.56 acre site into three parcels that range in size from 2.10 acres to 6.05 acres. The two smaller parcels with frontage along Del Prado Boulevard are considered outparcels to the larger tract. The subdivision will include a designated dry detention storm water area. Access is proposed from De Navarra Parkway. The applicant is also requesting to rezone the site from Multi-Family Residential (R-3) to Pedestrian Commercial (C-1). Additionally, the applicant is requesting a Special Exception to construct and operate an “Automobile Service Station, Limited with Convenience Store”. The Special Exception would be limited to Tracts ‘B’ or ‘C’.

ANALYSIS OF THE SUBDIVISION REQUEST

The Planning Division has reviewed this application based on the City Land Use and Development Regulations (LUDR), Section 2.7.7, the Pedestrian Commercial district, the Comprehensive Plan Mixed Use (MX) Future Land Use designation, and the standards in Section 4.1, which covers subdivisions. Staff offers the following analysis for consideration:

LUDR, Section 4.1

1. Requires that all subdivisions shall only be approved through a Development of Regional Impact (DRI) or a PDP.

The applicant is requesting subdivision through PDP, therefore, this standard is met.

2. This section also requires that all development, except for uses allowed in the Single-Family Residential (R-1B) district, in the Urban Service Reserve area must be approved through a PDP.

The site is in the Urban Service Reserve area and the applicant is undergoing review and approval through a PDP, therefore, this standard is met.

LUDR, Section 2.7.11

This section states the purpose, intent and permitted uses for the Pedestrian Commercial zoning district. The applicant states that the subdivision is for commercial and residential uses.

The Pedestrian Commercial district allows a variety of commercial uses and in certain instances, residential uses. Future residential uses will be established in accordance with the standards in LUDR, Section 2.7.11. These standards require that any residential uses must be established on the same parcel as a commercial use or within a compound use building. Other standards include regulations for sound protection and lighting

Mixed Use (MX) Future Land Use Designation

1. The MX Future Land Use designation allows a baseline maximum density of 4.4 units per acre and a maximum Floor Area Ratio (FAR) of 0.50

The maximum density of 4.4 units per acre and FAR of 0.50 will not be exceeded, therefore, this standard is met.

2. The MX Future Land Use designation requires that development of property greater than one acre undergo review and approval through the PDP process.

The applicant has submitted a PDP for the approval of the subdivision and resulting commercial and multi-family development.

3. Properties in the MX Future Land Use designation that are greater than one acre in size are required to have more than one use. Non-residential uses may occupy 100% of a property in the MX designation while residential uses may occupy up to 20% of a property with the MX designation.

Future development will follow the guidelines of the MX Future Land Use designation. City staff will evaluate future development proposals at the time of submittal.

ADDITIONAL ANALYSIS

Planning staff finds that the proposed subdivision will have adequate access to each tract. A shared driveway from De Navarra Parkway will provide access to all three tracts. Planning staff recommends that future development should provide pedestrian access between all three tracts. The subdivision will also be compatible with the surrounding area that consists of a several similar subdivisions that have or will have a mix of uses such as single-family and multi-family residential and commercial.

ANALYSIS OF THE REZONING REQUEST

The applicant has requested a rezone from Multi-Family Residential (R-3) to Pedestrian Commercial (C-1).

The request has been reviewed this request on the ten (10) General Standards provided within Section 8.7.c.B of the LUDR and offers the following analysis for consideration:

1. *The extent to which the property is diminished by the proposed zoning of the property:*

The requested rezone should increase the value of the property. The rezone to C-1 would allow a wide range of commercial uses, while still retaining the option for multi-family development. The expanded number of uses provide a future developer more commercial options while also retaining the ability to construct multi-family units.

2. The extent to which the removal of a proposed change in zoning depreciates the value of other property in the area:

The surrounding neighborhood has several residential or mixed-use subdivisions, either zoned R-1B or C-1. The C-1 district should be compatible with the surrounding area because similar uses to those in the surrounding subdivisions will be established.

3. The suitability of the property for the zoning purpose:

Planning staff finds that the site is well suited for C-1 zoning. The site has more than adequate size, width, and depth to support commercial uses. The site has frontage along a principal arterial and is considered a commercial node. The site is adjacent to R-1B zoning, however, those properties are developed with landscape buffers and additional buffers will be required for the proposed development. The landscape buffers will promote compatibility with the surrounding area.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed zoning:

The surrounding neighborhood consists of platted subdivisions in all directions. These subdivisions contain either single or multi-family dwelling units or commercial uses. The proposed commercial uses and multi-family dwellings will be similar to the surrounding neighborhood.

5. The relative gain to the community as compared to the hardship, if any imposed, from rezoning said property:

Planning staff finds that the proposed C-1 zoning permits an increase of non-residential uses along a major arterial. The City Comprehensive Plan supports commercial and professional zoning at commercial nodes.

6. The community need for the use proposed by the zoning:

As noted in the Future Land Use Element of the City of Cape Coral Comprehensive Plan, the City has identified a need for increasing commercial land within Cape Coral. The proposed C-1 zoning will help to reduce the commercial land deficit within the City and permits a mix of commercial development at a commercial node.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property:

The site has retained the Mixed Use (MX) Future Land Use designation since the adoption of the Comprehensive Plan in 1989. The zoning was changed in 2003 from Residential Development (RD) to Multi-Family Residential (R-3), as part of the Entrada PDP.

8. The extent to which the proposed zoning promotes the health, safety, morals, or general welfare of this community:

Because the current zoning is consistent with the City Comprehensive Land Use Plan, the proposed change does not affect the long-term vision of adding commercial land at an appropriate location. The C-1 rezoning could negatively affect the health, safety, or welfare of the community by introducing an expanded array of uses that could increase traffic, noise, and lighting within the area. However, these impacts can be mitigated through appropriate design in the PDP and conditions of approval as necessary.

9. The extent to which the proposed zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan.

The subject parcel is in the Urban Service Reserve Area. Future development will have access to water, sewer, and irrigation services through a provider that serves various areas in Lee County.

10. Whether the proposed zoning is consistent with the City of Cape Coral's Comprehensive Land Use Plan.

The C-1 zoning district is consistent with the Comprehensive Plan Policy 1.14 as the Future Land Use classification is CP. Properties within the CP future land use can accommodate P-1, P-2, or C-1 zoning. Based upon location and compatibility, staff has determined that the C-1 zoning is appropriate for the subject property. Planning staff also finds that the proposed rezoning is consistent with Objective 1, Policy 1.14 of the Comprehensive Plan which envisions new commercial development at nodes or major intersections.

ANALYSIS OF THE SPECIAL EXCEPTION REQUEST

The applicant requests a Special Exception to allow an 'Automotive Service Station, Limited, with Convenience Store'.

Findings of Fact

The City defines this use as "An establishment primarily engaged in the retail sale of motor fuel and lubricants, but which may also include facilities for washing, waxing, detailing, polishing, greasing, tire repair (no recapping or vulcanizing) and other minor incidental repairs." This use is commonly referred to as a "gas station".

The proposed special exception would be developed on one of the two outparcels. These tracts have frontage on Del Prado Boulevard. As stated previously, access to the outparcels will be from De Navarra Parkway.

Analysis

The Planning Division reviewed this application based on LUDR, Section 2.7.7, the C-1² district, and the five (5) standards outlined within LUDR, Section 8.8.5a-e, which covers special exceptions, and offers the following analysis for consideration:

1) *Generally:*

The C-1 zoning of this parcel is compatible with the MX future land use classification. There are no additional requirements or special regulations regarding gas stations within the C-1 district.

2) *Compatibility:*

Most of Del Prado Boulevard is one of the City's major commercial corridors. The proposed gas station will be adjacent to Del Prado Boulevard, an arterial roadway, and is an appropriate location for a gas station. Staff notes that several residences are within 500' of the site, however, the residences are within residential subdivisions that have screening and buffering above and beyond the typical single-family home Cape Coral. Planning staff finds that while both outparcels would be appropriate for a gas station, the outparcel at the intersection of Del Prado Boulevard and De Navarra Parkway would be more appropriate for this use. This outparcel would increase the distance between the gas station and residences in Bella Vida subdivision to the west. Compatibility could also be increased by placing conditions on lighting and delivery hours if the gas station is developed on Tract 'B'.

3) *Minimum Lot Frontage; Access:*

The two outparcels have over 550 feet of frontage along Del Prado Boulevard and will have access from De Navarra Parkway. The C-1 district does not have a minimum lot frontage requirement.

4) *Building Location; Setbacks:*

The applicant has stated that the gas station will be on an outparcel, however, they have not indicated which outparcel. Any development will be required to follow the dimensional guidelines of the C-1 district

5) *Screening and Buffering:*

The applicant has not submitted any plans for landscaping for the special exception or the subdivision. Future development will follow the landscaping standards in LUDR, Section 5.2. If

² Based on proposed re-zone

the gas station is developed on Tract 'B', the western boundary will have a Type 'C' buffer along the length of the boundary.

Additional Conditions that May Be Imposed on the Development

The Hearing Examiner and the City Council may approve this project with staff conditions, may modify staff conditions, or eliminate one or more conditions in their entirety. In addition, the Hearing Examiner or the City Council has the option of recommending or imposing additional conditions on this proposed project. Additional conditions that could be prescribed by the Hearing Examiner or the City Council for a project of this nature are listed below. Please note that this list is not meant to be an inclusive list, but it is intended to provide guidance to the Hearing Examiner and Council of other options that are available for consideration as a condition of approval. Such conditions for approval could include:

- Requiring modifications to the landscaping plan.
- Limiting the location of any of the buildings or structures.
- Placing conditions on lighting.
- Placing limitations on hours of operations.

Recommendation

The City defines a "special exception" use as *"a use which is essential to, or would promote the public health, safety or welfare in one or more districts, but which might impair the integrity and character of the district in which it is located, or in adjoining districts, such that restrictions or conditions on location, size, extent and character of performance may be imposed in addition to those already imposed in this ordinance."* Planning staff finds that the proposed use will not have a negative impact on the surrounding uses nor will the proposed use impair the C-1 district. Therefore, the Planning Division recommends **approval** of the requested special exception use with the following conditions:

1. If the Special Exception is developed on Tract 'B', deliveries shall be allowed only from 6:00 A.M. until 10:00 P.M.
2. If the Special Exception is developed on Tract 'B', the applicant shall provide a lighting plan during the Site Plan review process that demonstrates lighting shall not exceed 0.3 footcandles at the edge of the property.

GENERAL STANDARDS AND REQUIREMENTS FOR PDPS

This project was also evaluated for compliance with general standards and requirements found in LUDR, Section 4.2, provided below:

- A. *Environmental control standards:* No construction is associated with this PDP. An environmental survey was submitted to the City for review. Similar environmental surveys will be submitted when the tracts are developed. As a result, this project complies with this standard.

- B. *Maintenance of improvements:* No public improvements are proposed within this PDP. The applicant will be improving an on-site lake for drainage and water retention for future development. As a result, this project complies with this standard.
- C. *Consistency with Comprehensive Plan:* This project is consistent with several policies and goals contained within the Comprehensive Plan that are discussed in greater detail elsewhere in this report.
- D. *Financial Responsibility:* This standard is not applicable as the owner will not be required to provide a statement of financial responsibility for this project.
- E. *Dimensional requirements:* No new construction is proposed as a part of the PDP. As a result, this standard is not applicable.
- F. *Maximum density:* This project does not include a density or intensity greater than what is allowed in the Mixed Use (MX) future use land use designation or the Pedestrian Commercial (C-1) zoning district. As a result, this standard is met.
- G. *Minimum parcel size:* The project is in the Urban Service Reserve Area, which requires a minimum of three acres for projects other than the development of single-family homes, or restricts uses to those that generate no more than 1,320 gallons of wastewater per acre per day. While the project is in the Reserve, utilities are available from a nearby provider other than the City of Cape Coral. As a result, this standard is met.
- H. *Time limitation:* The owner has asked for four years from the effective date of the PDP to obtain a building permit. The applicant will complete substantial construction once the subdivision plat is recorded.
- I. *Ownership requirements:* The applicant seeking the PDP owns the property. As a result, the project complies with this standard.
- J. *Special exceptions:* The applicant has requested a Special Exception to construct an "Automotive Service, Limited, with Convenience Store". As a result, the project complies with this standard.
- K. *Deviations:* No deviations are sought with this PDP. As a result, this standard is not applicable.
- L. *Underground Utilities:* No construction is proposed with this PDP. Utilities are available to this site and will be underground. As a result, the project complies with this standard.

CONCURRENCY REVIEW

The site has access to utilities; however, the project will not use city services for solid waste, drainage, potable water, and wastewater. Utilities will be supplied from another provider if City of Cape Coral utilities are not available at the time of construction. Per Policy 1.1.1 of the Transportation Element of the City's Comprehensive Plan, Del Prado Boulevard and De Navarra Parkway have a Level of Service

Standard (LOS) of D. Per the City Transportation staff, the trips generated by this subdivision will not affect the LOS of Del Prado Boulevard and De Navarra Parkway.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

This project was specifically reviewed for consistency with the following policies:

Future Land Use Element

Policy 1.1: "The subdivision of land within the City of Cape Coral shall be granted only within Developments of Regional impact (DRIs) or in Planned Development Projects (PDPs), except for instances of approving small-scale subdivisions of fewer than 10 lots involving fewer than 10 acres."

Policy 1.8: "The City will maintain regulations ensuring safe and convenient on-site traffic flow and vehicle parking needs for all developed lands."

Policy 8.3: "Commercial developments shall be designed to minimize negative impacts on surrounding residential uses and the land development regulations shall provide for adequate buffering between commercial and residential uses. The design should ensure adequate screening of unsightly views of commercial developments (such as loading docks, rooftop equipment, service entrances, trash containers, parking area and exterior storage) through the extensive use of landscaping, berms, fencing, concealment, architectural features, open space setbacks, and/or building orientation..."

SUMMARY OF THE POSITIVE AND NEGATIVE ASPECTS OF THE PROJECT

POSITIVE ASPECTS OF THE PROJECT
<ul style="list-style-type: none">• The mixed-use subdivision will be in harmony with the surrounding area.• The site is large enough to support both residential and commercial uses.• The future land use and proposed zoning are compatible with each other.
NEGATIVE ASPECTS OF THE PROJECT
<ul style="list-style-type: none">• If the Special Exception use is developed on Tract 'B', some residences could be affected by noise and light.
MITIGATING MEASURES
<ul style="list-style-type: none">• Conditions that would restrict light and noise from a gas station on Tract 'B'.

PROJECT RECOMMENDATIONS

Staff finds that this PDP is consistent with the City LUDRs and the Comprehensive Plan. Planning staff recommends **approval**, subject to the conditions outlined below.

1. If the Special Exception is developed on Tract 'B', deliveries shall be allowed only from 6:00 A.M. until 10:00 P.M.
2. If the Special Exception is developed on Tract 'B', the applicant shall provide a lighting plan during the Site Plan review process that demonstrates lighting shall not exceed 0.3 footcandles at the edge of the property.

PUBLIC NOTIFICATION

This case will be publicly noticed as required by LUDR, Section 8.3 as further described below.

Publication: A legal ad will be prepared and sent to the New Press for scheduled publication 10 days prior to any public hearing.

Written notice: Property owners located within 500 feet of the project area will be mailed letters 10 days prior to any public hearing.

Posting of a Sign: Signs will be posted on the subject property along Del Prado Boulevard and De Navarra Parkway 10 days prior to any public hearing.

Staff Contact Information:

Chad Boyko, AICP, Principal Planner
(239) 573-3162
cboyko@capecoral.net



NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: PDP16-0010

REQUEST: A PDP to subdivide a 10.56-acre site into three development tracts. The tracts could be developed with commercial and multi-family development. The entire property is undeveloped.

LOCATION: The address of the site is 3560 De Navarra Parkway

CAPE CORAL STAFF CONTACT: Chad Boyko, Principal Planner, 239-573-3162, cboyko@capecoral.net

PROPERTY OWNER(S): Casto Cape Coral, LLC

AUTHORIZED REPRESENTATIVE: Avalon Engineering, Linda Miller

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00AM on Tuesday, February 21, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: CITY OF CAPE CORAL_DEPT OF COM

Ad No.: 0001920720

Address: 1015 CULTURAL PARK BLVD
CAPE CORAL FL 33990
USA

Net Amt: \$

Run Times: 1

No. of Affidavits: 1

Run Dates: 02/11/17

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: PDP16-0010

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8771 (TDD) or 1-800-955-8770 (v) for assistance.

by order of
Rebecca van Deutekom, MMC
City Clerk
REF # PDP16-0010
LEGAL AD - DCD
PUBLISH AD: Saturday, February 11th
ad no. 1920720 February 11,2017

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Casto Cape Coral, LLC

APPLICATION NO: PDP16-0010

STATE OF FLORIDA)
) §
COUNTY OF LEE)

I, Vincent A. Cautero, AICP having first been duly sworn according to law, state on my oath the following:

That I am the Director of the Department of Community Development and responsible in performing duties as required for the City of Cape Coral.

That pursuant to City of Cape Coral code. Section 8.3.2A and Section 8.11.3.A all required written notice and publication has been provided. Also posting of a sign has been done when applicable per Section 8.3.2A.

DATED this 13 day of February, 2017.



Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 13 day of February, 2017, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 11/30/17 Commission # FF060852

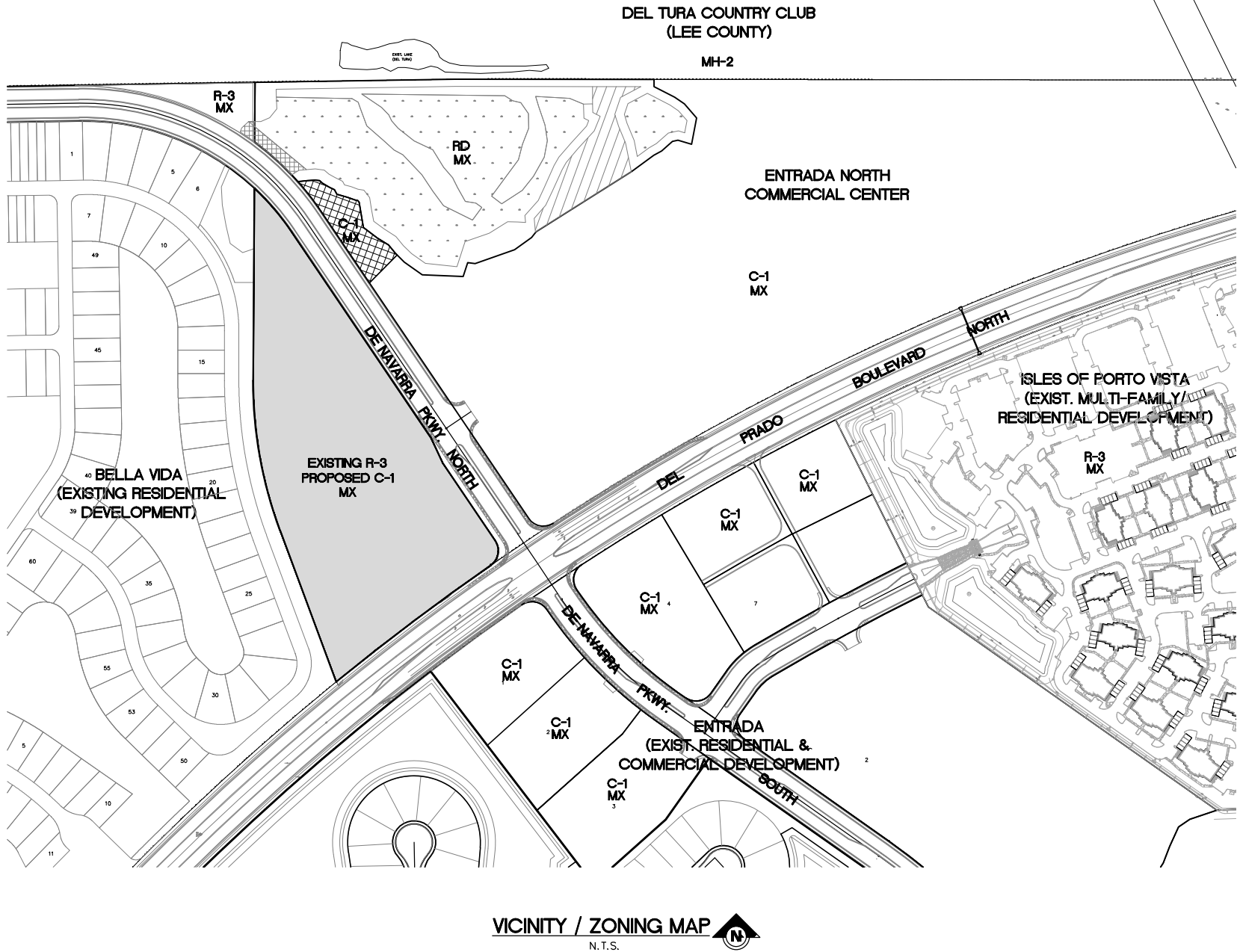


Signature of Notary Public

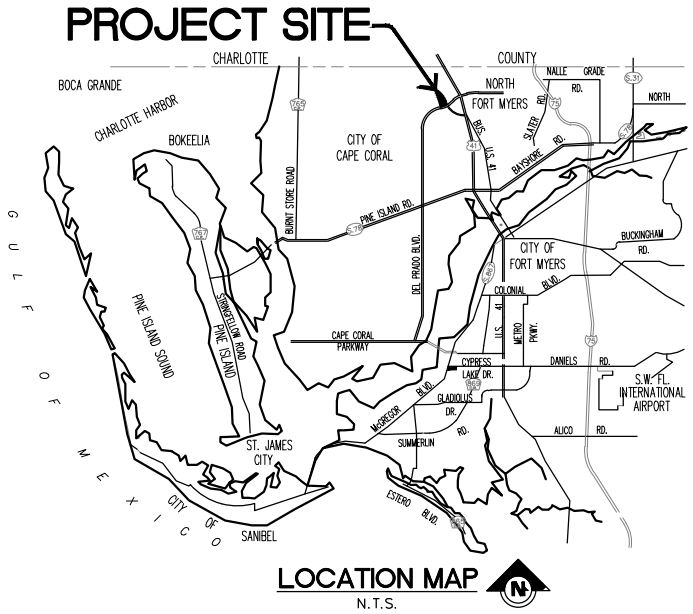
Michelle Miller
Print Name of Notary Public

P:\CAD\2016\16-101\PD\PLOT\16-101_pdp-cover.dwg Layout1, 12/28/2016 1:02:56 PM, Avalon Engineering Inc.

P.D.P. MASTER PLANS
FOR
ENTRADA COMMERCIAL WEST SUBDIVISION
DEL PRADO BLVD. NORTH & DENAVARRA PKWY. NORTH
CAPE CORAL, FLORIDA



ATTENTION IS DIRECTED TO THE FACT THAT THESE
PLANS MAY HAVE BEEN REDUCED IN SIZE BY
REPRODUCTION. THIS MUST BE CONSIDERED WHEN
OBTAINING SCALED DATA.



PROJECT STATISTICS:

LOCATION: SECTION 21, TOWNSHIP 43S, RANGE 24E
N.W. CORNER DEL PRADO BLVD. NORTH AND
DENAVARRA PKWY. NORTH

STRAP#: 21-43-24-C1-009MF.0030
EXISTING ZONING: R-3
PROPOSED: C-1
FUTURE LAND USE: MIXED USE (MX)
DEVELOPMENT TYPE: MULTI-FAMILY & COMMERCIAL
BUILDING USAGE: RESIDENTIAL & RETAIL

APPROVED SFWMD PERMIT #36-05074
FLOOD ZONE: C
FIN. FLR. MIN. EL: 19.7 NGVD

PROJECT ZONINGS:

■ PDP SITE (10.57 AC.±)

INDEX OF SHEETS:

- 1 COVER SHEET / ZONING MAP
 - 2 EXIST. CONDITIONS / EROSION CONTROL
 - 3 MASTER SUBDIVISION PLAN
 - 4 MASTER DEVELOPMENT PLAN
 - 5 MASTER GRADING & DRAINAGE PLAN
 - 6 MASTER UTILITY PLAN
- SURVEY (BY OTHERS)

Joseph W. Edwards, P.E.
FL LICENSE # 38615

THIS PLAN IS INTENDED FOR CONCEPTUAL
DESIGN ONLY. IT IS NOT TO BE USED FOR
MAY CHANGE SIGNIFICANTLY BASED UPON
SURVEY, ENVIRONMENTAL AND REGULATORY
CONSTRAINTS. "NOT FOR CONSTRUCTION"

DATE	BY	REVISION DESCRIPTION
06/10/16	BE	INITIAL SUBMITTAL PDP MASTER PLAN
09/28/16	BE	REVISION SUBMITTAL PER CITY (09/07/16)
12/28/16	BE	STAFF COMMENTS/TLS APPROVAL

AVOLON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904
FEE #3128 (239) 573-2077

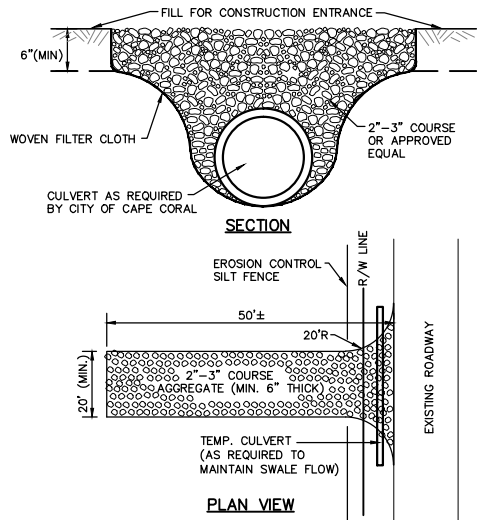
CASO-SOUTHEAST
SOUTHEAST REALTY SERVICES, INC.
5301 S. GOLF COURSE BLVD. #100
SARASOTA, FLORIDA 34240
Ph: (941) 552-4336

ENTRADA COMMERCIAL WEST
SUBDIVISION
(BLOCK 8044, TRACT MF-3
CAPE CORAL, FLORIDA)

COVER SHEET
(ZONING MAP)

#16-101/PDP

1 OF 6



- NOTE:
- 1.) THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC R/W. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
 - 2.) WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC R/W.
 - 3.) WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED W/ CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

TEMP. CULVERT • CONSTRUCTION ENTRANCE

DR-TEMP-CULVERT.dwg (2008)
N.T.S.

LEGEND

—○— EROSION CONTROL
(SILT FENCING, TYP.)

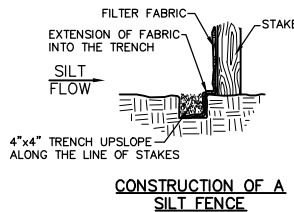
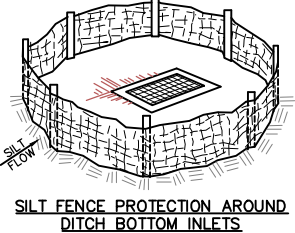
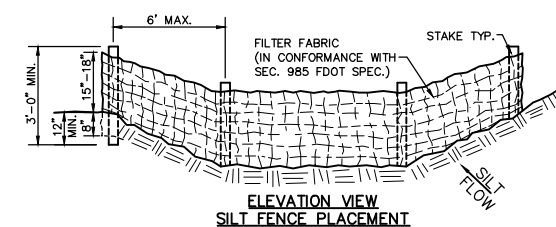
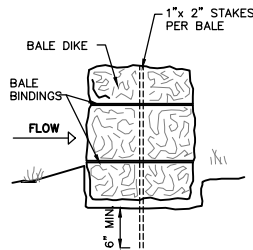
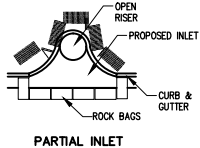
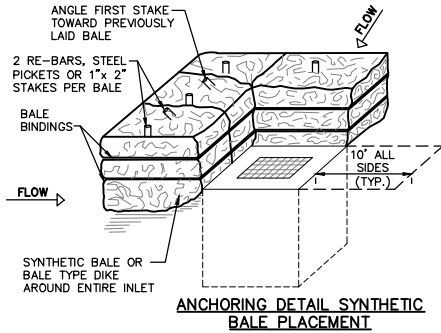
SOILS

39 ISLES FINE SAND, DEPRESSIONAL

74 BOCA FINE SAND, SLOUGH

FL.U.C.C.S.

192 SEE ENVIRONMENTAL REPORT

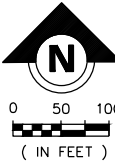


EROSION CONTROL
DR-EROSION-CONTROL-1.dwg
N.T.S.

EROSION CONTROL NOTES

1. THE CONTRACTOR SHALL ADHERE TO THE SEQUENCE OF OPERATIONS FOR EROSION CONTROL IMPLEMENTATION HEREON. ANY DEVIATION FROM THIS SEQUENCE DEEMED NECESSARY BY THE CONTRACTOR SHALL BE APPROVED BY THE OWNER.
2. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS INVOLVED WITH THE CONSTRUCTION ACTIVITIES RELATED TO EROSION CONTROL AS SHOWN OR NOTED HEREON SHALL OBTAIN A COPY OF THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP), AS WELL AS THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR THIS SITE, AND BECOME FAMILIAR WITH THEIR CONTENTS.
3. ALL WASH WATER SHALL BE DISPOSED OF IN A MANNER THAT PREVENTS CONTACT BETWEEN WASH WATER POLLUTANTS AND STORM RUNOFF DISCHARGED FROM THIS SITE.
4. OIL AND GREASE ABSORBING MATERIALS SHALL BE READILY AVAILABLE ON-SITE AND SHALL BE PROMPTLY USED TO CONTAIN AND/OR CLEAN UP ALL FUEL OR CHEMICAL SPILLS OR LEAKS.
5. DUST CONTROL SHALL BE ACCOMPLISHED BY WATERING DRY, EXPOSED AREAS ON A REGULAR BASIS. SPRAYING OF PETROLEUM BASED OR LIQUIDS FOR THIS IS PROHIBITED.
6. ALL CITY RIGHT-OF-WAYS THAT ARE DISTURBED DURING CONSTRUCTION SHALL BE PERMANENTLY SODDED PRIOR TO THE COMPLETION OF THE PROJECT.
7. DISTURBED AREAS OF THE SITE WHERE CONSTRUCTION AREAS HAVE PERMANENTLY CEASED SHALL BE PERMANENTLY SEED OR SODDED, AS SHOWN ON THE ATTACHED PLAN, WITHIN FOURTEEN DAYS.
8. ALL VEHICLES SHALL BE CLEANED AT THE CONSTRUCTION SITE PRIOR TO EXITING.
9. ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED ONTO ADJACENT ROADWAYS BY VEHICLES EXITING THE SITE SHALL BE CLEANED OR REMOVED IMMEDIATELY.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROMPT REMOVAL OF ALL ACCUMULATED SILT IN THE STORM SEWER SYSTEM AND ALONG SILT FENCES.
11. SILT FENCES SHALL BE PLACED AROUND ANY STOCKPILES USED ON THIS SITE.
12. ANY ADDITIONAL EROSION CONTROL MEASURES REQUIRED TO ENSURE COMPLIANCE WITH THE U.S.E.P.A., FLORIDA DEP AND LOCAL GOVERNING AGENCY STORM WATER POLLUTION REGULATIONS SHALL BE IMPLEMENTED BY THE CONTRACTOR, AT NO ADDITIONAL COST TO THE OWNER.
13. ALL TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED AND PROPERLY DISPOSED OF OFF-SITE WITHIN THIRTY DAYS AFTER STABILIZATION OF ALL SURFACES.
14. THE CONTRACTOR SHALL ASSUME LIABILITY FOR DAMAGE TO ADJACENT PROPERTIES AND/OR PUBLIC RIGHT-OF-WAY RESULTING FROM FAILURE TO FULLY IMPLEMENT AND EXECUTE ALL EROSION CONTROL PROCEDURES SHOWN AND NOTED IN THE PLANS.
15. WHENEVER DIRT, ROCK OR OTHER MATERIALS ARE EXPORTED FOR USE OFF OF THE PRIMARY CONSTRUCTION SITE, THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THAT EPA STORMWATER PERMITTING REQUIREMENTS ARE MET. PRIOR TO ANY EXPORT OF MATERIALS, THE CONTRACTOR SHALL FURNISH THE ENGINEER WITH A WRITTEN AGREEMENT WITH ANY LANDOWNER WHO WILL RECEIVE EXPORTED MATERIALS, STATING THAT THE SITE WILL BE PROPERLY PERMITTED WHEN REQUIRED AND DESCRIBE THE EROSION CONTROL MEASURES WHICH WILL BE USED. AT A MINIMUM, EROSION CONTROL MEASURES MUST CONSIST OF PERIMETER CONTROLS (SYNTHETIC BALES OR SILT FENCES) ON ALL DOWNSLOPE AND SIDESLOPE BOUNDARIES OF ANY DISTURBED AREAS, PLUS PROVISIONS FOR RE-VEGETATION AFTER THE FILL MATERIALS ARE IN PLACE.
16. PRIOR TO CONSTRUCTION FILTER FABRIC SILT FENCE, OR OTHER APPROVED EROSION CONTROL DEVICES SHALL BE INSTALLED ACROSS THE SWALE AT THE LOWEST DISTURBED POINT TO PREVENT EROSION MATERIAL FROM LEAVING THE CONSTRUCTION AREA, INCLUDING ANY VACANT AREAS USED FOR INGRESS AND EGRESS. ALTERNATIVE USES COULD BE GEO-HAY, WADDLES, TERRA TUBES, SEDIMENT LOGS, ETC.
17. ALL AFFECTED STORMWATER PIPES, INLETS AND CATCH BASINS SHALL BE PROTECTED BY EROSION CONTROL DEVICES TO PREVENT CONSTRUCTION RELATED EROSION MATERIAL FROM ENTERING THE STORMWATER SYSTEM. SHOULD THE EROSION CONTROLS NOT BE INSTALLED AND/OR FAIL THE CONTRACTOR BE RESPONSIBLE FOR CLEANING THE ENTIRE SYSTEM AS DEEMED NECESSARY BY THE ENGINEER AND GOVERNING AGENCY.
18. THE EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO ANY CONSTRUCTION PROCESS AND SHALL REMAIN IN PLACE UNTIL STABILIZED WITH SOD AND THE VACANT AREAS ARE SEEDDED AND MULCHED.
19. REFER TO FDOT EROSION AND SEDIMENT MANUAL FOR ADDITIONAL DETAILS, NOTES AND SPECIFICATIONS.
20. ALL DEWATERING SHALL BE IN ACCORDANCE WITH S.F.W.M.D. CRITERIA.

PROJECT SITES WITHIN CITY OF CAPE CORAL:
CONTRACTOR TO REFER TO CITY OF CAPE CORAL
ENGINEERING DESIGN STANDARDS FOR ADDITIONAL
EROSION CONTROL DETAILS (SHEET M-1 THRU M-27)
AS REQUIRED.



Joseph W. Edmonds, P.E.
FL LICENSE # 38615

THIS PLAN IS INTENDED FOR CONCEPTUAL DESIGN ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES TO THE PLAN SHALL BE BASED UPON A SURVEY, ENVIRONMENTAL AND REGULATORY ANALYSIS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. "NOT FOR CONSTRUCTION"

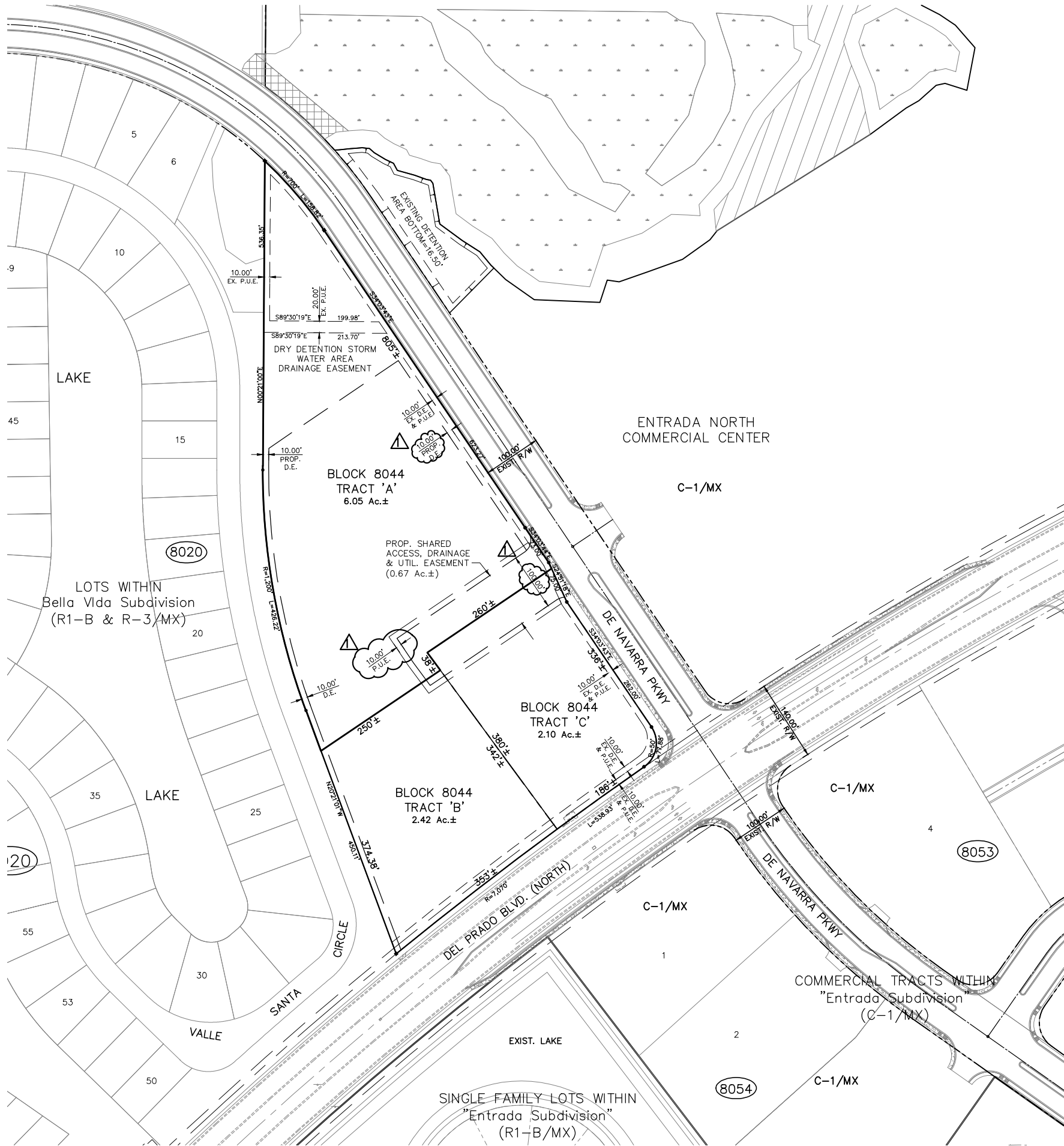
DATE	BY	REVISION DESCRIPTION
06/10/16	BE	INITIAL SUBMITTAL PER MASTER PLAN
09/28/16	BE	ADP RESUBMITTAL PER CITY (09/01/16)
12/28/16	BE	ADP COMMENTS/11.5. APPROVAL

AVOLON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904
FBPE#3128 (239) 573-2077

CASIO-SOUTHEAST
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904
Ph: (941) 552-4336

ENTRADA COMMERCIAL WEST
SUBDIVISION
(BLOCK 8044, TRACT MF-3
CAPE CORAL, FLORIDA

EXIST. CONDITIONS
EROSION CONTROL



SITE DATA:

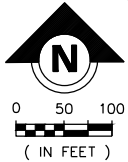
TOTAL SITE: 460,223 SQ. FT. 10.57 AC.± 100%

- △ SHARED DRAINAGE EASEMENTS: 1.91 AC.±
SHARED ACCESS DRAINAGE & UTIL. EASEMENTS: 0.67 AC.±
SHARED 10' P.U.E.: 0.15 AC.±
- TRACT 'A': 6.05 AC.±
TRACT 'B': 2.42 AC.±
TRACT 'C': 2.10 AC.±

SUBDIVISION PLAT NOTES:

1. FINAL PLATS WILL BE PREPARED PER CHAPTER 177 F.S.
2. PUBLIC UTILITY EASEMENTS (P.U.E.) AND DRAINAGE EASEMENTS (D.E.) MAY VARY DURING FINAL DESIGN AND WILL BE FINALIZED DURING SITE PLAN AND FINAL PLAT REVIEW.

P.U.E. DENOTES PUBLIC UTILITY EASEMENT
L.M.E. DENOTES LAKE MAINTENANCE EASEMENT
D.E. DENOTES DRAINAGE EASEMENT
3. THE DIMENSION OF EACH TRACT MAY VARY IN SIZE FROM WHAT IS SHOWN AND SHALL BE FINALIZED AND APPROVED DURING FINAL PLAT REVIEW.
4. THE INFRASTRUCTURE CONSTRUCTION PERMIT AND EACH TRACT DEVELOPMENT WILL BE APPROVED THROUGH THE CITY OF CAPE CORAL SITE PLAN PROCESS.



Joseph W. Edwards, P.E.
FL LICENSE # 38615

THIS PLAN IS INTENDED FOR CONCEPTUAL DESIGN ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE DESIGNER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE SUBDIVISION PLAT. THE DESIGNER DOES NOT WARRANT THE ACCURACY OF THE SURVEY, ENVIRONMENTAL AND REGULATORY CONSTRAINTS. NOT FOR CONSTRUCTION.

DATE	BY	REVISION DESCRIPTION
06/10/16	BE	INITIAL SUBMITTAL PDP MASTER PLAN
09/26/16	BE	IN PDP RESUBMITTAL PER CITY (09/07/16)
12/28/16	BE	STAFF COMMENTS/11.5. APPROVAL

AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904
FBPE#3128 (239) 573-2077

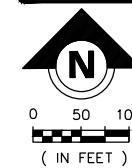
CASTO-SOUTHEAST
Southeast Real Estate Services, Inc.
5301 South Pine Island Road, #100
Sarasota, Florida 34240
Ph: (941) 552-4336

ENTRADA COMMERCIAL WEST
SUBDIVISION
(BLOCK 8044, TRACT MF-3
CAPE CORAL, FLORIDA

MASTER SUBDIVISION
PLAN

#16-101/PDP

3 OF 6



THIS PLAN IS INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL AND REGULATORY CONSTRAINTS. "NOT FOR CONSTRUCTION"

DATE	BY	REVISION DESCRIPTION
06/10/16	BE	INITIAL SUBMITTAL PDP MASTER PLAN
09/26/16	BE	PDP RESUBMITTAL PER CITY (09/01/16)
12/28/16	BE	STAFF COMMENTS/T.I.S. APPROVAL

MAVALON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904

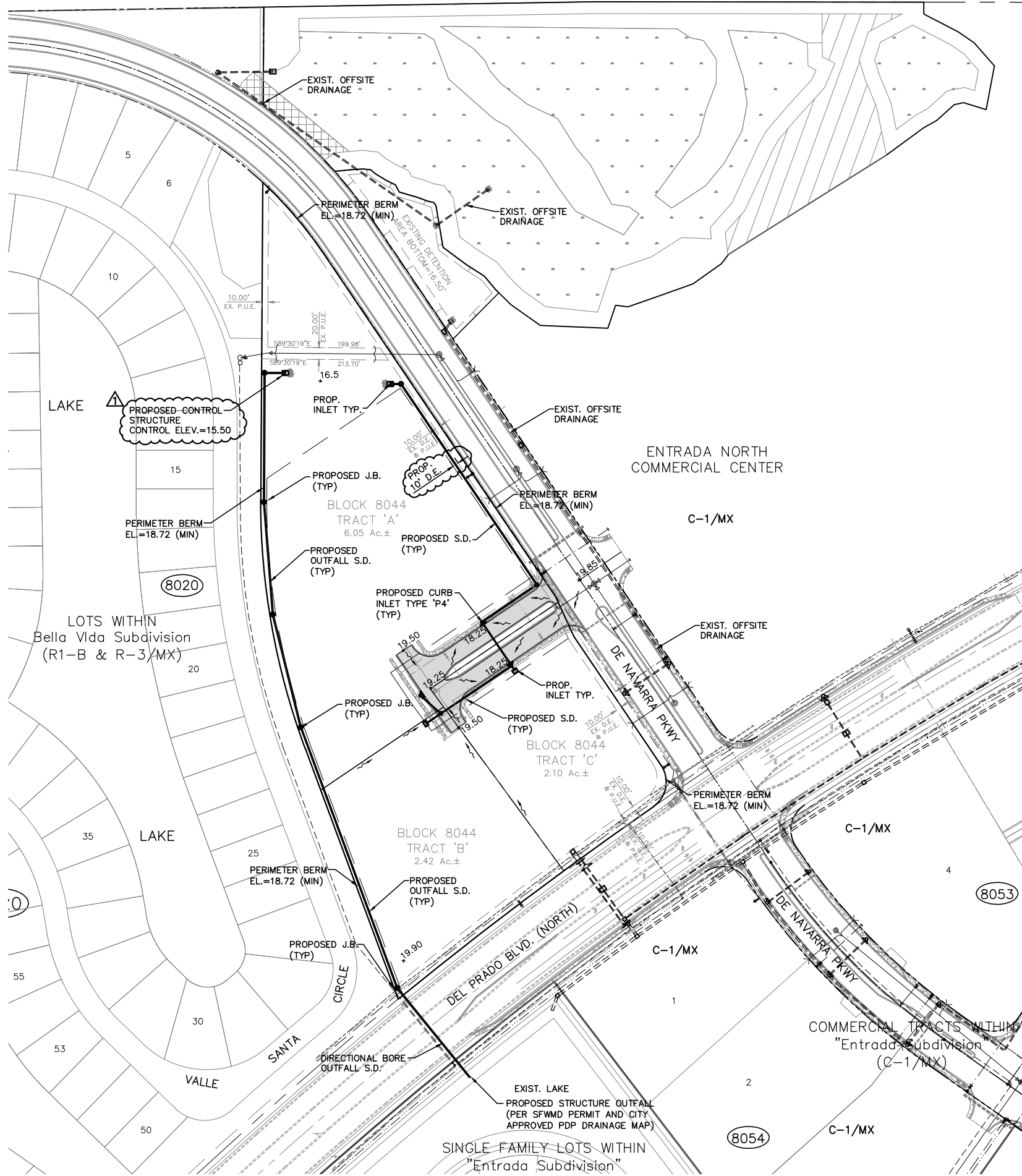
CASTO-SOUTHEAST
Southeast Realty Services
5391 Lokewood Ranch Blvd. #100
Sarasota, Florida 34240

**ENTRADA COMMERCIAL WEST
SUBDIVISION
(BLOCK 8044, TRACT MF-3**

MASTER
DEVELOPMENT BI AN

#16-101/F

P:\CAD\2016\16-101\PD\PLOT\16-101_PDP-PCD.dwg, Layout1, 12/28/2016 1:04:30 PM, Avalon Engineering Inc.



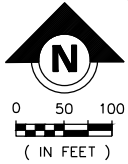
LEGEND

- BERM/DETENTION AREAS
- ROCK BOULDER RIP-RAP OVER FILTER FABRIC
- ASPHALT PAVEMENT AREAS (SEE PAVEMENT SECTIONS)
- CONCRETE
- EXIST. STORM DRAIN & INLET
- * INLET STRUCTURE I.D.
- PROP. STORM DRAIN & INLET
- PROPOSED CONTOUR ELEVATION
- PROPOSED ELEVATION (NGVD)
- ** DESIGN ELEVATIONS (NGVD)
- EXISTING ELEVATION (NGVD)
- DRAINAGE FLOW ARROW

* SEE STRUCTURE TABLE
** ALL DESIGN ELEVATIONS WITHIN CITY R/W INCLUDING PAVEMENT, WALKS, DRIVES & ALLEYS ARE TO BE COORDINATED WITH CITY PUBLIC WORKS DEPT. PRIOR TO CONSTRUCTION.

PER APPROVED SFWMD PERMIT #36-05074

MIN. FINISH FLOOR ELEV.: 19.70 NGVD
MIN. ROADWAY ELEV.: 18.25 NGVD
MIN. PERIMETER BERM ELEV.: 18.72 NGVD



Joseph W. Edwards, P.E.
FL LICENSE # 38615

THIS PLAN IS INTENDED FOR CONCEPTUAL DESIGN ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE USER ASSUMES ALL LIABILITY FOR ANY CONSEQUENCES OF USING THIS PLAN.

DATE	BY	REVISION DESCRIPTION
06/10/16	BE	INITIAL SUBMITTAL PER CITY (09/07/16)
09/07/16	BE	REVISION PER CITY COMMENTS/7/15 APPROVAL
12/28/16	BE	STAFF COMMENTS/7/15 APPROVAL

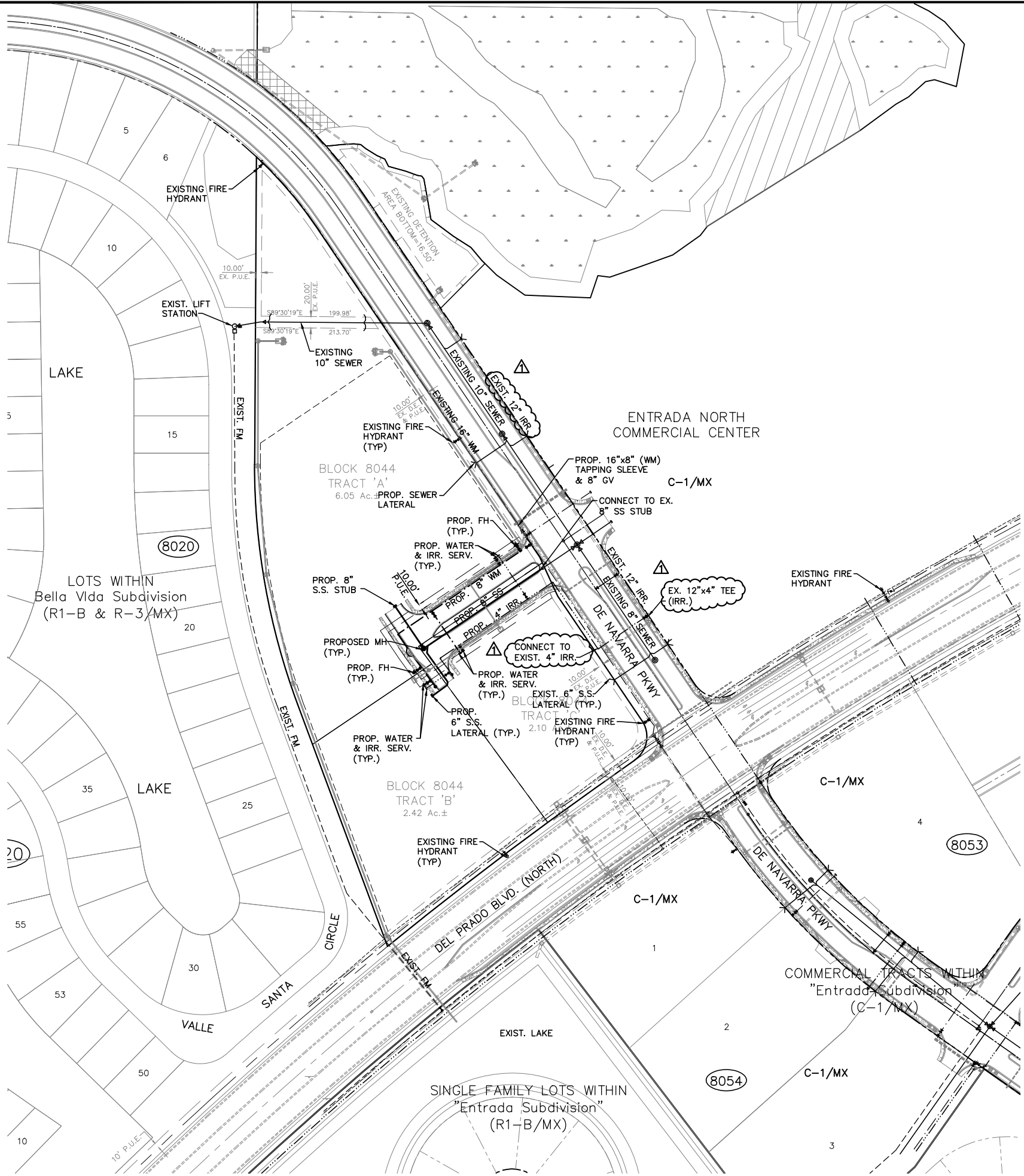
AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD., #200
CAPE CORAL, FLORIDA 33904
FEBE#3128 (239) 573-2077

CASTO-SOUTHEAST
Southeast Real Estate Services, Inc.
5301 S. GOLF COURSE BLVD., #100
SARASOTA, FLORIDA 34240
Ph: (941) 552-4336

ENTRADA COMMERCIAL WEST SUBDIVISION
(BLOCK 8044, TRACT MF-3)
CAPE CORAL, FLORIDA

MASTER GRADING & DRAINAGE PLAN

#16-101/PDP

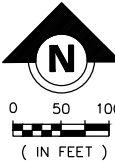


LEGEND

- FIRE HYDRANT ASSEMBLY W/ PIPE BOLLARDS
- GATE VALVE
- WATER MAIN
- IRRIGATION MAIN
- SANITARY SEWER MAIN W/ MANHOLE
- FORCE MAIN
- (MH-1) MANHOLE STRUCTURE I.D. *
- 6" SEWER LATERAL PVC SDR 26 W/CLEAN-OUT
- IRRIGATION SERVICE
- WATER SERVICE

MSC. NOTE:

1. UTILITY CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COST ASSOCIATED WITH PROVIDING UNDERGROUND PHONE, ELECTRIC & CABLE SERVICE TO TRACTS AND/BUILDINGS.



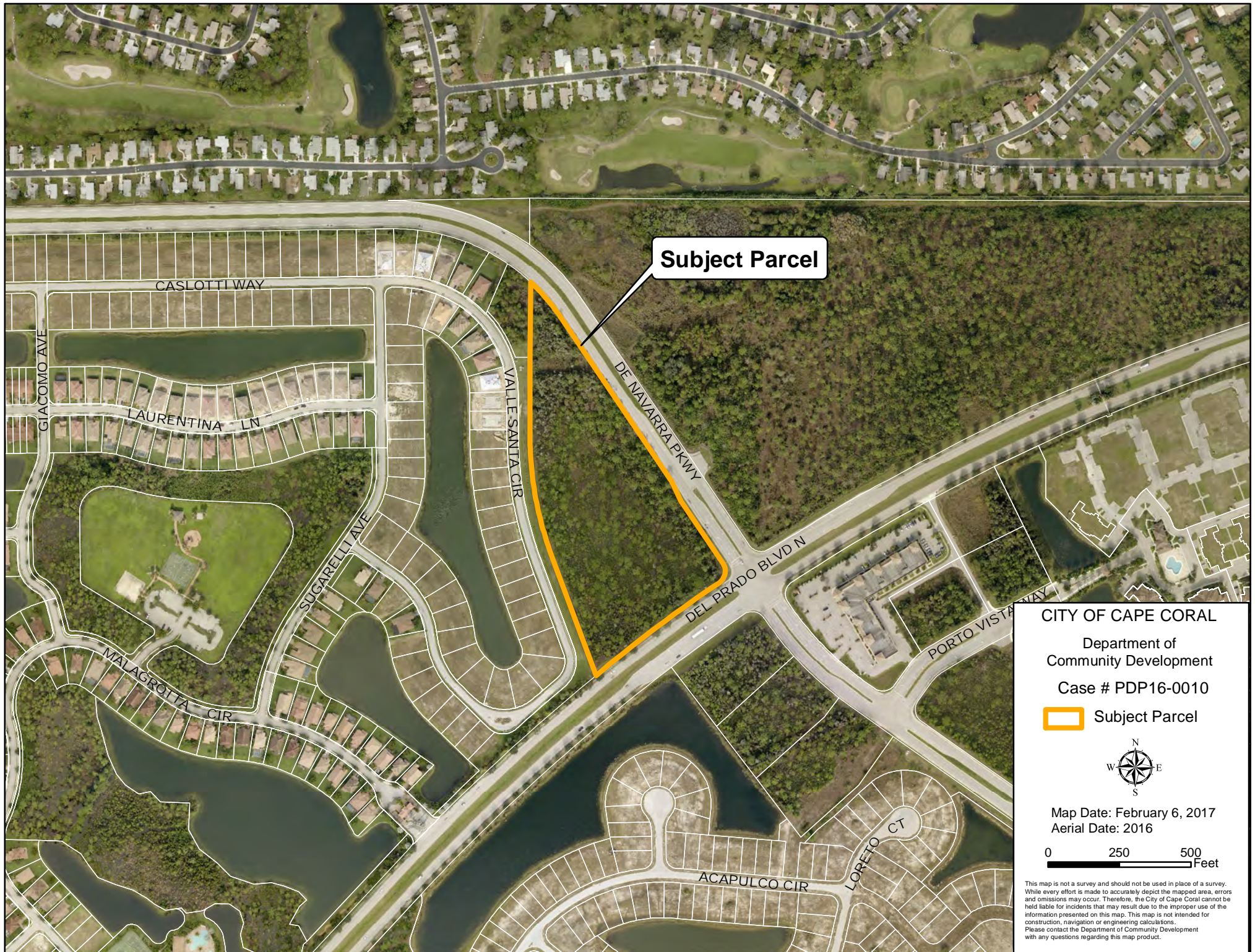
Joseph W. Edwards, P.E.
FL LICENSE # 38615

DATE	BY	REVISION DESCRIPTION
06/10/16	BE	INITIAL SUBMITTAL PDP MASTER PLAN
09/26/16	BE	IN PDP RESUBMITTAL PER CITY (09/07/16)
12/28/16	BE	STAFF COMMENTS/715, APPROVAL

AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD., #200
CAPE CORAL, FLORIDA 33904
FPE#3128 (239) 573-2077

CASO-SOUTHEAST
Southeast Real Estate Services, Inc.
5301 S. GOLF COURSE BLVD., #100
SARASOTA, FLORIDA 34240
Ph: (941) 552-4336

ENTRADA COMMERCIAL WEST SUBDIVISION
(BLOCK 8044, TRACT MF-3)
CAPE CORAL, FLORIDA




Subject Parcel

CITY OF CAPE CORAL

Department of
Community Development

Case # PDP16-0010

 **Subject Parcel**



Map Date: February 6, 2017
Aerial Date: 2016

0 250 500
Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.








CITY OF CAPE CORAL

Department of
Community Development
Planning Division

CURRENT ZONING MAP 500 Proximity Boundary

Case No. PDP16-0010
Lots: TRACT

Legend

-  SubjectParcel
-  500 ft Boundary
-  C-1
-  P-1
-  R-1B
-  R-3
-  RD

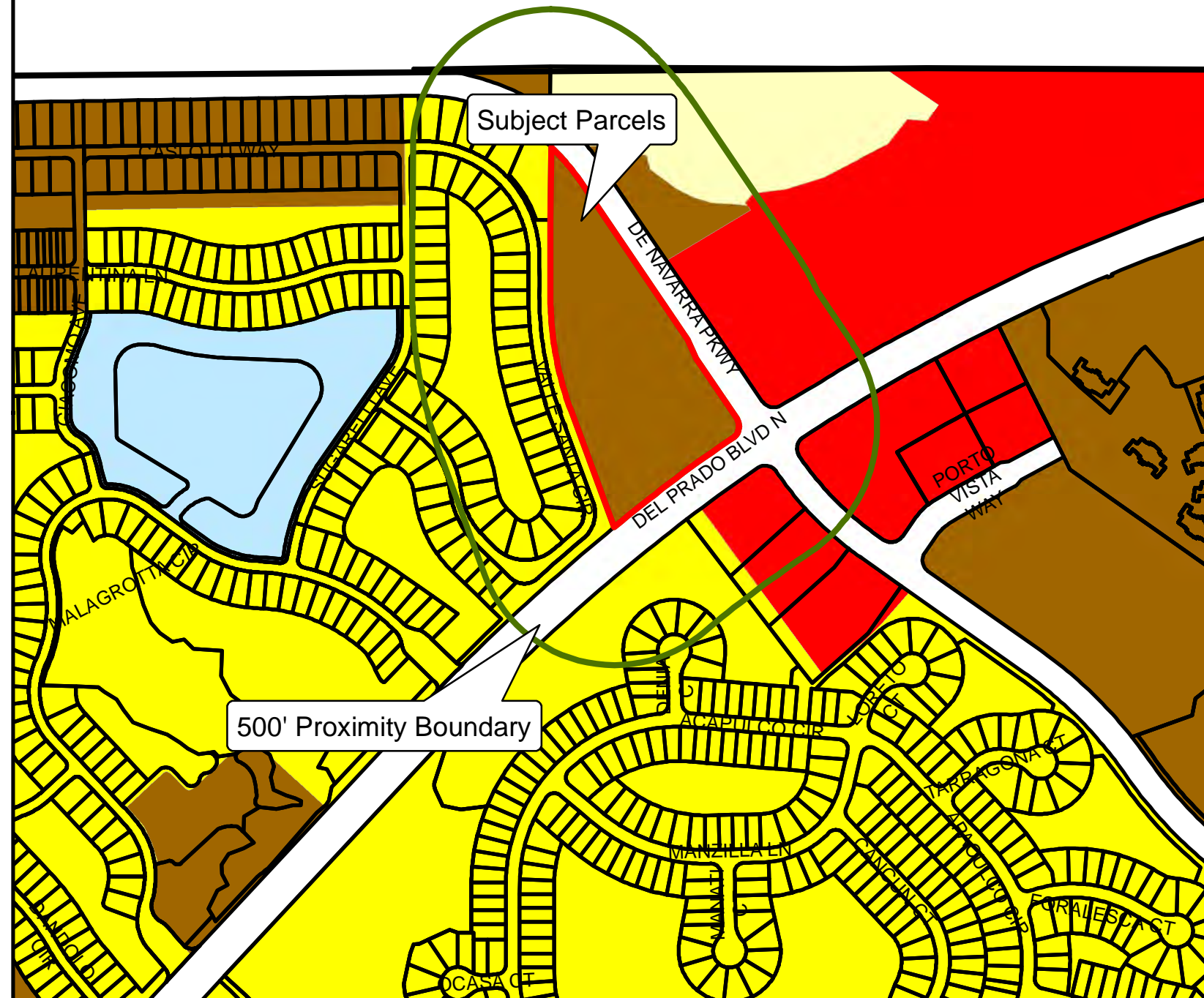


February 6, 2017

0 210 420 630 840 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

SRB










CITY OF CAPE CORAL

Department of
Community Development
Planning Division

PROPOSED ZONING MAP 500 Proximity Boundary

Case No. PDP16-0010

Legend

-  Subject Parcel
-  500Ft Boundary
-  C-1
-  P-1
-  R-1B
-  R-3
-  RD

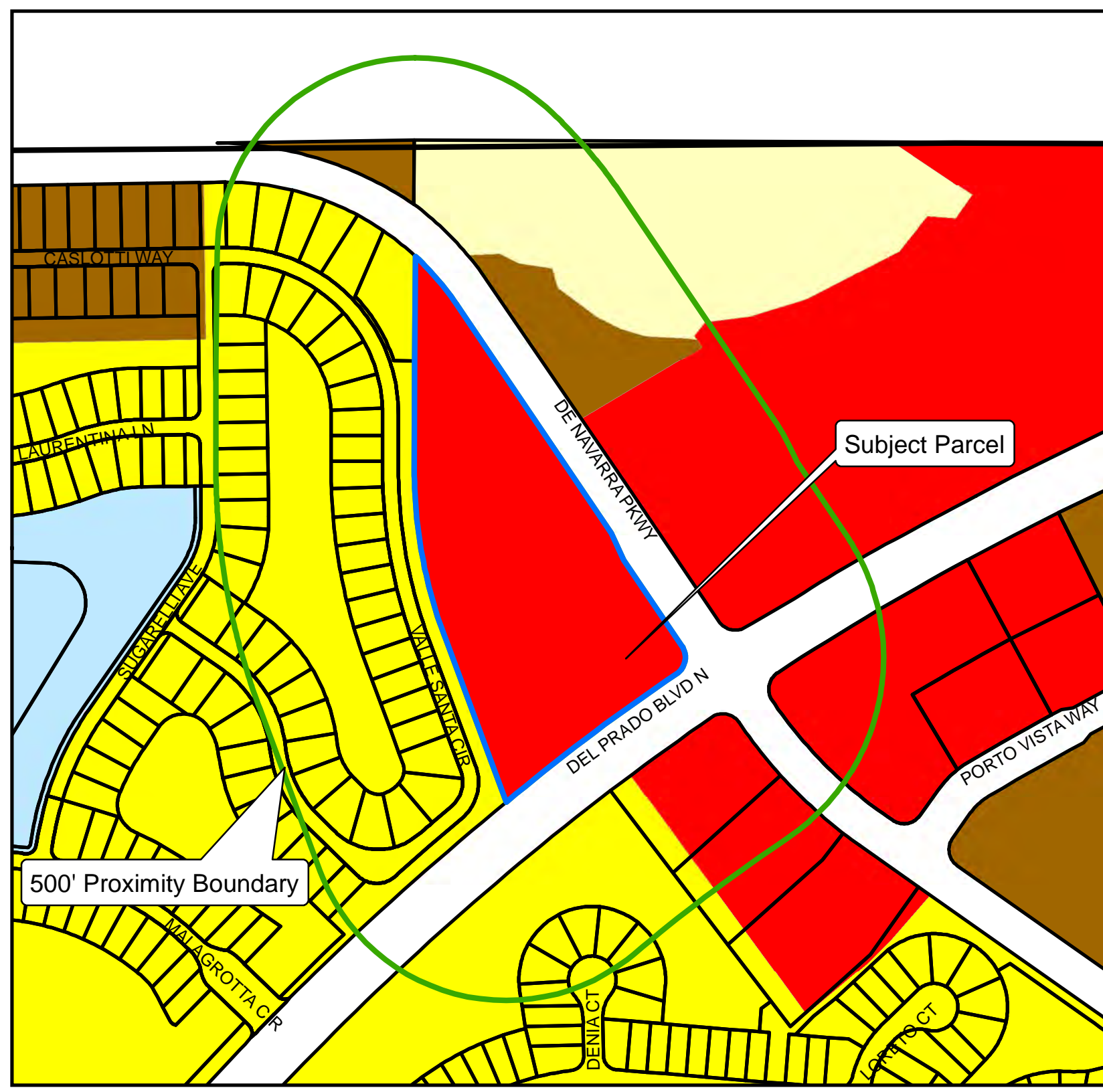


FEBRUARY 13TH, 2017

0 130 260 390 520
Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

KRKA



Item Number:	2.C.
Meeting Date:	2/21/2017
Item Type:	HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case #PDP16-0011*; Address: 2555 NE Pine Island Rd.; Applicant: KIRBY FAMILY LP #3 & Kirby FLP

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. Is this a Strategic Decision? No
If Yes, Priority Goals Supported are listed below.
If No, will it harm the intent or success of the Strategic Plan? No

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

The Developers, Kirby Family LP #3 and Kirby FLP 3, seek to amend Ordinance 6-98 that approved a project in the City of Cape Coral entitled "A-1 Shelters Self Storage, Hancock Creek Site." Within this PDP amendment, the Developers request the following: expand the project area by 6.1 acres, rezone 8.3 acres from the Corridor District to the Corridor District with the Commerce Park Overlay, deviations to the City Land Use and Development Regulations, and Development Plan approval.

LEGAL REVIEW:

EXHIBITS:

See attached "Backup Material"

PREPARED BY:

Kristin Kantarze Division- Planning Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Mike Struve, AICP, LEED Green Associate,
Planning Team Coordinator, 239-242-3255, mstruve@capecoral.net

ATTACHMENTS:

Description	Type
▢ Backup Material	Backup Material



PLANNED DEVELOPMENT PROJECT (PDP) APPLICATION

PROPERTY OWNER IS A CORPORATION, LIMITED LIABILITY COMPANY (LLC),
LIMITED COMPANY (LC), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUST

Project Name: Stor-Rite Self Storage Facility Expansion for RV Storage

Project Number: PDP 16-0011

To help prepare this application, the applicant should obtain copies of the following:

- Land Use and Development Regulations (this document is linked)
 1. Land Development Regulations (Article 4)
 2. Parking Requirements (Article 5.1)
 3. Landscape Ordinance (Article 5.2)
 4. Sign Ordinance (Article 7)
- NFPA 1 Fire Prevention Code
- Engineering Design Standards

The advisory review is conceptual only and any staff comments are subject to change based on detailed information with an application to the City of Cape Coral. Formal review may result in additional changes not noted at this time. The final design or project must comply with the Land Use and Development Regulations, Engineering Design Standards, City Code of Ordinances, Comprehensive Plan and other applicable laws and regulations.

ACKNOWLEDGEMENT

I, Brian R. Kirby, as the owner of this property or the duly Authorized Representative, agree to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State and County laws, and certify that all information supplied is correct to the best of my knowledge.

In addition, I understand that prior to the issuance of the Certificate of Occupancy for this development, the engineer of record must supply the Department of Community Development with record drawings and a letter of substantial compliance for the project.

In addition, I authorize the staff of the City of Cape Coral to enter upon the property for purposes of investigating and evaluating the request made through this application.

Please note: Advertising fees must be paid in full at least 10 days prior to public hearing or the item may be pulled from the agenda and continued to a future date once the fees have been paid.

(Name of Entity)

* Kirby Family LP #3

By: NAME AND TITLE (PLEASE TYPE OR PRINT)

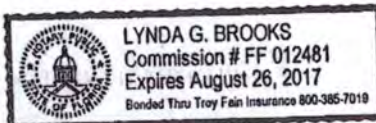
Brian R. Kirby, Trustee


SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF FL, COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 5th day of July, 2016, by
Brian R. Kirby who is personally known or produced
as identification.



Exp. Date: August 26, 2017 Commission Number: FF012481

Signature of Notary Public:

Printed name of Notary Public:

Lynda G. Brooks

***Please include additional pages for multiple property owners.**

**Authorization to Represent Property Owner(s) –
Property Owner is a Corporation, Limited Liability Company (LLC),
Limited Company (LC), Partnership, Limited Partnership, or Trustee**

Please be advised that

Avalon Engineering, Inc.

(Name of Authorized Representative(s) and business entity, if any)

is authorized to submit an application and represent me in the hearing(s) to the Planning & Zoning Commission/Local Planning Agency, Board of Zoning Adjustments and Appeals and /or City Council for a Planned Development Project.

Unit _____ Block F0401 Lot 1 Subdivision Cape Coral

Or Legal Description: ☒ (described as an exhibit A in Microsoft Word format and attached hereto)

* Kirby Family LP #3

Trustee

** Name of Entity (Corporation, Partnership, LLC, etc)

Title of Signatory

BRLK

Brian R. Kirby

Signature

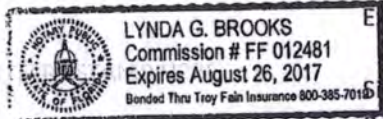
Name (Please print or type)

(SIGNATURE MUST BE NOTARIZED)

STATE OF FL, COUNTY OF

LEE

Sworn to (or affirmed) and subscribed before me this 5th day of July, 2016, by
Brian R. Kirby who is personally known or produced
as identification.



Exp. Date: August 26, 2017 Commission Number: FF012481

Signature of Notary Public:

Printed name of Notary Public:

Lynda G. Brooks

***Please include additional pages for multiple property owners.**

****Notes:**

If the applicant is a corporation, then it is executed by the corp. pres. or v. pres, sec, tres, or a director, .

If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should be signed by the Company's "Managing Member."

If the applicant is a partnership, then a partner can sign on behalf of the partnership.

If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.

If the applicant is a trust, then they must include their title of "trustee."

In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

PDP Applicant Checklist

Project Name: Stor-Rite Self Storage Facility Expansion for RV Storage

Applicant must submit the completed application and the associated documentation listed below, collated into 17 separate packets (one (1) original and 16 copies). These are minimum requirements for all PDP applications. Based on the nature of your project, additional items may be required by staff.

Incomplete submittals will not be accepted

- _____ All application pages must be initialed by the property owner or their authorized representative
- _____ 24" x 36" engineered PDP Development Plans, including landscape buffer areas and building elevations – See pages 7 – 10 for further information
- _____ Certified Boundary Surveys, in NGVD 1929, completed within the last six (6) months showing elevations – See page 7 for further information
- _____ PDP application fees paid in full at time of application – See page 11 for further information
- _____ Letter of Intent (LOI) – See page 6 for further instructions
- _____ Environmental Survey/Report – See page 7 for further instructions
- _____ Warranty or Quit Claim Deed – Applicant shall provide a copy of Warranty or Quit Claim Deed for one hundred (100) percent of the property comprising the Planned Development Project.
- _____ Vacation of Plat requests must include letter of "No Objection" from the electric company, the telephone company, and the cable company – See page 9 for further instructions
- _____ Page 1 must be signed and notarized by either all property owner(s) or the authorized agent
- _____ The "Authorization to Represent Property Owners", page of the application, must be signed by all property owner(s) and notarized
- _____ Properties owned by corporations, limited liability companies, limited partnerships, general partnerships, and trustees must provide legal documentation (For example, the Articles of Incorporation) listing persons authorized to sign for the entity and in these situations the property owner(s) must sign all applicable PDP forms in their corporate capacity.

As an alternative to submitting everything in paper format, the applicant may opt to submit the following:

- ☒ 11 sets of plans, in paper format, as described above
- ☒ 11 signed and sealed Boundary Surveys, in paper format, as described above
- ☒ One (1) copy of the application & all other documents you are submitting for review
- ☒ 1 CD/DVD with PDFs of documents you are submitting:
 - Each document you are submitting needs to be a separate PDF, appropriately identified by name. For example, the application will be one PDF, titled "Application", the Letter of Intent will be another PDF, titled "Letter of Intent", plans, boundary surveys, etc.

GENERAL INFORMATION

Project Name: Stor-Rite Self Storage Facility Expansion for RV Storage
Applicant: Kirby Family LP #3 & Kirby FLP 3 By: Brian R. Kirby, Trustee
Address: 1406 SE 46th Lane, Cape Coral, Florida 33904
Phone: 239-542-5430 Fax: _____ E-Mail: brian@a1shelters.com

*Property Owner: Same as Applicant
Address _____
Phone _____ Fax _____ E-Mail _____

Authorized Representative Avalon Engineering, Inc. / Linda Miller
Address 2503 Del Prado Boulevard South, Suite 200, Cape Coral, Florida 33904
Phone 239-573-2077 Fax 239-573-2076 E-Mail Linda@avaloneng.com

Location
Unit _____ Block F0401 and F0400 Lot(S) 1 and 1000
Subdivision Cape Coral Strap Number(s) 04-44-24-C1-00012.0010 and 04-44-24-C1-00012.0030

Legal Description ☒ (Described as Exhibit A in Microsoft Word Format and attached hereto)
Property Address: 2555 N.E. Pine Island Road and Access Undetermined, Cape Coral, Florida 33909
Plat Book OR 2014 and OR4709/1829 Page 3390 and 4709/1831 Zoning Current Corridor & CPO _____ Future Land Use PIRD

This application includes the following requests: (Please check all that apply)			
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Special Exception	<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Variance
<input checked="" type="checkbox"/> Deviation to Landscaping	<input type="checkbox"/> Deviation to Non-residential Design Standards	<input type="checkbox"/> Deviation to Engineering Design Standards (EDS)	<input checked="" type="checkbox"/> All Other Deviation Requests Wall height
<input type="checkbox"/> Borrow Pit	<input type="checkbox"/> Vacation of Plat		

*Please include additional pages for multiple property owners.

PROPERTY and PROJECT DEVELOPMENT DATA

a.	Zoning District	Corridor and CPO/Requesting CPO			
b.	Future Land Use Class	Pine Island Road			
c.	Area of Subject Property	13.68	acres	Existing Self Storage 7.61 Acres	Proposed RV Storage 6.07
d.	Type of Development	Commercial			
e.	Estimated Number of Employees	N/A			
	Number of Seats in Assembly	N/A			
f.	Parking Spaces Required	Existing Self Storage	13	Proposed RV Storage -N/A	
g.	Parking Spaces Provided	Existing Self Storage	13	Inc. 1 H/C Space	Proposed RV Storage -N/A
h.	Parking and Street Area		sq. ft.		% of Site
i.	Ground Floor Building Area	Existing Self Storage	121,235	sq. ft.	36 % of Site
					Proposed RV Storage 79, 361 30%
j.	Total Floor Area	Existing Self Storage	121,235	sq. ft.	36 % of Site
					Proposed RV Storage 79, 361 30%
k.	Building Heights	20	feet	2	stories Existing Office Area
l.	Total Proposed Impervious Surface Area	sq. ft.	226,729	Existing Self Storage	% of Site 69
					Proposed RV Storage 170, 290 64%
m.	Permanent Open Space	sq. ft.	70,554	Existing Self Storage	% of Site 21%
					Proposed RV Storage 94,039 36%
	Landscaped Area		sq. ft.		% of Site
n.	Recreation Area	N/A	sq. ft.		% of Site N/A

If the proposed project is a multifamily residential development, the following additional data shall be shown on the plans.

NOT APPLICABLE

o.	Number of Dwelling Units (du)	
p.	Gross Density (du/acres)	
q.	Number, Type, and Floor Area of each Dwelling Unit:	
1.	Efficiency	Floor Area
2.	1 Bedroom	Floor Area
3.	2 Bedroom	Floor Area
4.	3 Bedroom	Floor Area
5.	4 Bedroom	Floor Area

LETTER OF INTENT

Please include a Letter of intent (LOI), stipulating your request, addressed to the Community Development Director. This letter must specify all applicable requests. Such requests may include any and/or all of the following:

- a. General purpose and intent of the PDP
- b. Subdivision requests – See Article 4.1 and 4.2.5
- c. Rezoning requests specifying the actual request and explanation of need for the rezoning
- d. Special exception requests and explanation of need for the special exception
- e. Variance requests specifying the actual request and explanation of need. All variance requests must address the five (5) criteria for the granting the a variance, per Land Use and Development Regulations, section 8.10. Note: Variances run with the land.
- f. Vacation of Plat as outlined in section 8.11 and explanation of vacation request
- g. Borrow pit requests as outlined in section 3.23, 4.2.5, and 8.3.2

DEVIATION REQUEST LETTER(S)

Applicant must complete a separate deviation request letter for each deviation type requested. Please ensure that proper justification for the requested deviation accompanies each request. Staff will not analyze any requested deviation that does not include justification for the deviation sought and this may result in a rejection of your application. Refer to the appropriate section of the LUDRs for guidance on the criteria for which a particular deviation may be sought. Note: Deviations do not run with the land.

- Landscaping Deviations shall be in accordance with Section 5.2.19
- Non-residential Design Standards Deviations shall be in accordance with Section 5.6.10 Deviation,
- Engineering Design Standards (EDS) Deviations in accordance with sheet 1, "Foreword" paragraph 5,
- All Other Deviation Requests, shall be in accordance with Section 4.2.4.K

TRAFFIC GENERATION ESTIMATE

SEE ATTACHED TRAFFIC GENERATION STATEMENT

The following will determine the need of a Traffic Impact Statement. Trip Generation Estimate, based on the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation manual:

ITE Code	_____	Is estimate based on locally collected data?	_____
Regression equation (if used)	_____		
Independent Variable	_____		
Daily Two Way Trip Estimate	_____		
Peak Hour (of generator) Entering	_____		
Peak Hour (of generator) Exiting	_____		
Total Peak Hour (of generator)	_____		
Peak Hour Entering and Exiting trips greater than 300 trips	_____		

If the total peak hour traffic exceeds 300 trips, a Traffic Impact Statement (TIS) will be required. A methodology meeting with the City staff is required prior to submitting the TIS. The methodology meeting will be scheduled after the initial submittal of the PDP application.

GRAPHIC STANDARDS: GENERAL INFORMATION

Sheet # of submitted plans: The Development Plan shall be of sufficient scale to show all detail. The scale of the Plan shall be illustrated by a graphic scale on every sheet. The date and true north arrow shall be shown on every sheet. The following general information is required:

- | | |
|-----------------|---|
| <u>1</u> | 1. Names and addresses of the owners, planner, architect, landscape architect Engineer and surveyor. |
| <u>1</u> | 2. A General Location and Vicinity Map (plat sheet). Please indicate the relationship of the proposed project site to surrounding existing land uses, zonings, future land uses, community facilities, major streets, utilities and any other principal buildings or physical features in and adjoining the subject property. These features shall be indicated for a distance of three hundred (300) feet from the outside boundaries of the subject property. Indicate all names and locations of adjoining subdivisions, development projects, unplatted properties, and streets within unincorporated Lee County. |
| <u>Provided</u> | 3. Certified Boundary Survey, completed within the last 6 months, meeting the Minimum Technical Standards as set forth in Chapter 5J-17, Florida Administrative Code. |

EXISTING PROPERTY CONDITIONS

Sheet # of submitted plans:

- | | |
|---------------------|--|
| <u>1</u> | 1. Acreage of land within property. |
| <u>1 and Survey</u> | 2. Boundary lines of the project and their bearings and distances. |
| <u> </u> | 3. Existing and proposed easements and their locations, widths and distance, as well as existing structures. |
| <u>1</u> | 4. Streets and waterways on and adjacent to the project, their names, widths and other dimensions as may be required. |
| <u>8 and 9</u> | 5. The location of all existing utilities connections available to the property site. |
| <u>See PSA</u> | 6. Tree Survey: The location, quantity, diameter/caliper, botanical and common name, and native status of all heritage trees and other existing trees with a caliper of two inches or greater, and whether they are proposed to be preserved or removed. Trees to be removed, if any, shall be indicated on a separate sheet. Reference 5.2.6 of the City's Land Development Regulations. The City is a designated "Tree City" and tree retention is encouraged. |
| <u>Provided</u> | 7. Environmental Site Survey - see the City's guidelines for conducting an environmental survey |
| <u>1</u> | 8. Flood elevation data and flood zone boundary lines delineated, if applicable. |
| <u>N/A</u> | 9. Any other significant existing features, as may be required by the Director. |

DEVELOPMENT PLANS

MASTER DEVELOPMENT PLANS ONLY

Sheet # of submitted plans:	The Development Plan should be viewed as a conceptual plan and not construction drawings or a site plan. A high level detailed site plan with information not needed will be rejected at submittal. The Development Plan shall show the following information, as applicable to the type of project being proposed, including the proposed dimensions, size, location and arrangement of the following.	
<u>1</u>	1.	Name of project, north arrow, date and scale.
<u>4, 5 and Bldg. El.</u>	2.	Elevations, (drawing of front, sides, and rear faces of buildings), and use of all proposed buildings and structures.
<u>Landscape Plans</u>	3.	Internal and peripheral landscaping locations showing landscape area sizes and overall dimensions of the various planting areas, providing calculations per Article 5.2.
<u>4 and 5</u>	4.	Approximate location of curb cuts, driveways, access roads, alleys, and parking areas indicating the number of spaces and all dimensions.
<u>4 and 5</u>	5.	Location of existing and proposed pedestrian walks, malls, yards, and open areas.
<u>4 and 5</u>	6.	Location, number, dimensions, character and orientation of all existing and proposed signs.
<u>4 and 5</u>	7.	Location and heights of all proposed buffers, fences, screens, and walls.
<u>4 and 5</u>	8.	Location of all existing and proposed buildings and structures with setback distances from the property lines and roadways.
<u>8 and 9</u>	9.	Location of all known existing and proposed water, sewer and irrigation mains including the point of connection to the existing system and buildings, if applicable, including: <ul style="list-style-type: none"> a) Estimate of the average daily flow for potable water. b) Estimate of the average daily flow of wastewater c) Estimate of the average daily flow for irrigation water.
<u>8 and 9</u>	10.	Location of all known existing and proposed easements and /or right of way.
<u>N/A</u>	11.	Location of proposed outdoor lighting, showing direction, height and type.
<u>Provided</u>	12.	An exhibit providing the peak hour trip distribution at the project entrance and adjacent local streets out to a collector.
<u>N/A</u> Existing curb side pick up	13.	Location and character of all outside waste disposal facilities and existing or proposed appropriate screening.
<u>See Phasing Schedule</u>	14.	Phasing Plan: Where a project will be developed in phases, a Phasing Plan shall be presented for review of the entire project. Proposed development phases shall be numbered in sequence, and shall indicate the density for residential and/or floor area for non-residential uses, as applicable, for each phase. The phasing plan shall identify size, location, sequence and timing of the various phases of the development.

ADDITIONAL INFORMATION

Sheet # of
submitted
plans:

Provided

1. **Landscape Maintenance:**

The proposed method of assuring the provision and permanent maintenance of areas required for landscaping, screening, and common uses, including a proposed statement of such assurance. The coordinated development of the site shall be compatible with the surrounding area.

Provided

2. **Maintenance Assurance:**

The proposed method of assuring the perpetual ownership and maintenance of areas within the project that area to be used for open space, recreation or other quasi-public purposes, including a detailed statement of such assurance, including covenants, agreements or other specific documents as required.

N/A

3. **If seeking Subdivision approval; Covenants:**

Copies of proposed restriction or protective covenants, if any.

Provided

4. **Economics:**

The Commission or City Council, as applicable, may also require that the applicant provide additional supporting data, such as economic justification, financing, and construction scheduling, topographic data or similar information when deemed necessary for project review.

N/A

5. **Vacation of Plat**

In the case of vacation of plats submitted in conjunction with a PDP, the following additional information shall be required:

- a. Affidavits of city and county tax collectors stating that all city and county taxes levied against land covered by the portion of the plat of which vacation is sought have been paid;
- b. Sketches and descriptions; and
- c. Letter of no objection from the following utilities:
 - i. Lee County Electric Cooperative, Inc (LCEC)
 - ii. Century Link Telephone Company
 - iii. Comcast Cable Company

NOT APPLICABLE

SUBDIVISION, PER FLORIDA STATUTES, CHAPTER 177 – IF APPLICABLE

- | | |
|-----------------------------------|---|
| Sheet # of submitted plans | The Subdivision Plan shall show the following information, as applicable to the type of project being proposed, including the proposed dimensions, size, location and arrangement of the following with accurate dimensions to the nearest one-hundredth of a foot. If flexibility is requested for property lines prior to Plat recording, this request must be requested in the Letter of Intent (LOI). |
|-----------------------------------|---|
-
- | | |
|-------|---|
| _____ | 1. Contours at an interval of not greater than one foot. |
| _____ | 2. Access roads and their relationship to existing and proposed streets, alleys and other public ways. |
| _____ | 3. Setback lines, permanent open space, recreation areas, separation strips, existing and proposed landscape areas and general land use activity areas. |
| _____ | 4. Location of areas and their acreages, if any, to be reserved or dedicated for public parks, playgrounds, schools, or other public uses, including bikeways or walks. |
| _____ | 5. Proposed lot numbers, lot lines, lot dimensions, lot areas, lot descriptions, lot locations, minimum yard requirements, and any other appropriate data and information for areas or parcels within the project property lines which have been designated for subdivision for any purpose or use. |
| _____ | 6. Utility locations on and adjacent to the project showing proposed dimensions and connections to existing utility systems. |
| _____ | 7. All dimensions, angles, bearings and similar data on the plan shall be tied to primary control points approved by the City Engineer. The location and description of said control points shall be given. |
| _____ | 8. Approximate location of proposed and existing surface water management system components including treatment, storage, conveyance, and discharge locations. |
| _____ | 9. Project boundary lines, right-of-way lines of streets, waterways, easements and other rights-of-way. Bearings or deflection angles, radii, arcs and central angles of all curves with dimensions to the nearest minute shall be provided for the center line of all streets and easements. Block corner radii dimensions shall also be shown. |
| _____ | 10. Name of each street, waterway, easement or other right-of-way and the designation of all buildings, parking areas, access roads, permanent open spaces, recreation areas, separation strips, landscaped areas, dedication or reserved areas, and other land use activity areas by name, use, purpose or other appropriate method as well as by width, length, land area or floor area devoted to such use or purpose. |
| _____ | 11. Certification of title and dedication, on plat, showing that the applicant is the owner and a statement by such owner dedicating streets, rights-of-way and any other sites for public use, if any. |
| _____ | 12. Certification by the City Engineer, on plat, that a surety bond, certified check or other guarantee has been posted with the City in sufficient amount to assure completion of all such required site improvements. |
| _____ | 13. Certificate of approval for recording, on plat, suitable to be signed by the Mayor as applicable, to indicate that the plan has been approved for recording. |
| _____ | 14. Any other appropriate certification required by the Governing Body or Necessary to comply with Florida Statutes, Chapter 177. |

Planned Development Project (PDP) Application Fees *

	Administrative Review	Fees	Your Costs
<input checked="" type="checkbox"/>	PDP - without Subdivision	\$2,525.00	\$ 2,525.00
<input checked="" type="checkbox"/>	** Additional charge for PDP's in excess of ten (10) acres: 4 acres x \$55.00 for each acre or portion thereof in excess of 10 acres.	(with maximum cap of \$3,625.00 for additional acres)	\$ 220.00
<input type="checkbox"/>	PDP - with Subdivision	\$2,815.00	\$
<input type="checkbox"/>	** Additional charge for PDP's in excess of ten (10) acres: _____ acres x \$55.00 for each acre or portion thereof in excess of 10 acres.	(with maximum cap of \$3,915.00 for additional acres)	\$
	Fire Review		
<input checked="" type="checkbox"/>	Fire review (mandatory)	\$104.00	\$ 104.00
	Public Hearing		
<input checked="" type="checkbox"/>	PDP - without Subdivision	\$665.00	\$ 665.00
<input type="checkbox"/>	PDP - with Subdivision	\$1,415.00	\$
<input checked="" type="checkbox"/>	Zoning Amendment within PDP	\$1,165.00	\$ 1,165.00
<input type="checkbox"/>	Vacation of Plat within PDP	\$880.00	\$
<input checked="" type="checkbox"/>	Variance/Deviation within PDP	\$1,250.00	\$ 1,250.00
<input type="checkbox"/>	Special Exception within PDP	\$1,365.00	\$
<input type="checkbox"/>	Borrow Pit within PDP	\$1,725.00	\$
		Total	\$ 5,929.00

* Advertising fees will be due at time of advertising.

** PDP – Acres x \$55.00 for each acre or portion thereof in excess of 10 acres (i.e. A 20.2 acre of land is calculated as follows.

20.2 – 10.00 = 10.2, then the 10.2 acres is rounded up to 11 acres)



PLANNED DEVELOPMENT PROJECT (PDP) APPLICATION

PROPERTY OWNER IS A CORPORATION, LIMITED LIABILITY COMPANY (LLC),
LIMITED COMPANY (LC), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUST

Project Name: Stor-Rite Self Storage Facility Expansion for RV Storage

Project Number: _____

To help prepare this application, the applicant should obtain copies of the following:

- Land Use and Development Regulations (this document is linked)
 1. Land Development Regulations (Article 4)
 2. Parking Requirements (Article 5.1)
 3. Landscape Ordinance (Article 5.2)
 4. Sign Ordinance (Article 7)
- NFPA 1 Fire Prevention Code
- Engineering Design Standards

The advisory review is conceptual only and any staff comments are subject to change based on detailed information with an application to the City of Cape Coral. Formal review may result in additional changes not noted at this time. The final design or project must comply with the Land Use and Development Regulations, Engineering Design Standards, City Code of Ordinances, Comprehensive Plan and other applicable laws and regulations.

ACKNOWLEDGEMENT

I Brian R. Kirby, as the owner of this property or the duly Authorized Representative, agree to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State and County laws, and certify that all information supplied is correct to the best of my knowledge.

In addition, I understand that prior to the issuance of the Certificate of Occupancy for this development, the engineer of record must supply the Department of Community Development with record drawings and a letter of substantial compliance for the project.

In addition, I authorize the staff of the City of Cape Coral to enter upon the property for purposes of investigating and evaluating the request made through this application.

Please note: Advertising fees must be paid in full at least 10 days prior to public hearing or the item may be pulled from the agenda and continued to a future date once the fees have been paid.

(Name of Entity)

* Kirby FLP 3

By: NAME AND TITLE (PLEASE TYPE OR PRINT)

Brian R. Kirby, Trustee

BRK
SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF FL, COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 5th day of July, 2016, by
Brian R. Kirby who is personally known or produced
as identification.



Exp. Date: August 26, 2017 Commission Number: FF012481

Signature of Notary Public:

Printed name of Notary Public:

Lynda G. Brooks

***Please include additional pages for multiple property owners.**

**Authorization to Represent Property Owner(s) –
Property Owner is a Corporation, Limited Liability Company (LLC),
Limited Company (LC), Partnership, Limited Partnership, or Trustee**

Please be advised that

Avalon Engineering, Inc.

(Name of Authorized Representative(s) and business entity, if any)

is authorized to submit an application and represent me in the hearing(s) to the Planning & Zoning Commission/Local Planning Agency, Board of Zoning Adjustments and Appeals and /or City Council for a Planned Development Project.

Unit _____ Block F0400 Lot 1000 Subdivision Cape Coral

Or Legal Description: ☒ (described as an exhibit A in Microsoft Word format and attached hereto)

* Kirby FLP 3
** Name of Entity (Corporation, Partnership, LLC, etc)

Trustee
Title of Signatory

BRK
Signature

Brian R. Kirby
Name (Please print or type)

(SIGNATURE MUST BE NOTARIZED)

STATE OF FL, COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 5th day of July, 2016, by
Brian R. Kirby who is personally known or produced
as identification.



Exp. Date: August 26, 2017 Commission Number: FF012481

Signature of Notary Public:

Printed name of Notary Public:

Lynda G. Brooks

***Please include additional pages for multiple property owners.**

****Notes:**

If the applicant is a corporation, then it is executed by the corp. pres. or v. pres, sec, tres, or a director, .
If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should be signed by the Company's "Managing Member."
If the applicant is a partnership, then a partner can sign on behalf of the partnership.
If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
If the applicant is a trust, then they must include their title of "trustee."
In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

PDP Applicant Checklist

Project Name: Stor-Rite Self Storage Facility Expansion for RV Storage

Applicant must submit the completed application and the associated documentation listed below, collated into 17 separate packets (one (1) original and 16 copies). These are minimum requirements for all PDP applications. Based on the nature of your project, additional items may be required by staff.

Incomplete submittals will not be accepted

- _____ All application pages must be initialed by the property owner or their authorized representative
- _____ 24" x 36" engineered PDP Development Plans, including landscape buffer areas and building elevations – See pages 7 – 10 for further information
- _____ Certified Boundary Surveys, in NGVD 1929, completed within the last six (6) months showing elevations – See page 7 for further information
- _____ PDP application fees paid in full at time of application – See page 11 for further information
- _____ Letter of Intent (LOI) – See page 6 for further instructions
- _____ Environmental Survey/Report – See page 7 for further instructions
- _____ Warranty or Quit Claim Deed – Applicant shall provide a copy of Warranty or Quit Claim Deed for one hundred (100) percent of the property comprising the Planned Development Project.
- _____ Vacation of Plat requests must include letter of "No Objection" from the electric company, the telephone company, and the cable company – See page 9 for further instructions
- _____ Page 1 must be signed and notarized by either all property owner(s) or the authorized agent
- _____ The "Authorization to Represent Property Owners", page of the application, must be signed by all property owner(s) and notarized
- _____ Properties owned by corporations, limited liability companies, limited partnerships, general partnerships, and trustees must provide legal documentation (For example, the Articles of Incorporation) listing persons authorized to sign for the entity and in these situations the property owner(s) must sign all applicable PDP forms in their corporate capacity.

As an alternative to submitting everything in paper format, the applicant may opt to submit the following:

- ☒ 11 sets of plans, in paper format, as described above
- ☒ 11 signed and sealed Boundary Surveys, in paper format, as described above
- ☒ One (1) copy of the application & all other documents you are submitting for review
- ☒ 1 CD/DVD with PDFs of documents you are submitting:
 - Each document you are submitting needs to be a separate PDF, appropriately identified by name. For example, the application will be one PDF, titled "Application", the Letter of Intent will be another PDF, titled "Letter of Intent", plans, boundary surveys, etc.

GENERAL INFORMATION

Project Name: Stor-Rite Self Storage Facility Expansion for RV Storage
Applicant: Kirby Family LP #3 & Kirby FLP 3 By: Brian R. Kirby, Trustee
Address: 1406 SE 46th Lane, Cape Coral, Florida 33904
Phone: 239-542-5430 Fax: _____ E-Mail: brian@a1shelters.com

*Property Owner: Same as Applicant

Address _____
Phone _____ Fax _____ E-Mail _____

Authorized Representative Avalon Engineering, Inc. / Linda Miller

Address 2503 Del Prado Boulevard South, Suite 200, Cape Coral, Florida 33904
Phone 239-573-2077 Fax 239-573-2076 E-Mail Linda@avaloneng.com

Location

Unit _____ Block F0401 and F0400 Lot(S) 1 and 1000

Subdivision Cape Coral Strap Number(s) 04-44-24-C1-00012.0010 and 04-44-24-C1-00012.0030

Legal Description ☒ (Described as Exhibit A in Microsoft Word Format and attached hereto)

Property Address: 2555 N.E. Pine Island Road and Access Undetermined, Cape Coral, Florida 33909

Plat Book OR 2014 and 3390 and Current
OR4709/1829 Page 4709/1831 Zoning Corridor & CPO Future Land Use PIRD

This application includes the following requests: (Please check all that apply)			
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Special Exception	<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Variance
<input checked="" type="checkbox"/> Deviation to Landscaping	<input type="checkbox"/> Deviation to Non-residential Design Standards	<input type="checkbox"/> Deviation to Engineering Design Standards (EDS)	<input checked="" type="checkbox"/> All Other Deviation Requests Wall height
<input type="checkbox"/> Borrow Pit	<input type="checkbox"/> Vacation of Plat		

*Please include additional pages for multiple property owners.

PROPERTY and PROJECT DEVELOPMENT DATA

a.	Zoning District	Corridor and CPO/Requesting CPO			
b.	Future Land Use Class	Pine Island Road			
c.	Area of Subject Property	13.68	acres	Existing Self Storage 7.61 Acres	Proposed RV Storage 6.07
d.	Type of Development	Commercial			
e.	Estimated Number of Employees	N/A			
	Number of Seats in Assembly	N/A			
f.	Parking Spaces Required	Existing Self Storage	13	Proposed RV Storage -N/A	
g.	Parking Spaces Provided	Existing Self Storage	13 Inc. 1 H/C Space	Proposed RV Storage -N/A	
h.	Parking and Street Area		sq. ft.		% of Site
i.	Ground Floor Building Area	Existing Self Storage	121,235	sq. ft.	36 % of Site
					Proposed RV Storage 79, 361 30%
j.	Total Floor Area	Existing Self Storage	121,235	sq. ft.	36 % of Site
					Proposed RV Storage 79, 361 30%
k.	Building Heights	20	feet	2	stories Existing Office Area
l.	Total Proposed Impervious Surface Area	sq. ft.	226,729	Existing Self Storage	% of Site 69
					Proposed RV Storage 170, 290 64%
m.	Permanent Open Space	sq. ft.	70,554	Existing Self Storage	% of Site 21%
					Proposed RV Storage 94,039 36%
	Landscaped Area		sq. ft.		% of Site
n.	Recreation Area	N/A	sq. ft.		% of Site N/A

If the proposed project is a multifamily residential development, the following additional data shall be shown on the plans.

NOT APPLICABLE

o.	Number of Dwelling Units (du)	
p.	Gross Density (du/acres)	
q.	Number, Type, and Floor Area of each Dwelling Unit:	
1.	Efficiency	Floor Area
2.	1 Bedroom	Floor Area
3.	2 Bedroom	Floor Area
4.	3 Bedroom	Floor Area
5.	4 Bedroom	Floor Area

sq. ft. _____
 sq. ft. _____
 sq. ft. _____
 sq. ft. _____
 sq. ft. _____

LETTER OF INTENT

Please include a Letter of intent (LOI), stipulating your request, addressed to the Community Development Director. This letter must specify all applicable requests. Such requests may include any and/or all of the following:

- a. General purpose and intent of the PDP
- b. Subdivision requests – See Article 4.1 and 4.2.5
- c. Rezoning requests specifying the actual request and explanation of need for the rezoning
- d. Special exception requests and explanation of need for the special exception
- e. Variance requests specifying the actual request and explanation of need. All variance requests must address the five (5) criteria for the granting the a variance, per Land Use and Development Regulations, section 8.10. Note: Variances run with the land.
- f. Vacation of Plat as outlined in section 8.11 and explanation of vacation request
- g. Borrow pit requests as outlined in section 3.23, 4.2.5, and 8.3.2

DEVIATION REQUEST LETTER(S)

Applicant must complete a separate deviation request letter for each deviation type requested. Please ensure that proper justification for the requested deviation accompanies each request. Staff will not analyze any requested deviation that does not include justification for the deviation sought and this may result in a rejection of your application. Refer to the appropriate section of the LUDRs for guidance on the criteria for which a particular deviation may be sought. Note: Deviations do not run with the land.

- Landscaping Deviations shall be in accordance with Section 5.2.19
- Non-residential Design Standards Deviations shall be in accordance with Section 5.6.10 Deviation,
- Engineering Design Standards (EDS) Deviations in accordance with sheet 1, "Foreword" paragraph 5,
- All Other Deviation Requests, shall be in accordance with Section 4.2.4.K

TRAFFIC GENERATION ESTIMATE

SEE ATTACHED TRAFFIC GENERATION STATEMENT

The following will determine the need of a Traffic Impact Statement. Trip Generation Estimate, based on the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation manual:

ITE Code _____ Is estimate based on locally collected data? _____

Regression equation (if used) _____

Independent Variable _____

Daily Two Way Trip Estimate _____

Peak Hour (of generator) Entering _____

Peak Hour (of generator) Exiting _____

Total Peak Hour (of generator) _____

Peak Hour Entering and Exiting trips greater than 300 trips _____

If the total peak hour traffic exceeds 300 trips, a Traffic Impact Statement (TIS) will be required. A methodology meeting with the City staff is required prior to submitting the TIS. The methodology meeting will be scheduled after the initial submittal of the PDP application.

GRAPHIC STANDARDS: GENERAL INFORMATION

Sheet # of submitted plans: The Development Plan shall be of sufficient scale to show all detail. The scale of the Plan shall be illustrated by a graphic scale on every sheet. The date and true north arrow shall be shown on every sheet. The following general information is required:

- | | |
|-----------------|---|
| <u>1</u> | 1. Names and addresses of the owners, planner, architect, landscape architect Engineer and surveyor. |
| <u>1</u> | 2. A General Location and Vicinity Map (plat sheet). Please indicate the relationship of the proposed project site to surrounding existing land uses, zonings, future land uses, community facilities, major streets, utilities and any other principal buildings or physical features in and adjoining the subject property. These features shall be indicated for a distance of three hundred (300) feet from the outside boundaries of the subject property. Indicate all names and locations of adjoining subdivisions, development projects, unplatted properties, and streets within unincorporated Lee County. |
| <u>Provided</u> | 3. Certified Boundary Survey, completed within the last 6 months, meeting the Minimum Technical Standards as set forth in Chapter 5J-17, Florida Administrative Code. |

EXISTING PROPERTY CONDITIONS

Sheet # of submitted plans:

- | | |
|---------------------------------|--|
| <u>1</u>
<u>1 and Survey</u> | 1. Acreage of land within property. |
| <u>1</u> | 2. Boundary lines of the project and their bearings and distances. |
| <u>1</u> | 3. Existing and proposed easements and their locations, widths and distance, as well as existing structures. |
| <u>1</u> | 4. Streets and waterways on and adjacent to the project, their names, widths and other dimensions as may be required. |
| <u>8 and 9</u> | 5. The location of all existing utilities connections available to the property site. |
| <u>See PSA</u> | 6. Tree Survey: The location, quantity, diameter/caliper, botanical and common name, and native status of all heritage trees and other existing trees with a caliper of two inches or greater, and whether they are proposed to be preserved or removed. Trees to be removed, if any, shall be indicated on a separate sheet. Reference 5.2.6 of the City's Land Development Regulations. The City is a designated "Tree City" and tree retention is encouraged. |
| <u>Provided</u> | 7. Environmental Site Survey - see the City's guidelines for conducting an environmental survey |
| <u>1</u> | 8. Flood elevation data and flood zone boundary lines delineated, if applicable. |
| <u>N/A</u> | 9. Any other significant existing features, as may be required by the Director. |

DEVELOPMENT PLANS

MASTER DEVELOPMENT PLANS ONLY

Sheet # of submitted plans: The Development Plan should be viewed as a conceptual plan and not construction drawings or a site plan. A high level detailed site plan with information not needed will be rejected at submittal. The Development Plan shall show the following information, as applicable to the type of project being proposed, including the proposed dimensions, size, location and arrangement of the following.

- | | |
|--|---|
| <u>1</u>
<u>4, 5 and Bldg. El.</u>
<u>Landscape Plans</u>
<u>4 and 5</u>
<u>4 and 5</u>
<u>4 and 5</u>
<u>4 and 5</u>
<u>8 and 9</u>
<u>8 and 9</u>
<u>N/A</u>
<u>Provided</u>
<u>N/A</u>
<u>Existing curb side pick up</u>
<u>See Phasing Schedule</u> | <ol style="list-style-type: none"> 1. Name of project, north arrow, date and scale. 2. Elevations, (drawing of front, sides, and rear faces of buildings), and use of all proposed buildings and structures. 3. Internal and peripheral landscaping locations showing landscape area sizes and overall dimensions of the various planting areas, providing calculations per Article 5.2. 4. Approximate location of curb cuts, driveways, access roads, alleys, and parking areas indicating the number of spaces and all dimensions. 5. Location of existing and proposed pedestrian walks, malls, yards, and open areas. 6. Location, number, dimensions, character and orientation of all existing and proposed signs. 7. Location and heights of all proposed buffers, fences, screens, and walls. 8. Location of all existing and proposed buildings and structures with setback distances from the property lines and roadways. 9. Location of all known existing and proposed water, sewer and irrigation mains including the point of connection to the existing system and buildings, if applicable, including: <ol style="list-style-type: none"> a) Estimate of the average daily flow for potable water. b) Estimate of the average daily flow of wastewater c) Estimate of the average daily flow for irrigation water. 10. Location of all known existing and proposed easements and /or right of way. 11. Location of proposed outdoor lighting, showing direction, height and type. 12. An exhibit providing the peak hour trip distribution at the project entrance and adjacent local streets out to a collector. 13. Location and character of all outside waste disposal facilities and existing or proposed appropriate screening. 14. Phasing Plan: Where a project will be developed in phases, a Phasing Plan shall be presented for review of the entire project. Proposed development phases shall be numbered in sequence, and shall indicate the density for residential and/or floor area for non-residential uses, as applicable, for each phase. The phasing plan shall identify size, location, sequence and timing of the various phases of the development. |
|--|---|

ADDITIONAL INFORMATION

Sheet # of
submitted
plans:

Provided

1. **Landscape Maintenance:**

The proposed method of assuring the provision and permanent maintenance of areas required for landscaping, screening, and common uses, including a proposed statement of such assurance. The coordinated development of the site shall be compatible with the surrounding area.

Provided

2. **Maintenance Assurance:**

The proposed method of assuring the perpetual ownership and maintenance of areas within the project that area to be used for open space, recreation or other quasi-public purposes, including a detailed statement of such assurance, including covenants, agreements or other specific documents as required.

N/A

3. **If seeking Subdivision approval; Covenants:**

Copies of proposed restriction or protective covenants, if any.

Provided

4. **Economics:**

The Commission or City Council, as applicable, may also require that the applicant provide additional supporting data, such as economic justification, financing, and construction scheduling, topographic data or similar information when deemed necessary for project review.

N/A

5. **Vacation of Plat**

In the case of vacation of plats submitted in conjunction with a PDP, the following additional information shall be required:

- a. Affidavits of city and county tax collectors stating that all city and county taxes levied against land covered by the portion of the plat of which vacation is sought have been paid;
- b. Sketches and descriptions; and
- c. Letter of no objection from the following utilities:
 - i. Lee County Electric Cooperative, Inc (LCEC)
 - ii. Century Link Telephone Company
 - iii. Comcast Cable Company

NOT APPLICABLE

SUBDIVISION, PER FLORIDA STATUTES, CHAPTER 177 – IF APPLICABLE

- | | |
|----------------------------|---|
| Sheet # of submitted plans | The Subdivision Plan shall show the following information, as applicable to the type of project being proposed, including the proposed dimensions, size, location and arrangement of the following with accurate dimensions to the nearest one-hundredth of a foot. If flexibility is requested for property lines prior to Plat recording, this request must be requested in the Letter of Intent (LOI). |
|----------------------------|---|
-
- | | |
|-------|---|
| _____ | 1. Contours at an interval of not greater than one foot. |
| _____ | 2. Access roads and their relationship to existing and proposed streets, alleys and other public ways. |
| _____ | 3. Setback lines, permanent open space, recreation areas, separation strips, existing and proposed landscape areas and general land use activity areas. |
| _____ | 4. Location of areas and their acreages, if any, to be reserved or dedicated for public parks, playgrounds, schools, or other public uses, including bikeways or walks. |
| _____ | 5. Proposed lot numbers, lot lines, lot dimensions, lot areas, lot descriptions, lot locations, minimum yard requirements, and any other appropriate data and information for areas or parcels within the project property lines which have been designated for subdivision for any purpose or use. |
| _____ | 6. Utility locations on and adjacent to the project showing proposed dimensions and connections to existing utility systems. |
| _____ | 7. All dimensions, angles, bearings and similar data on the plan shall be tied to primary control points approved by the City Engineer. The location and description of said control points shall be given. |
| _____ | 8. Approximate location of proposed and existing surface water management system components including treatment, storage, conveyance, and discharge locations. |
| _____ | 9. Project boundary lines, right-of-way lines of streets, waterways, easements and other rights-of-way. Bearings or deflection angles, radii, arcs and central angles of all curves with dimensions to the nearest minute shall be provided for the center line of all streets and easements. Block corner radii dimensions shall also be shown. |
| _____ | 10. Name of each street, waterway, easement or other right-of-way and the designation of all buildings, parking areas, access roads, permanent open spaces, recreation areas, separation strips, landscaped areas, dedication or reserved areas, and other land use activity areas by name, use, purpose or other appropriate method as well as by width, length, land area or floor area devoted to such use or purpose. |
| _____ | 11. Certification of title and dedication, on plat, showing that the applicant is the owner and a statement by such owner dedicating streets, rights-of-way and any other sites for public use, if any. |
| _____ | 12. Certification by the City Engineer, on plat, that a surety bond, certified check or other guarantee has been posted with the City in sufficient amount to assure completion of all such required site improvements. |
| _____ | 13. Certificate of approval for recording, on plat, suitable to be signed by the Mayor as applicable, to indicate that the plan has been approved for recording. |
| _____ | 14. Any other appropriate certification required by the Governing Body or Necessary to comply with Florida Statutes, Chapter 177. |

Planned Development Project (PDP) Application Fees *

	Administrative Review	Fees	Your Costs
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<input checked="" type="checkbox"/>	** Additional charge for PDP's in excess of ten (10) acres: 4 acres x \$55.00 for each acre or portion thereof in excess of 10 acres.	(with maximum cap of \$3,625.00 for additional acres)	\$ 220.00
<input type="checkbox"/>	PDP - with Subdivision	\$2,815.00	\$
<input type="checkbox"/>	** Additional charge for PDP's in excess of ten (10) acres: _____ acres x \$55.00 for each acre or portion thereof in excess of 10 acres.	(with maximum cap of \$3,915.00 for additional acres)	\$
Fire Review			
<input checked="" type="checkbox"/>	Fire review (mandatory)	\$104.00	\$ 104.00
Public Hearing			
<input checked="" type="checkbox"/>	PDP - without Subdivision	\$665.00	\$ 665.00
<input type="checkbox"/>	PDP - with Subdivision	\$1,415.00	\$
<input checked="" type="checkbox"/>	Zoning Amendment within PDP	\$1,165.00	\$ 1,165.00
<input type="checkbox"/>	Vacation of Plat within PDP	\$880.00	\$
<input checked="" type="checkbox"/>	Variance/Deviation within PDP	\$1,250.00	\$ 1,250.00
<input type="checkbox"/>	Special Exception within PDP	\$1,365.00	\$
<input type="checkbox"/>	Borrow Pit within PDP	\$1,725.00	\$
		Total	\$ 5,929.00

* Advertising fees will be due at time of advertising.

** PDP – Acres x \$55.00 for each acre or portion thereof in excess of 10 acres (i.e. A 20.2 acre of land is calculated as follows.

20.2 – 10.00 = 10.2, then the 10.2 acres is rounded up to 11 acres)



Avalon Engineering, Inc.

2503 Del Prado Boulevard South, Suite 200
Cape Coral, Florida 33904
Phone: (239) 573-2077 Fax: (239) 573-2076
#AA C001936 #EB 0003128

August 15, 2016
Revised January 27, 2017

Mr. Vince Cautero, Director
Department of Community Development
City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

PROJECT: STOR-RITE EXPANSION - RV STORAGE
2555 NE PINE ISLAND ROAD

SUBJECT: REVISED PLANNED DEVELOPMENT PROJECT (PDP) LETTER OF INTENT

Dear Mr. Cautero:

It is the intent of the property owner, Kirby Family LP # 3 and Kirby FLP 3, to request approval of a Commerce Park Overlay Planned Development Project (PDP), consisting of 13.7 acres. The purpose of the PDP is to expand the Stor-rite development and provide the following uses: Mini-Warehouse, Caretaker/Watchman Residence, Administrative Office, and Storage Enclosed for (RV Parking/Storage).

The subject property is between Diplomat Parkway on the north and Pine Island Road on the south, just east of NE 24th Avenue. The site consists of two parcels; the southern parcel is approx 7.6 acres and was developed as a mini-warehouse facility in 1998. The northern parcel is approx 6.1 acres and is currently vacant. The southern parcel is zoned Corridor and has a Land Use Designation of Pine Island Road District. The northern parcel is zoned Corridor/Commerce Park Overlay District and has a Land Use Designation of Pine Island Road District.

The existing mini warehouse facility was developed under the City's C-3 (Highway Commercial Zoning District) and complied with the requirements of that district when constructed in 1998. The City of Cape Coral rezoned the parcel to Corridor in 2003. The current mini-warehouse use is not a permitted use within the City of Cape Coral's Corridor Zoning District. The applicant is requesting approval to amend the City's Zoning Map to apply the Commerce Park Overlay District to this existing developed parcel. Applying the Commerce Park Overlay District to the southern parcel will bring the existing mini-warehouse use into compliance and also provide a consistent zoning district for the proposed expansion.

The existing Stor-rite development (southern parcel) consists of 18 self-storage buildings, containing a total of 121,325 square feet. Minor modifications are being proposed to the existing site to provide a connection to the northern development and improve the registration office and main entrance area. An additional 274 square feet is being added to the administrative office.

The RV Parking/Storage Facility (northern parcel) will provide seven (7) covered parking areas for a total of 145 Recreational Vehicles storage/parking areas, a restroom and mechanical building and an covered entrance area.

The subject parcels are adjacent to the Hancock Creek Commerce Park on the east and two parcels zoned Corridor and Commerce Park Overlay to the west (along NE 24th Street), of which, the southern parcel is currently under development as a Mixed Use project consisting of Multi-family units, Commercial out-parcels and a Assistant Living Facility. To the north of the subject parcel, across Diplomat Parkway, are Commerce Park Overlay (CPO) zoned parcels that are currently vacant. To the south of the subject parcel is Pine Island Road, and parcels not currently within the City of Cape Coral Limits, zoned Commercial.

This PDP will request approval of a Zoning Map Amendment to apply the Commerce Park Overlay District to the southern parcel, deviations to the City's Land Use and Development Regulations for architectural requirements within the Non-Residential Design Standards and to the CPO Special Regulations, Master Development Plan approval to develop a fully enclosed RV storage facility within the northern parcel and to make minor improvements to the existing Stor-rite entrance and office area, and approval of a Phasing Plan.

The specific requests within this PDP are as follows:

I. Zoning Map Amendment to map the CPO Zoning District onto the southern parcel

The applicant requests approval to amend the City of Cape Coral's Zoning Map to apply the Commerce Park Overlay to the southern 8.3 acres currently zoned Corridor. This zoning amendment is for two parcels, the existing mini-warehouse site consisting of 7.6 acres and a portion of the northern parcel, lying in the northwest corner of the southern parcel containing 0.7 acres. The legal descriptions and sketch of these two parcels are provided as Exhibits A and B.

Corridor Zoning with the Commerce Park Overlay District is consistent with the City's Pine Island Road Land Use and Policy 1.15.m and will permit the existing Mini-Warehouse and the proposed Storage Enclosed uses.

As required by Section 8.7.3.A and 8.7.3.B of the City's Land Use and Development Regulations, the Zoning Map Amendment requested within this PDP is consistent with the City of Cape Coral's Comprehensive Plan and these General Standards:

Comprehensive Plan Consistencies

The City of Cape Coral's Pine Island Road Land Use specifics two zoning categories, Village or Corridor, which when applied to parcels with this Land Use are determined to be consistent with the City's Comprehensive Plan - Future Land Use Element Policy 1.15.m.

The location of the parcel complies with the City's Policies and methods of determining the proper locations for commercial uses within the City (Objective 3 of the Future Land Use Element of the City's Comprehensive Plan).

General Standards:

1. The extent to which the value of the property is diminished by the proposed zoning of the property;

The proposed zoning amendment will increase the value of the property by permitting the proposed uses and by allowing for the expansion of a successful commercial business. The proposed zoning will support the highest and best use of the subject property.

2. The extent to which the change in zoning depreciates the value of other property in the area;

The proposed zoning amendment will have little effect on the surrounding parcels as the development parcels to the east and the northwest are zoned Commerce Park Overlay and the current mini-warehouse use has been established on the southern parcel for almost 20 years. New development has been approved for both sides of the southern parcel, along Pine Island Road. The west side will consist of a mixed use development with multi-family units and commercial tracts along Pine Island Road and the east side will contain an office building.

3. The suitability of the property for the zoning being proposed on the property;

The subject parcel is suited for the proposed zoning due to the close proximity to other Commerce Park Overlay parcels and the ability for the subject parcel to be combined with the northern parcel for expansion of a successful commercial business.

The City staff has continued to support commercial zoning district and commercial development in designated areas, along major arterials, in order to increase the amount of commercial uses provided within the City.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed zoning;

The parcels lying south of Diplomat Parkway, east of NE 24th, west of Hancock Creek Boulevard and north of Pine Island Road, which surround the subject parcel, are zoned Corridor, Corridor/Commerce Park Overlay, or Preserve. Most of the parcels surrounding the subject parcel are within the Hancock Creek Commerce Park Subdivision, a commercial subdivision which permits a variety of commercial and light industrial uses.

The City of Cape Coral has approved the Development plans for a mixed-use development to the west of the site, which will contain a Multi-family development and some commercial out-parcels, and a commercial project (medical office building) to the east of the site. The site to the west has been cleared for construction. At the time of submittal of this PDP, construction has not commenced on the site to the east.

5. The relative gain to the community as compared to the hardship, if any imposed, the rezoning of said property;

There will be a positive effect for the subject parcel and a gain to the community. The proposed zoning will help promote a unified development for the north and south parcels. The proposed development will share facilities, utilize the existing city services within this area, and provide a limited amount of ingress and egress areas for the size of the development reducing the impact to City services and public facilities.

6. The community need for the use proposed by the zoning;

The City of Cape Coral is deficient in commercial acreage and has determined the amount of commercial square foot needed on Pine Island Road, Policy 1.15.m. Even though the zoning amendment requested for the subject parcel does not actually increase commercial acreage it does provide a means to expand a successful commercial use along Pine Island Road.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property

The subject parcels was rezoned to Corridor by the City in 2003. The zoning for the subject parcel and the area surrounding the site was established with the City's approval of the Pine Island Road District and again with the establishment of the Commerce Park Overlay District. The rezoning to Corridor occurred on an existing developed site (southern parcel) and created a non-conforming use on a well established mini-warehouse use.

The City of Cape Coral mapped the Commerce Park Overlay District to the northern parcel and the parcels to the east of the subject parcel within the Hancock Creek Commerce Park in 2011, by Ordinance 52-11. The northern parcel has remained undeveloped since it was rezoned to Corridor and then to Corridor with the Commerce Park Overlay.

8. The extent to which the proposed zoning promotes the health, safety, morals, or general welfare of this community;

The purpose of the Commerce Park Overlay (CPO) as stated in Section 2.7.13.J of the City of Cape Coral's Land Use and Development Regulations is to expand the uses available in designated geographic areas of the Corridor Zoning district. The Commerce Park Overlay allows a mix of commercial service and industrial uses.

The Commerce Park Overlay is intended to provide for the expansion of existing enterprises that without the CPO are non-conforming uses, as is the case with this development.

9. The extent to which the proposed zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan; and

The proposed zoning will not impact the level of service standards for public facilities as the request is to map the overlay district within an already Corridor Zone Parcel. Some of the CPO uses, like the proposed development, are low traffic generators and required less water than other commercial uses within the Corridor Zoning District.

This development will share facilities, utilize the existing city services within the area, and require less ingress and egress than other commercial developments of this size.

II. Approval of the Proposed Uses

The applicant requests approval of these uses:

Mini-Warehouse
Caretaker/Watchman Residence
Storage Enclosed (for RV Storage)
Administrative Office

The mini-warehouse use is existing on 7.61 acres and contains 18 self-storage buildings, 13 parking spaces, an Administrative Office and the Caretaker/Watchman residence.

The RV (Storage Enclosed) use is proposed on 6.07 acres and will contain seven (7) covered parking areas ranging in size from 30 - 50 feet deep and 122 - 446 feet in length to provide for parking/storage for 145 Recreational Vehicles.

The RV (Storage Enclosed) development will provide a continuous opaque feature around the entire development. The opaque feature will consist of fences and walls (the back of building) for six (6) of the seven (7) covered parking areas. The use of the same material (painted metal) and the fact that the fence connects to the buildings and will be constructed at the same height (14' 2") of the wall fully meets the intent of the Commerce Park Overlay Buffer Yard requirements for a continuous opaque screening around the entire development. The required height of the opaque feature within the CPO buffer requirements is eight (8) feet, the proposed opaque feature will be installed six (6) feet higher than required providing a much greater screening due to the height of the items being stored within the facility. The proposed opaque features (fence and back of wall) will require the following deviations to the City's Land Use and Development Regulations - CPO dimensional requirements and the Non-Residential Design Standards:

III. a. Deviation to the City of Cape Coral's Land Use and Development Regulations Section 2.7.13 Commerce Park Overlay- Fence Height

The applicant requests approval of a twelve (12) foot four (4) inch deviation to Section 2.7.13.J.6.c (2) of the City's Land Use and Development Regulations, which permits a fence eight feet (8) in height within a Commerce Park Buffer Yard, in order to provide a fence that connects to the wall of the buildings within the RV storage area (Storage Enclosed) at a height of twenty (20) feet four (4) inches. The majority of the fence and the rear wall of the proposed buildings will have a maximum height of 14 feet 2 inches, and will be constructed of the same material and be of the same height to form a continuous screening around the entire project. The Entry Feature into the Storage Area will be the only area where the height will exceed the fence height of 14 feet 2 inches. The Entry Feature will have a height of 20 feet 4 inches.

As required by Section 4.4 K of the City's Land Use and Development Regulations please accept these justifications for the approval of the requested deviation:

Unique and Innovative Design / Protect the Health, Safety and Welfare of the Public.

Storage Enclosed Uses are required to provide an opaque screen around the storage area. In order to fully meet this requirement and due to the height of the vehicles being stored/parked within the site the opaque fence would need to be of the same height as the covered parking area. The applicant is requesting the fence height deviation in order to comply with the screening requirements for this use and to provide a development that is completely screened from the adjacent parcels.

The incorporation of the fence and building wall (rear of the buildings) into a visual barrier with shared architectural features is an innovation previously used with success at one of the applicant's other facilities within the City of Cape Coral. This design approach provides a unique screening of this facility, improves security, and provides a pleasing passive visual appearance for this low intensity commercial use.

All of the operational functions of this storage facility will be within the enclosed area, not visible to the surrounding properties and out of public view.

III. b. Deviation to the City of Cape Coral's Land Use and Development Regulations Section 2.17.13.J.5.d. - Special Regulations within the Commerce Park Overlay District

The applicant requests approval of a deviation to Section 2.17.13.J.5.d., Special Regulations, which requires that no more than 30% of the front surface of any exterior wall facing a public right-of-way shall be metal in order to provide a secondary entrance into the facility from Diplomat Parkway consisting of metal.

As required by Section 4.4.K of the City's Land Use and Development Regulations, please accept these justifications for the approval of the requested deviation:

Unique and Innovative Design / Protect the Health, Safety and Welfare of the Public

This development is proposing a secondary entrance off of Diplomat Parkway for the RV Storage Facility. The facility entrance is setback 187 feet from the Public Right of Way (Diplomat Parkway), well beyond the building setback requirements. Access to the facility is within a 30 feet tree and shrub lined driveway. Other than landscaping and the access drive no other function of this use is proposed outside of the facility, or within the front setback, minimizing the visibility of the proposed exterior wall (entrance area) facing a public right of way.

The incorporation of the fence and building wall (rear of the buildings) into a visual barrier with shared architectural features is an innovation previously used with success at one of the applicant's other facilities within the City of Cape Coral. This design approach provides a unique screening of this facility, improves security, and provides a pleasing passive visual appearance for this low intensity commercial use.

III. c. Deviation to the City of Cape Coral's Land Use and Development Regulations Section 2.17.13.J.6.c.(5) Commerce Park Buffer

The applicant requests approval of a deviation to Section 2.17.13.J.6.c.(5) - Commerce Park Buffer for a wall of a building used as the opaque feature within the required Commerce Park Buffer shall be surfaced with stucco, brick, stone or textured concrete masonry units, in order to provide, within the RV Storage Facility, a wall of a building, within a portion of a required Commerce Park Buffer, that is constructed of metal and does not contain a stucco finish.

As required by Section 4.4.K of the City's Land Use and Development Regulations, please accept these justifications for the approval of the requested deviation:

Unique and Innovative Design / Protect the Health, Safety and Welfare of the Public

The buffer yard along the western property line of the RV Storage Facility consists of two types of opaque features, a fence and a wall (rear of the building). Even though the fence and the wall are proposed to be of the same material, Section 2.7.13.J.6.c.(5) would require the portion of the opaque feature that is the wall (rear of the building) to be surfaced with stucco or a textured concrete, while not requiring the opaque fence to be surfaced with stucco.

The incorporation of the fence and building wall (rear of the building) into a visual barrier with shared architectural features is an innovation previously used with success at one of the applicant's other facilities within the City of Cape Coral. This design approach provides a unique screening of this facility, improves security, and provides a pleasing passive visual appearance for this low intensity commercial use.

In addition to a opaque feature (fence and wall of a building), the buffer yard contains a wider than required green space, with a minimum width of 18 feet to a maximum width 36 feet, and the required trees, shrubs.

III. d. Deviation to the City of Cape Coral's Land Use and Development Regulations Section 5.6 Non-Residential Design Standards, in its entirety

The applicant has developed a distinctive architectural approach that makes a rather industrial type use (Storage of Vehicles) look passive and non-intrusive. This approach involves incorporating a fence/wall (with a protective roof) that visually hides the internal functions of the storage of RVs and also provides a functional cover that protects these vehicles from the elements.

An economic relief from the architectural standards being requested will allow this method to be utilized to its fullest extent, enclosing the entire facility, forming a compound that minimizes sound and virtually eliminates the visual impact of the storing of the RVs.

The applicant requests a deviation to Section 5.6 - Non-Residential Design Standards, in its entirety, in order to utilize a design approach which will provide this distinctive type of screening, improve security, and provide a pleasing passive visual appearance for this low intensity commercial use.

As permitted by Section 5.6 of the City's Land Use and Development Regulations, please accept these justifications for the approval of the requested deviation:

Unnecessary or Undue Hardship / Not Contrary to the Public Interest

The RV Storage area is actually a fenced compound with portions of the fence being roofed to protect the stored vehicles. Although the City may define the roofed structures as a building, and require architectural features on the sides of the building, these structures are not typical nor should they be viewed as conventional in any way. These roofed structures are more of an enclosure system and as such should not be required to meet the architectural requirements associated with a commercial building. Applying the Non-Residential Designs Standards to this project is not necessary or economically feasible. The distinctive design of the fence/wall system, the location of the project being behind an existing development from Pine Island Road and deeper within the site from Diplomat Parkway, and the specialize use (RV storage) makes this project a suitable development to obtain approval of this deviation. Approving the deviation will not be detrimental to the health, safety or welfare of the public and will permit the utilization of a distinctive type of screening which will screen the proposed use and provide a visual pleasing development.

IV. Approval of the Phasing Plan

The applicant requests approval to phase the development. All site work, including landscaping and buffering and the installation of the opaque fence and walls, will be constructed within Phase 1. The seven (7) covered parking space areas will be provided through the life of the PDP as needed.

V. Master Development Plan Approval

The applicant is requesting Master Development Plan approval. Site Plan approval, as required by Section 4.4. of the City's Land Use and Development Regulations, will be requested for the construction of the project under a separate application process.

VI. PDP Expiration Date

The applicant requests approval to terminate the physical development granted within this PDP ten (10) years from the date of approval.

Approving this Planned Development Project will provide for the expansion of a successful mini-warehouse facility with a much needed place for the storage of Recreational Vehicles. Should you or your staff have questions regarding this project, please feel free to contact me.

Sincerely,

AVALON ENGINEERING, INC.



Linda Miller, AICP
Senior Planner

Joseph W. Casanova, P.E.
FL LICENSE # 38813

THESE PLANS WERE PREPARED BY THE FIRM OF
AVALON ENGINEERING, INC.
FOR THE PROJECT OF
STOR-RITE SELF STORAGE FACILITY EXPANSION
AND REZONING
IN CAPE CORAL, FLORIDA
CONTRACT # 16-0011

DATE: 11/11/2011
BY: JWC
CHECKED: JWC
DATE: 11/11/2011
BY: JWC
CHECKED: JWC

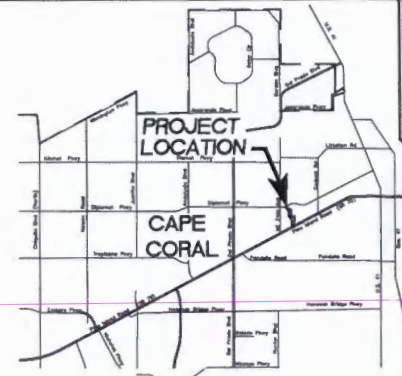
AVALON ENGINEERING, INC.
11111 S.W. 11th Street, Suite 100
Cape Coral, Florida 33904
(239) 573-1077
FAX: (239) 573-1078

Major Road Partnership #
State Road 1
County Road 1
City of Cape Coral
ATTN: Planning Dept.

STOR-RITE SELF STORAGE
FACILITY EXPANSION
AND REZONING
IN CAPE CORAL, FLORIDA
PROJECT # 16-0011

COVER SHEET
(MASTER PDP PLANS)

16-0011 PDP
1 of 14



LOCATION MAP
N.T.S.

PDP MASTER PLANS FOR STOR-RITE STORAGE FACILITY EXPANSION 2555 N.E. PINE ISLAND ROAD CAPE CORAL, FLORIDA

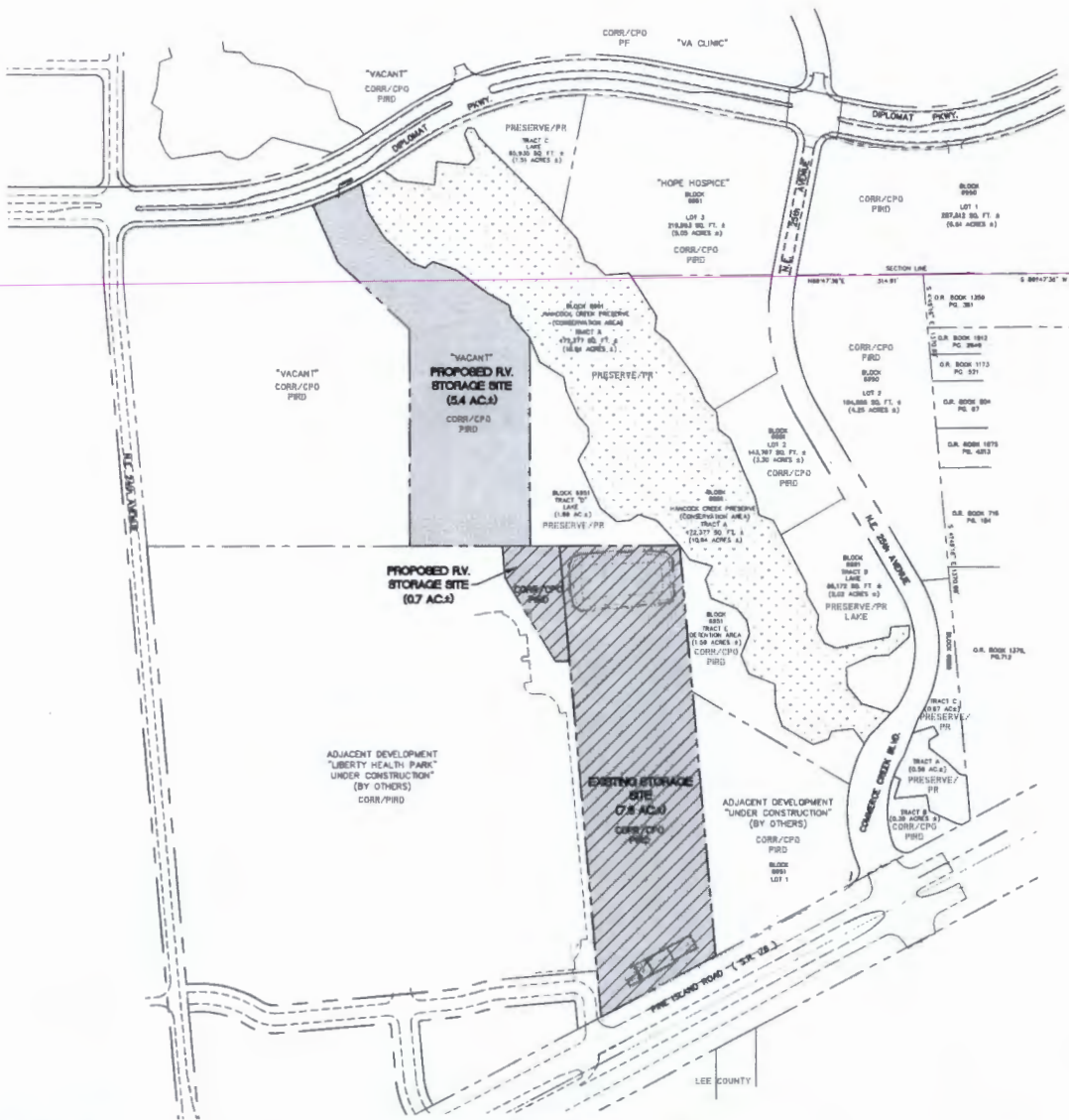
PDP INFO:

LOCATION: 2555 N.E. PINE ISLAND ROAD
CAPE CORAL, FLORIDA
EXISTING ZONING: CORR & CORR W/CPD
PROPOSED ZONING: CORR W/CPD
FUTURE LAND USE: PIRD
DEVELOPMENT TYPE: COMMERCIAL
USES: ADMIN. OFFICE, MINI WAREHOUSE &
STORAGE ENCLOSED & CARETAKERS RESIDENCY
FLOOD ZONE: X
FINISH FLOOR: EXISTING 13.00 TO PROPOSED 13.25 FT. NGVD
CONTROL ELEV: 8.20 FT. NGVD
WATER/SEWER: CITY OF CAPE CORAL
IRRIGATION: CITY OF CAPE CORAL (PORTABLE WATER MAIN)

PDP AREA: 13.7 Act
REZONING AREA: 8.3 Act
(CORR TO CORR/CPD)

INDEX OF SHEETS

- 1 COVER SHEET
- 2 GENERAL NOTES & LEGENDS
- 3 EXISTING CONDITIONS / EROSION CONTROL
- 4-5 MASTER DEVELOPMENT PLAN
- 6-7 MASTER GRADING AND DRAINAGE PLAN
- 8-9 MASTER UTILITY PLAN
- 10 ZONING PLAN
- 11 MASTER PHASING PLAN
- 12-13 MASTER LANDSCAPE PLAN
- 14 LANDSCAPE REQUIREMENTS SURVEY (BY OTHERS)



VICINITY MAP
Scale: 1"=150'

ATTENTION IS DIRECTED TO THE FACT THAT THESE PLANS MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

PDP #16-0011

GENERAL CONSTRUCTION NOTES

1. REFER TO CONTRACT DOCUMENTS AND TECHNICAL SPECIFICATIONS FOR ADDITIONAL INFORMATION. CONTRACTOR'S RESPONSIBILITIES AND DETAIL.
2. THE CONTRACTOR SHALL BE RESPONSIBLE TO MEET ALL "MAINTENANCE OF TRAFFIC" REQUIREMENTS AS PRESCRIBED IN THE CURRENT "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION", F.H.R.A. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, PART 4, CURRENT EDITION, AND ALL APPLICABLE SECTIONS OF THE ROAD AND TRAFFIC DESIGN STANDARDS, FLORIDA DEPARTMENT OF TRANSPORTATION, CURRENT EDITION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITIES IN THE AREA OF CONSTRUCTION PRIOR TO BEGINNING CONSTRUCTION. IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE ANY UTILITY RELOCATION WITH THE UTILITY COMPANY SUCH THAT ALL CONFLICTS ARE RESOLVED. NO COMPENSATION OF THE EXTENSION WILL BE ISSUED TO THE CONTRACTOR FOR DELAYS CAUSED BY UTILITIES.
4. THE CONTRACTOR SHALL COMPLY WITH CURRENT FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SPECIFICATIONS, SPECIFICALLY IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE "SPECIFICATIONS FOR ROAD BRIDGE CONSTRUCTION" AND THE "ROAD AND TRAFFIC DESIGN STANDARDS", UNLESS OTHERWISE NOTED.
5. CONTRACTOR SHALL VERIFY ALL BUILDING DIMENSIONS WITH THE ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION. ANY DISCREPANCY NOT CALLED TO THE ENGINEER'S ATTENTION PRIOR TO THE ACCOMPLISHMENT OF THE WORK SHALL BE CORRECTED BY AND AT THE CONTRACTOR'S EXPENSE.
6. THERE ARE NOT KNOWN WELLS LOCATED ON THIS JOB SITE. IF ANY WELLS ARE LOCATED DURING CONSTRUCTION THE CONTRACTOR IS RESPONSIBLE TO NOTIFY THE OWNER.
7. ALL PRACTICABLE AND NECESSARY EFFORT SHALL BE TAKEN DURING CONSTRUCTION TO CONTROL AND PREVENT EROSION AND TRANSPORT OF SEDIMENT TO SURFACE DRAINS, SWALES AND OUTFALLS. (REFER TO EROSION CONTROL PLAN)
8. WHERE THE NEW PAVEMENT IS DISCONTINUED IT SHALL BE FLUSH WITH OR HAVE A SMOOTH TRANSITION WITH ADJACENT PAVEMENT.
9. ALL INVERT ELEVATIONS NOTED FOR DRAINAGE STRUCTURES ARE FLOW LINE ELEVATIONS.
10. ALL EXISTING AND PROPOSED GRADES SHOWN REFER TO N.G.V.D. 1928. (UNLESS OTHERWISE NOTED)
11. AT THE CONTRACTOR'S EXPENSE, ALL FRAMES, COVERS, VALVE BOXES, METER BOXES AND MANHOLES SHALL BE ADJUSTED TO FINISHED GRADE UPON COMPLETION OF PAVING OR RELATED CONSTRUCTION.
12. ANY SURPLUS MATERIAL WILL REMAIN THE PROPERTY OF THE OWNER, AND THE CONTRACTOR, AT HIS EXPENSE SHALL STOCKPILE THE SURPLUS MATERIAL AS DIRECTED BY OWNER.
13. THE LIMITS OF CONSTRUCTION SHALL MATCH THE LIMITS OF CLEARING & GRUBBING UNLESS OTHERWISE NOTED ON PLANS.
14. ALL UTILITY WORKMANSHIP AND MATERIALS FOR THIS PROJECT SHALL BE IN STRICT ACCORDANCE WITH THE SPECIFICATIONS AND STANDARDS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP), THE STATE OF FLORIDA DEPARTMENT OF HEALTH AND REHABILITATION SERVICES (HRS), AND THE CITY OF CAPE CORAL UTILITY DIVISION, UNLESS OTHERWISE NOTED.
15. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND VERIFY THE SIZE, DEPTH AND LOCATION OF ALL UTILITIES IN THE FIELD WITHIN THE PROJECT LIMITS PRIOR TO CONSTRUCTION. ANY UTILITIES THAT ARE DISTURBED OR DAMAGED BY THE CONTRACTOR SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT HIS EXPENSE. ANY DISCREPANCY NOT CALLED TO THE ENGINEER'S ATTENTION PRIOR TO THE ACCOMPLISHMENT OF THE WORK SHALL BE CORRECTED AT THE CONTRACTOR'S EXPENSE. THE ENGINEER AND/OR OWNER WILL NOT GUARANTEE ANY LOCATIONS AS SHOWN ON THESE PLANS OR THOSE OMITTED FROM THE SAME.
16. ALL DISTURBED AREAS WITHIN PROJECT SITE AND CITY R/W'S SHALL BE REGRADDED AS REQUIRED AND STABILIZED WITH SOIL. VACANT LOT AREAS THAT ARE DISTURBED DURING CONSTRUCTION SHALL BE SEED & MULCHED.
17. CONCRETE SIDEWALK: USE CLASS 1, 3000 PSI (MINIMUM) CONCRETE. APPLY A BROOM FINISH AND MAKE VERTICAL SAW CUTS AT 5' ON CENTER AT A DEPTH OF 1/4" OF THE SLAB THICKNESS. PROVIDE PRE-FORMED EXPANSION JOINTS AT 100' ON CENTER.
18. ALL HANDICAP SPACES, RAMPS, AND ACCESS AREAS SHALL COMPLY IN STRICT ACCORDANCE WITH THE "AMERICAN DISABILITY ACT" (ADA) (28 CFR PART 36), AND "ACCESSIBILITY BY HANDICAPPED PERSONS" CHAPTER 303, PART V, FLORIDA STATUTES. ANY DISCREPANCY SHALL BE CALLED TO THE ENGINEER'S ATTENTION PRIOR TO CONSTRUCTION.
19. CONCRETE CURB & GUTTER AND STRAIGHT CURBS: USE CLASS 1, 3000 PSI (MINIMUM) CONCRETE. MAKE VERTICAL SAW CUTS EVERY 10' ON CENTER WITH PRE-MOLDED EXPANSION JOINTS EVERY 100' ON CENTER.
20. PAVEMENT MARKINGS AND SIGNS SHALL BE IN STRICT ACCORDANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.)" FOR STREETS AND HIGHWAYS" AND FDOT STANDARD ROAD SIGN (S&T) 2-1.1.
21. STORM DRAINS (SD) AND ROOF DRAINS (RD) SHALL BE REINFORCED CONCRETE PIPE, ADS N-12, ALUMINUM, PVC 300-35, A-2000 PVC, OR AS SHOWN ON PLANS. "TEED PIPE" SHALL BE ADS N-12, PVC 300-35 OR A-2000 PVC. NO STEEL PIPE, NON REINFORCED CONCRETE PIPE, OR FIBER REINFORCED PIPE.
22. THE CONTRACTOR SHALL SUBMIT TO THE ENGINEER SHOP DRAWINGS OF ANY AND ALL MATERIALS, STRUCTURES, PIPING, VALVES, VALVE BOXES, ETC. TO BE USED ON SITE PRIOR TO ORDERING OR INSTALLING, INCLUDING INFO. OF "S&T" 2-1.1.
23. ALL STORMDRAIN PIPE CONNECTIONS AND JOINTS SHALL BE IN ACCORDANCE WITH CITY OF CAPE CORAL, DESIGN STANDARDS (SHEET L-23), FOOT ROCK 201 AND 280 AND FOOT SPEC. 430-7

RIGHT-OF-WAY CONSTRUCTION NOTES

1. CONSTRUCTION OF NEW DRIVEWAYS AND ALLEYS SHALL BE IN STRICT ACCORDANCE WITH THE CURRENT CONSTRUCTION STANDARDS AND SPECIFICATIONS OF THE CITY OF CAPE CORAL, FLORIDA AND OTHER STANDARDS REFERENCED HEREIN (REFER TO GENERAL CONSTRUCTION NOTES).
2. PRIOR TO COMMENCING ANY WORK WITHIN THE CITY RIGHT-OF-WAY, THE CONTRACTOR SHALL SET-UP A PRE-CONSTRUCTION MEETING WITH THE CITY INSPECTORS. CITY REQUIREMENTS FOR MATERIAL TEST REPORTS AND PROCEDURES SHOULD BE REVIEWED BY THE CONTRACTOR AND THE REPORTS SHALL BE AVAILABLE TO THE INSPECTORS AT THE TIME OF INSPECTION. THE CONTRACTOR SHALL SCHEDULE AND COORDINATE INSPECTIONS AND OBTAIN APPROVAL PRIOR TO PLACEMENT OF CONCRETE AND/OR ASPHALT WITHIN THE RIGHT-OF-WAY.
3. PRIOR TO WORKING WITHIN THE RIGHT-OF-WAYS, THE CONTRACTOR IS REQUIRED TO OBTAIN ALL THE NECESSARY RIGHT-OF-WAY PERMITS AND PROVIDE THE NECESSARY WORK ZONE CONTROLS AND SAFETY REQUIREMENTS. PRIOR TO CONSTRUCTION, THE CONTRACTOR IS REQUIRED TO PREPARE A TRAFFIC MAINTENANCE PLAN AND OBTAIN APPROVAL BY THE CITY OF CAPE CORAL, TRANSPORTATION DEPARTMENT.
4. THE CONTRACTOR SHALL NOTE THAT THE DESIGN ELEVATIONS SHOWN ON THE PLANS WITHIN THE RIGHT-OF-WAY SHALL BE DIFFER FROM THE CITY'S MASTER DESIGN PLAN. ALL PROPOSED GRADES IN THE ALLEYS, DRIVEWAYS AND STREET RIGHTS-OF-WAY SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
5. THE CITY OF CAPE CORAL SURVEY DEPARTMENT SHALL COMPLETE ALL SURVEY LAYOUT WITHIN THE RIGHT-OF-WAY FOR CURBS, STORM WATER STRUCTURES, ROAD MEDIAN, AND ALLEY IMPROVEMENTS AND THE CITY MASTER PLAN. THE CONTRACTOR SHALL COORDINATE THIS LAYOUT WITH THE CITY. ALL PROPERTY SURVEY MONUMENTS WITHIN THE CITY OF CAPE CORAL'S RIGHT-OF-WAY SHALL BE IN PLACE AND MARKED PRIOR TO REQUESTING CITY LAYOUT OR INSPECTIONS. ANY SURVEY MONUMENT OR CORNER DISTURBED OR DESTROYED DURING CONSTRUCTION SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE PRIOR TO ENGINEERING FINAL.
6. ALL BROKEN OR VERTICALLY MISALIGNED CURBS/ROADWALK DIRECTLY ADJACENT TO THE SITE THAT DO NOT MEET A.S.A. MINIMUM REQUIREMENTS SHALL BE REPLACED. CONCRETE FORMS ARE REQUIRED ON BOTH SIDES OF REPLACEMENT CURBS.
7. ANY WORK OR MATERIALS THAT DO NOT CONFORM TO THE SPECIFICATIONS CONTAINED HEREIN OR ANY WORK PERFORMED WITHOUT A CITY INSPECTION IS SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S EXPENSE.
8. THE CONTRACTOR IS RESPONSIBLE FOR ALL RESTORATION IN THE CITY RIGHT-OF-WAYS DISTURBED OR DAMAGED DURING CONSTRUCTION INCLUDING SWALE RE-GRADING (REFER TO EROSION CONTROL PLAN AND GENERAL CONSTRUCTION NOTES).
9. ALL CITY TRAFFIC SIGNS AND MARKINGS ON OR ADJACENT TO THE RIGHT-OF-WAY THAT MUST BE RELOCATED SHALL BE COORDINATED WITH THE CITY TRAFFIC DEPARTMENT. TEMPORARY HAND SIGNS SHALL BE MARKED WITH THE CHANGES AND POSTAL DELIVERY SERVICE DURING CONSTRUCTION. THE CONTRACTOR SHALL COORDINATE THE TEMPORARY AND FINAL LOCATIONS WITH THE LOCAL POST OFFICE.
10. THE CONTRACTOR SHALL COORDINATE WITH THE CITY OF CAPE CORAL AND REVIEW DIVISION THE INSTALLATION, INSPECTIONS AND PROVIDE SURVEY LAYOUT FOR THE RE-ROUTING OF CITY DRAINAGE PIPES AND STRUCTURES (IF ANY).
11. PRIOR TO CONSTRUCTION NEAR OR ADJACENT TO TRAFFIC SIGNALS, THE CONTRACTOR SHALL NOTIFY THE CITY OF CAPE CORAL DEPARTMENT OF TRANSPORTATION (D.T.) TRAFFIC SIGNAL MAINTENANCE DIVISION AND/OR CITY OF CAPE CORAL TRAFFIC DEPT. TO DISCUSS THE PROPOSED OPERATION OF THE SIGNAL AND OTHER IMPROVEMENTS. THE CONTRACTOR SHALL COORDINATE THE RELOCATION OF SIGNAL BOXES AND LOOPS (IF ANY) WITH L.C.D.T. AND THE CITY OF CAPE CORAL TRAFFIC DEPARTMENT.

MISC. NOTES

1. FINAL ALIGNMENTS, MATERIALS, COLORS, FINISHES, FOR PEDESTRIAN HANDScape AREAS MAY BE ADJUSTED ON SITE BY OWNER OR OTHER REPRESENTATIVE.
2. THE SIZES AND LOCATIONS OF THE UNDERGROUND ELECTRIC CONDUITS, SLEEVES, TRANSFORMERS, ENCLOSURES, LIGHT POLES AND OTHER APPURTENANCES ARE BASED UPON THE DESIGN PROVIDED BY THE LEE COUNTY ELECTRIC COOPERATIVE (L.E.C.C.). THE L.E.C.C. SHALL VERIFY ACTUAL LOCATION, SIZE AND DEPTH PRIOR TO INSTALLATION OF THEIR FACILITIES. THE SITE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE CONSTRUCTION OF THE OTHER SITE-RELATED IMPROVEMENTS (I.E. PAVING, DRAINAGE, WATER, SEWER, ETC.) WITH THE VERIFIED LAYOUT BY L.E.C.C.
3. OUTDOOR LIGHTING SHALL COMPLY WITH ALL CITY OF CAPE CORAL, CODES, STANDARDS AND REGULATIONS AND SHALL BE DESIGNED IN A FASHION TO PROVIDE ADEQUATE VISIBILITY WITHIN THE DEVELOPMENT WHILE NOT ADVERSELY IMPACTING ADJACENT PROPERTIES. PRIOR TO ISSUANCE OF ANY BUILDING PERMIT, SITE LIGHTING PLAN AND PHOTOGRAPHIC PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY OF CAPE CORAL.
4. PLANTING AT BOTTOM OF RETENTION/DETENTION AREA (I.E. TREES, PALMS AND SHRUBS) MUST NOT INTERFERE WITH THE VOLUME OF STORMWATER STORAGE, OR IMPAIRE THE FLOW OF RUNOFF. TREES AND SHRUBS MUST NOT INTERFERE WITH THE REQUIRED SIDE SLOPES AND SHALL NOT BE PLANTED ON SLOPES GREATER THAN 3:1. RETENTION/DETENTION AREAS MUST BE STABILIZED WITH SOO UNLESS AN ALTERNATIVE METHOD IS SPECIFICALLY PERMITTED PRIOR TO PLANS APPROVAL. NO ORGANIC MULCH WILL BE PERMITTED IN RETENTION/DETENTION AREAS. LAND USE REGULATION 3.2

UTILITY COMPANIES

CENTURY LINK (TELEPHONE)
P.O. BOX 1379
FORT MYERS, FL 33901
(239) 336-2011

LEE COUNTY ELECTRIC COOPERATIVE, INC.
4800 BAYVIEW DR.
N. FT. MYERS, FL 33917
(239) 658-2298

CITY OF CAPE CORAL UTILITIES DEPARTMENT
P.O. BOX 150027
CAPE CORAL, FL 33915-0027
(239) 574-0854

COMCAST CABLE
1418 E. 10TH STREET
CAPE CORAL, FL 33909
(239) 574-2020

WASTE PRO
13110 ROCKENBACHER PARKWAY
FT. MYERS, FL 33913
(239) 337-0800

TECO / PEOPLE'S GAS
3900 ENTERPRISE PARKWAY
FT. MYERS, FL 33905
(239) 980-5527

GENERAL UTILITY NOTES

1. ALL WATER, SEWER AND IRRIGATION CONSTRUCTION SHALL CONFORM TO THE LATEST VERSION OF THE CITY OF CAPE CORAL STANDARD DETAILS AND SPECIFICATIONS; AND THE SOUTHERN STANDARD PLUMBING CODE.
2. WATER AND IRRIGATION PIPE SHALLER THAN 2" SHALL BE POLYVINYL CHLORIDE (PVC) AND SHALL CONFORM TO ASTM D-1785, CLASS 1120 OR 1220, SCHEDULE 80 PVC. WATER AND IRRIGATION PIPE 2" BUT LESS THAN 4" IN DIAMETER SHALL BE PVC CLASS 200, DR-21 CONFORMING TO ASTM 2241 WITH RING-TYPE JOINTS. WATER AND IRRIGATION PIPE 4" INCHES, UP TO AND INCLUDING 12" INCHES IN DIAMETER SHALL BE ANIRMA C-800, CLASS 150, DR-14, UNLESS OTHERWISE NOTED ON PLANS. ANY WATER AND IRRIGATION PIPE UNDER PAVEMENT SHALL BE DUCTILE IRON PIPE (D.I.P.). PRESSURE CLASS 250 WITH A GLENN MASTAR LINING, CONFORMING TO ANIRMA A21-S1/C131. ALL MAINS SHALL HAVE 36" MINIMUM COVER FROM FINISHED GRADE.
3. THE CONTRACTOR SHALL UTILIZE RESTRAINED JOINTS FOR THE INSTALLATION OF WATER, FLOW MAIN AND IRRIGATION PIPING.
4. GRAVITY SEWER PIPE 4" IN DIAMETER AND GREATER SHALL BE PVC AND SHALL CONFORM TO ASTM C-3024, SDI 28, 38 INCH MINIMUM COVER, UNLESS OTHERWISE SHOWN.
5. INSTALLATION OF SERVICE METERS AND CONNECTIONS TO EXISTING CITY OF CAPE CORAL UTILITIES SHALL BE PERFORMED BY AND COORDINATED WITH THE CITY OF CAPE CORAL UTILITY DEPARTMENT AT THE CONTRACTOR'S EXPENSE. THE LOCATION OF THE CONNECTION POINTS MAY REQUIRE FIELD ADJUSTMENT TO BE PERFORMED AT THE CONTRACTOR'S EXPENSE. IMPACT FEES SHALL BE PAID BY THE OWNER.
6. WHERE WATER, IRRIGATION AND SEWER MAINS CROSS, THE MINIMUM VERTICAL SEPARATION SHALL BE 12 INCHES. WHERE THIS IS NOT POSSIBLE, THE WATER MAIN SHALL BE ENCASED IN A PVC SLEAVE OR THE JOINTS SHALL BE SEPARATED TEN (10) FEET EITHER SIDE OF THE POINT OF CROSSING. THE CONTRACTOR SHALL COMPLY WITH RULE 62-305.045 FAC. AND SHALL INCREASE THE COSTS FOR DEFLECTING PIPE, ROLL-DOWNS OR ENCASEMENT IN THE PRICE OF THE PIPE.
7. TESTING AND COMPACTION OF TRENCH BACKFILL, SUBGRADE, AND BASE SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS.
8. ALL UTILITY PIPING, INCLUDING SERVICES, SHALL BE COLOR CODED AS FOLLOWS: POTABLE WATER - BLUE (SERVICES MAY BE WHITE P.V.C. W/MARKING TAPE IF BLUE IS NOT AVAILABLE); SEWER - GREEN; IRRIGATION/FIRE - LANDSCAPE (SERVICES MAY BE GRAY P.V.C. W/MARKING TAPE IF LANDSCAPE IS NOT AVAILABLE).
9. ALL WATER, SEWER, IRRIGATION, FLOW MAINS, SERVICES AND LATERALS SHALL HAVE DETECTABLE TAPE INSTALLED OVER THE PIPE WITH 12" MINIMUM TO 36" MAXIMUM COVER FROM PROPOSED GRADE.
10. WATER, FIRE AND IRRIGATION MAINS, INCLUDING SERVICES, SHALL BE FLUSHED AND PRESSURE TESTED IN ACCORDANCE WITH ANIRMA C-800. THE UTILITY COMPANY AND CHANDLER SHALL BE PRESENT DURING THE TESTING.
11. WATER MAINS AND SERVICES SHALL BE DISPECTED AND TESTED IN ACCORDANCE WITH ANIRMA C-651 AND RULE 62-305.345 FAC. INCLUDING PROVIDING SAMPLE POINTS AS REQUIRED BY THE HEALTH DEPARTMENT.
12. ALL FRAMES, COVERS, VALVE BOXES, METER BOXES AND MANHOLES SHALL BE ADJUSTED TO FINISHED GRADE UPON COMPLETION OF PAVING OR RELATED CONSTRUCTION.
13. ANY WORK OR MATERIALS WHICH DO NOT CONFORM TO THE SPECIFICATIONS OR ANY WORK PERFORMED WITHOUT THE KNOWLEDGE OF THE CITY OF CAPE CORAL UTILITY INSPECTORS OR REPRESENTATIVES IS SUBJECT TO REMOVAL AND REPLACEMENT OF SAME TO BE COMPLETED AT THE CONTRACTOR'S EXPENSE.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL AFFECTED UTILITIES IN THE AREA 72 HOURS PRIOR TO BEGINNING CONSTRUCTION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE WITH ALL UTILITY COMPANIES AND THE ENGINEER TO RESOLVE CONFLICTS WITH EXISTING UTILITIES IN A TIMELY MANNER TO AVOID DELAYS IN COMPLETING THE PROJECT.
15. ACCEPTANCE OF THE COMPLETED UTILITY SYSTEMS WILL NOT BE GIVEN UNTIL AS-BUILT PLANS HAVE BEEN SUBMITTED AND ACCEPTED BY THE ENGINEER.
16. UTILITY CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH PROVIDING UNDERGROUND PHONE AND ELECTRIC SERVICE TO BUILDINGS.
17. THE CONTRACTOR IS RESPONSIBLE FOR NOTIFYING THE UTILITY DEPT. (274-0852) A MINIMUM OF 48 HOURS TO ANY SHUTDOWNS, TIE-IN OR PRESSURE TEST ON THE WATER, IRRIGATION OR SEWER MAIN. ALSO, THE CONTRACTOR WILL DISTRIBUTE ANY INTERRUPTION OF SERVICE NOTICES TO ALL AFFECTED PARTIES AND THE CITY WILL DISTRIBUTE ALL BOB, WATER NOTICES AND REVISION NOTICES.
18. THE CONTRACTOR IS PROHIBITED FROM TURNING OFF ANY EXISTING MAIN LINE VALVES. THESE WILL BE TURNED OFF BY A REPRESENTATIVE OF THE CITY UTILITY DEPARTMENT AT THE CONTRACTOR'S ARRANGED TIME AND DATE.
19. BACKFLOW PREVENTION DEVICES SHALL BE TESTED BY A CERTIFIED CROSS CONNECTION CONTROL TECHNICIAN IN THE PRESENCE OF A CITY OF CAPE CORAL REPRESENTATIVE.
20. THE CONTRACTOR OR OWNERS REPRESENTATIVES WILL BE RESPONSIBLE FOR OBTAINING AN APPROPRIATE SIZED TEMPORARY JAMPER ASSEMBLY WITH METER FROM THE CITY OF CAPE CORAL'S UTILITY COLLECTION AND DISTRIBUTION DEPARTMENT AT (239) 574-0852 PRIOR TO RECEIVING CITY WATER FOR CONSTRUCTION AND/OR TYPING ANY EXISTING POTABLE WATER MAIN LINES. A BILLING ACCOUNT MUST BE SET UP THROUGH THE CITY'S CUSTOMER BILLING DEPARTMENT PRIOR TO INSTALLATION. A REPRESENTATIVE FROM THE CITY OF CAPE CORAL'S SITE DEVELOPMENT AND REVIEW DIVISION AT (239) 243-3244 MUST BE NOTIFIED 48 HOURS IN ADVANCE OF INSTALLATION AND BE PRESENT TO WITNESS AND RECORD THE INSTALLATION. THE CONTRACTOR'S CONSTRUCTION ACTIVATION MUST BE SUBMITTED TO THE SITE DEVELOPMENT AND REVIEW INSPECTOR AT THE TIME OF METER INSTALLATION. AFTER CONSTRUCTION IS COMPLETE AND BEFORE THE TEMPORARY JAMPER AND METER IS REMOVED, ALL POTABLE WATER MAINS SHALL BE FLUSHED AND PRESSURE TESTED PER ANIRMA SECTION C600 AND DISPECTED PER ANIRMA C-651.

LEGEND

- C-1/
COM
- ZONING AND LANDUSE
- LIGHT POLE (BY OTHERS)
- HANDICAP RAMP (12:1 MAX. SLOPE)
- DRAINAGE CURB CUT
- ROCK BOULDER RIP-RAP OVER FILTER FABRIC
- EXIST. STORM DRAIN & INLET
- DETENTION AREAS
- PROP. STORM DRAIN & INLET
- STRUCTURE I.D. *
- EXISTING ELEVATION (NGVD)
- PROPOSED ELEVATION (NGVD)
- DESIGN ELEVATION (NGVD) **
- DRAINAGE FLOW ARROW
- SEWER MAIN AND MANHOLE
- SEWER LATERAL W/ CLEANOUT
- METER AND/OR BACKFLOW DEVICE
- EX. FIRE HYDRANT ASSEMBLY
- PROP. FIRE HYDRANT ASSEMBLY
- EX. WATER MAIN & G.V.
- PROP. WATER MAIN & G.V.
- PROP. DCCV WITH FDC
- POWER POLE W/OVERHEAD LINES
- TRANSFORMER PAD (BY OTHERS, COORDINATE W/ELEC. COMPANY)
- PHONE/CABLE BOX (BY OTHERS)
- CONCRETE
- DETECTABLE WARNING MATERIAL
- HEAVY DUTY ASPHALT PAVEMENT (SEE SECTION) SEE SHEET 5 FOR PAVEMENT SECTION KEY MAP
- TYPICAL ASPHALT PAVEMENT (SEE SECTION) SEE SHEET 5 FOR PAVEMENT SECTION KEY MAP
- * SEE STRUCTURE TABLES (INLET AND/OR MANHOLE)
- ** ALL DESIGN ELEVATIONS WITHIN CITY R/W INCLUDING PAVEMENT, WALKS, DRIVES & ALLEYS ARE TO BE COORDINATED WITH CITY PUBLIC WORKS DEPT. PRIOR TO CONSTRUCTION.

ALL EXISTING AND PROPOSED ELEVATIONS SHOWN REFER TO N.G.V.D. 929

Joseph W. Edwards, P.E.
FL LICENSE 38815

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AVALON ENGINEERING, INC.
10000 S.W. 11TH STREET, SUITE 200
MIAMI, FLORIDA 33156
(305) 551-1111
FAX (305) 551-1112
WWW.AVALON-ENG.COM

STORAGE OF MATERIALS
ALL MATERIALS SHALL BE STORED IN THE MANNER SPECIFIED ON THE PLANS. NO MATERIALS SHALL BE STORED IN THE PUBLIC RIGHT-OF-WAY OR IN ANY MANNER THAT WOULD BE A NUISANCE TO THE ADJACENT PROPERTY.

STORM-WATER SELF STORAGE
ALL STORM-WATER SHALL BE STORED IN THE MANNER SPECIFIED ON THE PLANS. NO STORM-WATER SHALL BE STORED IN THE PUBLIC RIGHT-OF-WAY OR IN ANY MANNER THAT WOULD BE A NUISANCE TO THE ADJACENT PROPERTY.

GENERAL NOTES AND LEGENDS

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LEGEND

—○— EROSION CONTROL
(SILT FENCING, TYP.)

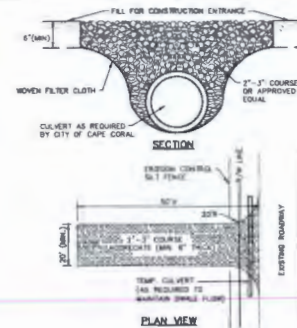
SOILS

- 50 OLDSMAR SAND
- 62 WABASSO SAND
LIMESTONE SUBSTRATUM

FLUCCS

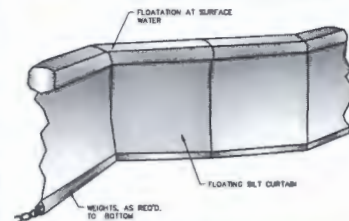
ENVIRONMENTAL SURVEY (06/2016)

- 140 COMMERCIAL AND SERVICES
- 411 PINE FLATWOODS
- 414 PINE - MESIC OAK
- 414E PINE - MESIC OAK INVADED BY EXOTICS (5-9%)
- 414E3 PINE - MESIC OAK INVADED BY EXOTICS (51-75%)
- 438E3 MIXED HARDWOODS INVADED BY EXOTICS (51-75%)
- 525 STORMWATER MANAGEMENT POND
- 740 DISTURBED LAND



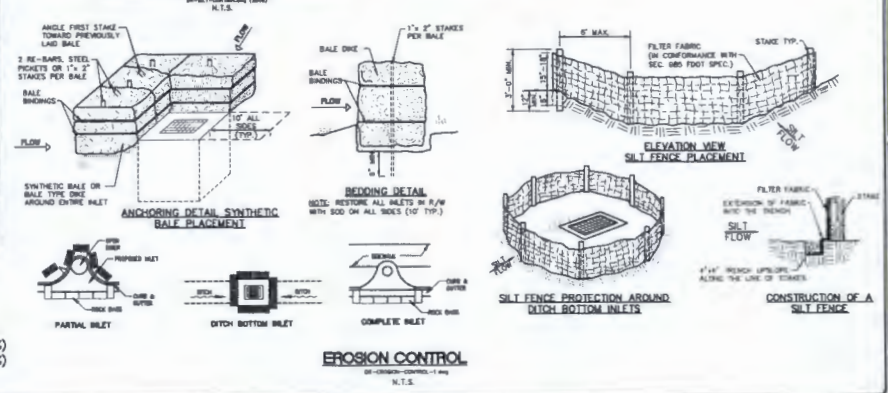
- NOTE:
- 1) THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT PLACING OR FLOWING OF SEDIMENT ONTO PUBLIC R/W. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
 - 2) WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC R/W.
 - 3) WHEN WASHING IS REQUIRED, IT SHALL BE DONE IN AN AREA STABILIZED W/ CHURNED STONE THAT DRAINAGE INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

TEMP. CULVERT • CONSTRUCTION ENTRANCE



THE CONTRACTOR SHALL BE RESPONSIBLE TO HAVE APPROVED TURBIDITY SCREENS IN PLACE DURING ANY AND ALL CLEARING, EXCAVATING, SETTING AND BACKFILLING OPERATIONS WHICH TOTALLY ENCLOSES THE CONSTRUCTION SITE. SCREENS ARE TO REMAIN IN PLACE 24 HOURS MINIMUM AFTER CONSTRUCTION ON A SPECIFIC DRAINAGE BASIN CEASES OR UNTIL TURBIDITY LEVEL IS 20 NTU ABOVE THE PRE-CONSTRUCTION TURBIDITY LEVEL. SCREENS MUST EXTEND FROM THE WATER SURFACE TO THE BOTTOM AND HAVE ADEQUATE WEIGHT TO KEEP THEM IN PLACE DURING ALL OPERATIONS. THERE SHALL BE ADEQUATE FLOTATION AT THE SURFACE TO PREVENT OVERFLOW. THIS FLOTATION MUST BE BRIGHTLY COLORED TO MAXIMIZE VISIBILITY.

TURBIDITY CONTROL SILT SCREEN



EROSION CONTROL NOTES

1. THE CONTRACTOR SHALL ADHERE TO THE SEQUENCE OF OPERATIONS FOR EROSION CONTROL IMPLEMENTATION HEREIN. ANY DEVIATION FROM THIS SEQUENCE DEEMED NECESSARY BY THE CONTRACTOR SHALL BE APPROVED BY THE OWNER.
2. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS INVOLVED WITH THE CONSTRUCTION ACTIVITIES RELATED TO EROSION CONTROL, AS SHOWN OR NOTED HEREIN SHALL OBTAIN A COPY OF THE STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AS WELL AS THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR THIS SITE, AND BECOME FAMILIAR WITH THEIR CONTENTS.
3. ALL WASH WATER SHALL BE DISPOSED OF IN A MANNER THAT PREVENTS CONTACT BETWEEN WASH WATER POLLUTANTS AND STORM RUNOFF DISCHARGED FROM THIS SITE.
4. OIL AND GREASE ABSORBING MATERIALS SHALL BE READILY AVAILABLE ON-SITE AND SHALL BE PROMPTLY USED TO CONTAIN AND/OR CLEAN UP ALL FUEL OR CHEMICAL SPILLS OR LEAKS.
5. DUST CONTROL SHALL BE ACCOMPLISHED BY WATERING DRY, EXPOSED AREAS ON A REGULAR BASIS. SPRAYING OF PETROLEUM BASED OR TOXIC LIQUIDS FOR THIS IS PROHIBITED.
6. ALL CITY RIGHT-OF-WAYS THAT ARE DISTURBED DURING CONSTRUCTION SHALL BE PERMANENTLY BODDED PRIOR TO THE COMPLETION OF THE PROJECT.
7. DISTURBED AREAS OF THE SITE WHERE CONSTRUCTION AREAS HAVE PERMANENTLY CEASED SHALL BE PERMANENTLY BODDED OR BODDED, AS SHOWN ON THE ATTACHED PLAN, WITHIN FOURTEEN DAYS.
8. ALL WEEDS SHALL BE CLEARED AT THE CONSTRUCTION SITE PRIOR TO ANY CONSTRUCTION ACTIVITIES.
9. ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED ONTO ADJACENT ROADWAYS BY VEHICLES EXITING THE SITE SHALL BE CLEANED OR REMOVED IMMEDIATELY.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROMPT REMOVAL OF ALL ACCUMULATED SILT IN THE STORM SEWER SYSTEM AND ALONG SILT FENCES.
11. SILT FENCES SHALL BE PLACED AROUND ANY STOCKPILED USE ON THIS SITE.
12. ANY ADDITIONAL EROSION CONTROL MEASURES REQUIRED TO ENSURE COMPLIANCE WITH THE U.S.E.P.A.'S FLORIDA DEP AND LOCAL GOVERNING AGENCY STORM WATER POLLUTION PREVENTION PLAN SHALL BE IMPLEMENTED BY THE CONTRACTOR, AT NO ADDITIONAL COST TO THE OWNER.
13. ALL TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED AND PROPERLY DISPOSED OF OFF-SITE WITHIN THIRTY DAYS AFTER STABILIZATION OF ALL SURFACES.
14. THE CONTRACTOR SHALL ASSUME LIABILITY FOR DAMAGE TO ADJACENT PROPERTIES AND/OR PUBLIC RIGHT-OF-WAY RESULTING FROM FAILURE TO FULLY IMPLEMENT AND EXECUTE ALL EROSION CONTROL PROCEDURES SHOWN AND NOTED IN THE PLANS.
15. WHENEVER DIRT, ROCK OR OTHER MATERIALS ARE EXPORTED FOR USE OFF OF THE PROJECT CONSTRUCTION SITE, THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THAT EPA STORMWATER PERMITTING REQUIREMENTS ARE MET. PRIOR TO ANY EXPORT OF MATERIALS, THE CONTRACTOR SHALL FURNISH THE OWNER WITH A WRITTEN AGREEMENT WITH ANY LANDOWNER WHO WILL RECEIVE EXPORTED MATERIALS, STATING THAT THE SITE WILL BE PROMPTLY PERMITTED WHEN REQUIRED AND DESCRIBING THE EROSION CONTROL MEASURES WHICH WILL BE USED. AT A MINIMUM, EROSION CONTROL MEASURES MUST CONSIST OF PERIMETER CONTROLS (SYNTHETIC BALES OR SILT FENCES) ON ALL DOWNSLOPE AND SIDE SLOPE BOUNDARIES OF ANY DISTURBED AREAS, PLUS PROVISIONS FOR RE-VEGETATION AFTER THE FILL MATERIALS ARE IN PLACE.
16. PRIOR TO CONSTRUCTION FILTER FABRIC SILT FENCE, OR OTHER APPROVED EROSION CONTROL DEVICE SHALL BE INSTALLED ACROSS THE SWALE AT THE LOWEST DISTURBED POINT TO PREVENT EROSION MATERIAL LEAKING FROM THE CONSTRUCTION AREA, INCLUDING ANY VACANT AREAS USED FOR IMPROVE AND EROSION. ALTERNATIVE USES COULD BE SED-WAY, WOODS, TERRY TUBES, SEDIMENT LOSS, ETC.
17. ALL AFFECTED STORMWATER PIPES, VENTS AND CATCH BASINS SHALL BE PROTECTED BY EROSION CONTROL. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING RELATED EROSION MATERIAL FROM ENTERING THE STORMWATER SYSTEM. SHOULD THE EROSION CONTROLS NOT BE INSTALLED AND/OR FAIL, THE CONTRACTOR BE RESPONSIBLE FOR CLEANING THE ENTIRE SYSTEM AS DEEMED NECESSARY BY THE ENGINEER AND GOVERNING AGENCY.
18. THE EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO ANY CONSTRUCTION PROCESS AND SHALL REMAIN IN PLACE UNTIL STABILIZED WITH SOIL AND THE VACANT AREAS ARE SEEDS AND MULCHED.
19. REFER TO FOOT EROSION AND SEDIMENT MANUAL FOR ADDITIONAL DETAILS, NOTES AND SPECIFICATIONS.
20. ALL DISTURBED AREAS SHALL BE IN ACCORDANCE WITH S.F.D.W.D. CRITERIA.

PROJECT SITES WITHIN CITY OF CAPE CORAL:
CONTRACTOR TO REFER TO CITY OF CAPE CORAL
ENGINEERING DESIGN STANDARDS FOR ADDITIONAL
EROSION CONTROL DETAILS (SHEET M-1 THRU M-27)
AS REQUIRED.



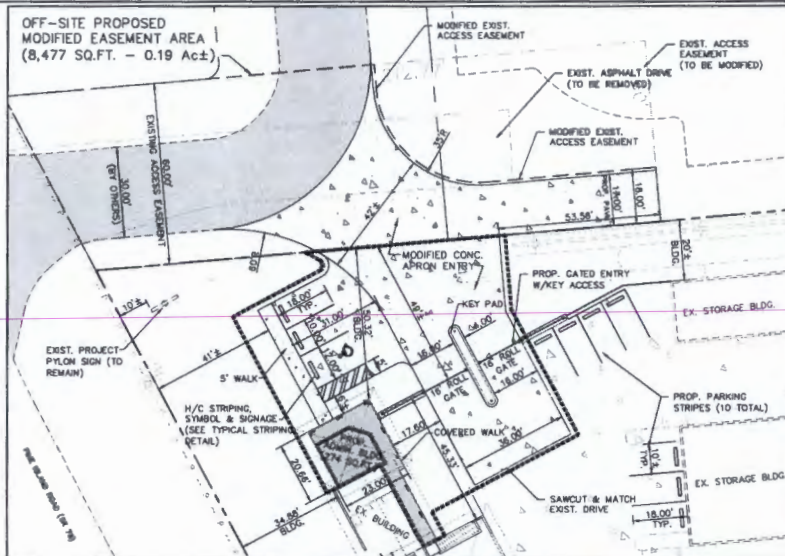
John M. Edwards, P.E.
FLORIDA LICENSE # 10001

ATLANTIC ENGINEERING, INC.
10000 S.W. 10th Avenue, Suite 100
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STORMWATER STORAGE
AT SITES WITHIN CAPE CORAL
CAPE CORAL - USE COUNTY, FLORIDA

EXISTING CONDITIONS
EROSION CONTROL

OFF-SITE PROPOSED
MODIFIED EASEMENT AREA
(8,477 SQ.FT. - 0.19 AC±)



MODIFIED ENTRANCE AREA
Scale: 1"=20'

EXISTING STORAGE PARCEL:

EXISTING SITE: 331,400 SQ.FT. 7.61 AC±
BUILDINGS: 121,800 SQ.FT. 2.79 AC± 37%
EXISTING (18) STORAGE BLDG.'S: 121,326 SF W/ORIGINAL OFFICE & CARETAKER RESIDENCE
PROPOSED ADMINISTRATION BLDG.: 274 SF
CONC./PVM'T: 104,863 SQ.FT. 2.41 AC± 31%
(EXIST: 100,893 SF & MODIFIED/PROPOSED: 4,200 SF)
CONC. WALKS: 977 SQ.FT. 0.02 AC± 1%
(EXIST: 408 SF & MODIFIED/PROPOSED: 223 SF & COVERED: 348 SF)
LAKE (EXIST.): 34,117 SQ.FT. 0.78 AC± 10%
OPEN SPACE: 80,843 SQ.FT. 1.80 AC± 21%

TOTAL IMPERVIOUS AREA: 227,440 SQ.FT. 5.23 AC± 89%
TOTAL PERVIOUS AREA: 103,960 SQ.FT. 2.38 AC± 31%
(INCLUDES EXISTING DETENTION & LAKE)

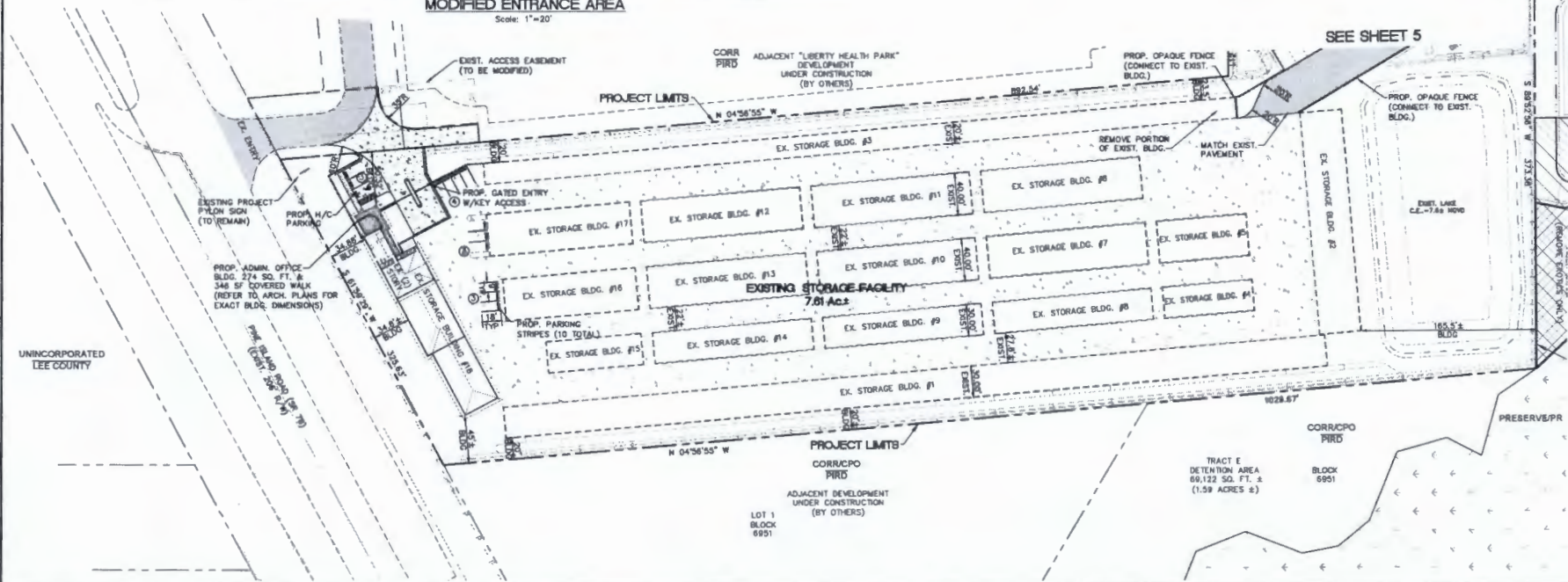
PARKING REQUIRED: 13 SPACES
(1 SP. PER 10,000 SQ.FT. STORAGE G.F.A. OF 121,326)
PARKING PROVIDED: 13 SPS. (INCL. 1 H/C SP.)

OFFSITE EASEMENT AREA:

MODIFIED ACCESS EASEMENT
SITE AREA: 8,477 SQ.FT. 0.19 AC± 100%
IMPERVIOUS AREA: 8,092 SQ.FT. 0.14 AC± 72%
OPEN SPACE: 2,382 SQ.FT. 0.05 AC± 28%

BUILDING SETBACKS:

EXISTING SETBACKS:	REQUIRED PER CPO:
SIDE (EAST): 20.0' FEET	SIDE (EAST): 10.0' FEET
FRONT (SOUTH): 34.8' FEET	FRONT (SOUTH): 25.0' FEET
SIDE (WEST): 20.0' FEET	SIDE (WEST): 10.0' FEET
REAR (NORTH): 165.5' FEET	REAR (NORTH): 10.0' FEET
EXIST. HEIGHT: 19.4' FEET	MAX. HEIGHT: 45' FEET



0 25 50
(IN FEET)

JOSEPH W. CROWDER, P.E.
FL. LICENSE # 36615

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DATE: 01/11/2011
PROJECT: STOR-RITE SELF STORAGE
DRAWN BY: JWC
CHECKED BY: JWC
APPROVED BY: JWC

STOR-RITE SELF STORAGE
18000 S.W. 11TH AVENUE
MIAMI, FL 33155
ATTN: JOHN CROWDER

DATE: 01/11/2011
PROJECT: STOR-RITE SELF STORAGE
DRAWN BY: JWC
CHECKED BY: JWC
APPROVED BY: JWC

STOR-RITE SELF STORAGE
18000 S.W. 11TH AVENUE
MIAMI, FL 33155
ATTN: JOHN CROWDER

DATE: 01/11/2011
PROJECT: STOR-RITE SELF STORAGE
DRAWN BY: JWC
CHECKED BY: JWC
APPROVED BY: JWC

P:\2010\1011\1011-001\1011-001.dwg, 11/11/2011, 11:11:11 AM, JWC

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PROPOSED RV STORAGE PARCEL:

EXISTING PARCEL #1: 234,381 SQ.FT. 5.38 AC.±
EXISTING PARCEL #2: 29,987 SQ.FT. 0.69 AC.±

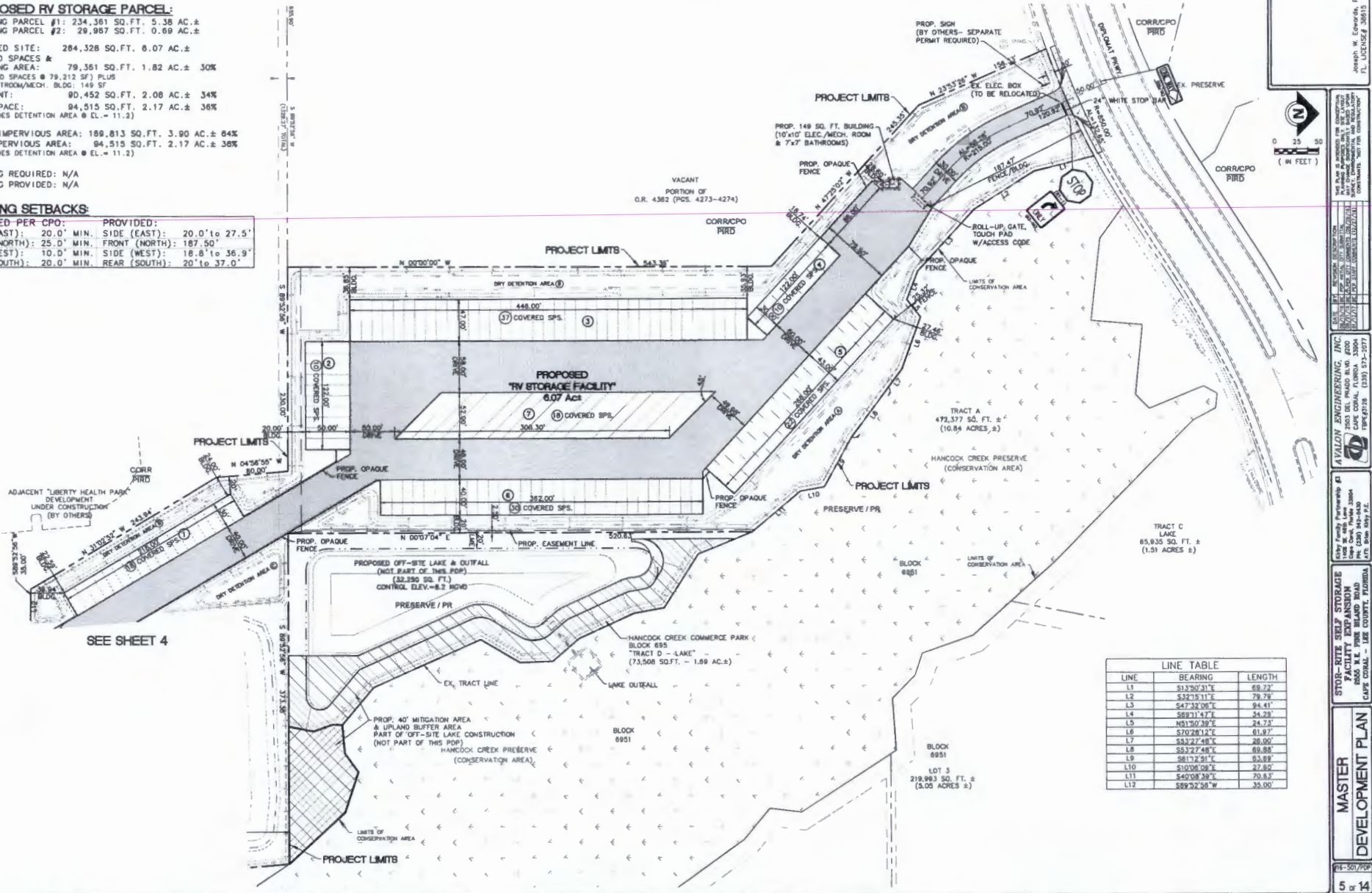
PROPOSED SITE: 284,328 SQ.FT. 6.07 AC.±
COVERED SPACES & BUILDING AREA: 79,361 SQ.FT. 1.82 AC.± 30%
(COVERED SPACES @ 79,212 SF) PLUS
(1) RESTROOM/MECH. BLDG: 149 SF
PAVEMENT: 90,452 SQ.FT. 2.08 AC.± 34%
OPEN SPACE: 94,515 SQ.FT. 2.17 AC.± 36%
(INCLUDES DETENTION AREA @ EL. = 11.2)

TOTAL IMPERVIOUS AREA: 169,813 SQ.FT. 3.90 AC.± 64%
TOTAL PERVIOUS AREA: 94,515 SQ.FT. 2.17 AC.± 36%
(INCLUDES DETENTION AREA @ EL. = 11.2)

PARKING REQUIRED: N/A
PARKING PROVIDED: N/A

BUILDING SETBACKS:

REQUIRED PER CPO:	PROVIDED:
SIDE (EAST): 20.0' MIN.	SIDE (EAST): 20.0' to 27.5'
FRONT (NORTH): 25.0' MIN.	FRONT (NORTH): 187.50'
SIDE (WEST): 10.0' MIN.	SIDE (WEST): 18.8' to 36.9'
REAR (SOUTH): 20.0' MIN.	REAR (SOUTH): 20' to 37.0'



SEE SHEET 4

LINE TABLE		
LINE	BEARING	LENGTH
L1	S13°50'31"E	69.22'
L2	S32°15'11"E	79.79'
L3	S47°32'08"E	84.41'
L4	S89°31'47"E	34.28'
L5	N81°50'39"E	24.73'
L6	S70°28'12"E	81.87'
L7	S53°27'48"E	28.00'
L8	S53°27'48"E	89.88'
L9	S81°12'21"E	63.89'
L10	S10°08'08"E	27.80'
L11	S40°08'39"E	70.83'
L12	S89°52'58"W	35.00'

Joseph W. Edwards, P.E.
FL LICENSE # 38613

STOR-RITE SELF STORAGE
DEVELOPMENT PLAN
CAVE CORRAL - LAKE COUNTY, FLORIDA

MASTER
DEVELOPMENT PLAN



DATE	BY	REVISION DESCRIPTION
08/13/18	ML	POP INITIAL CITY SUBMITAL
08/21/18	ML	AMPER CITY COMMENTS (08/19/18)
01/22/17	ML	PER STATE SQUARE (12/21/16)

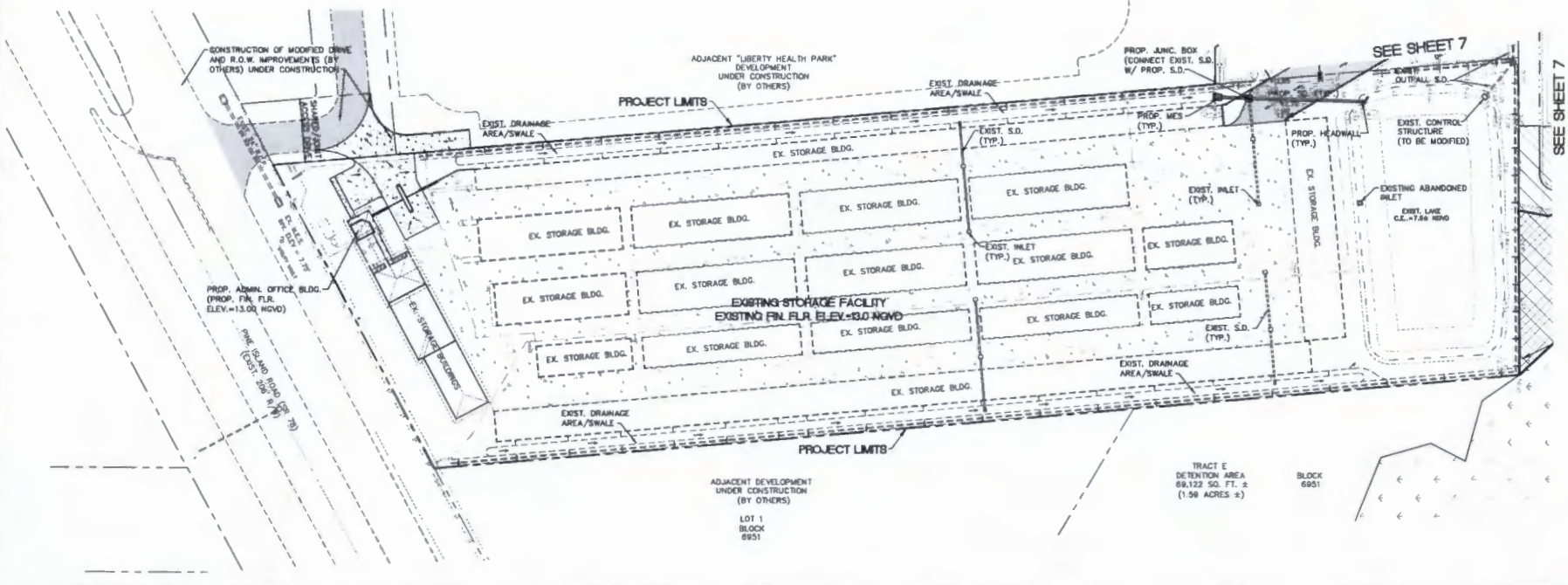
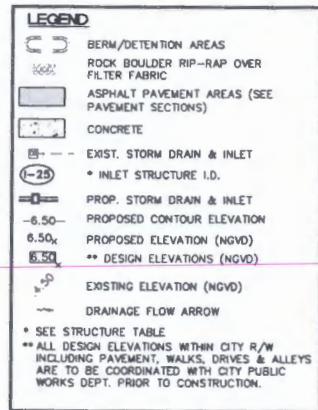
AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORRAL, FLORIDA 33904

Kirby Family Partnership #3
1408 SE 48th Lane
Cape Coral, Florida 33904
Tel: (938) 542-5430













**STOR-RITE SELF STORAGE
FACILITY EXPANSION**
2535 N.E. PINE ISLAND ROAD

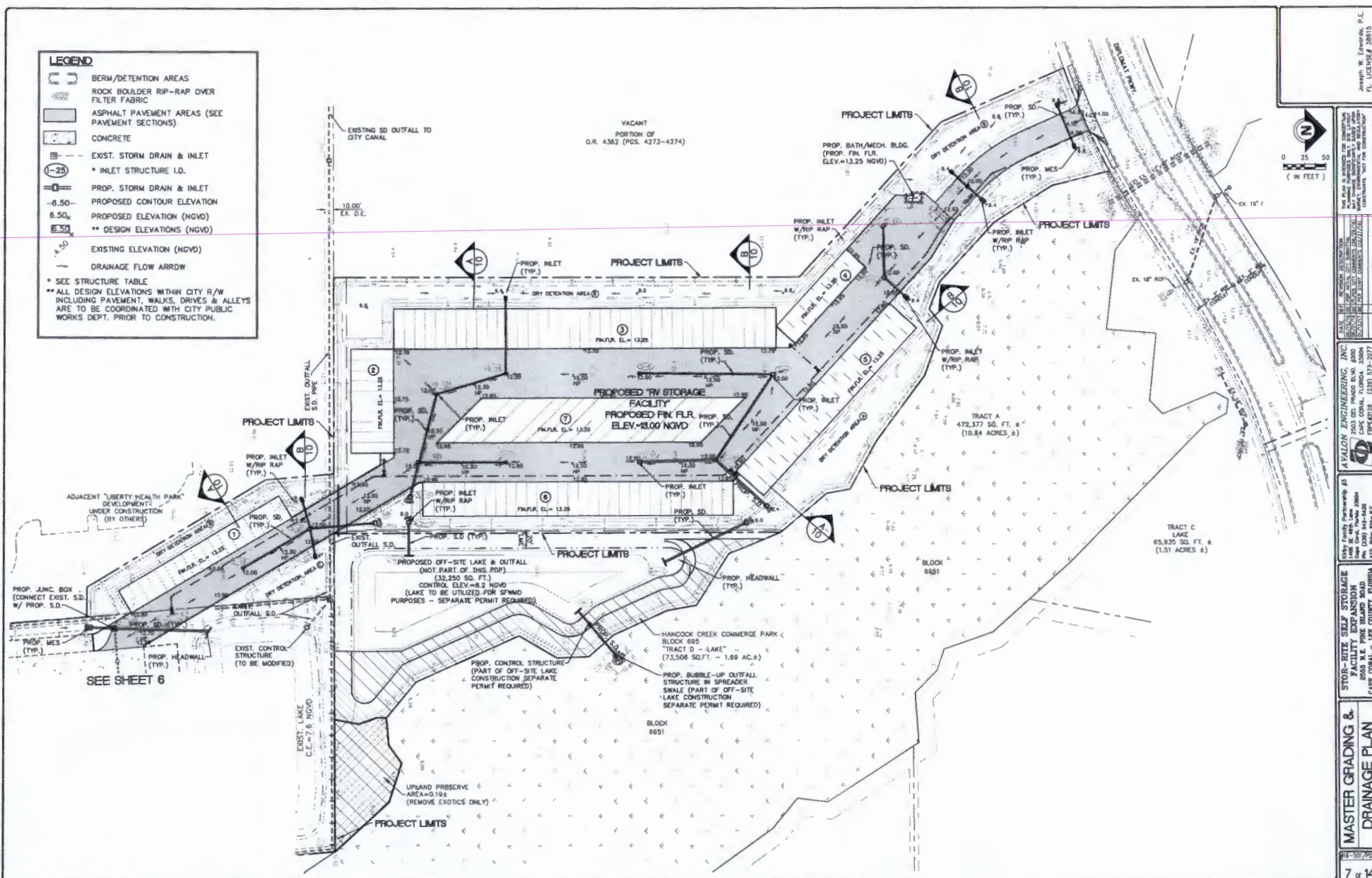
**MASTER GRADING &
DRAINAGE PLAN**

6 of 1














LEGEND

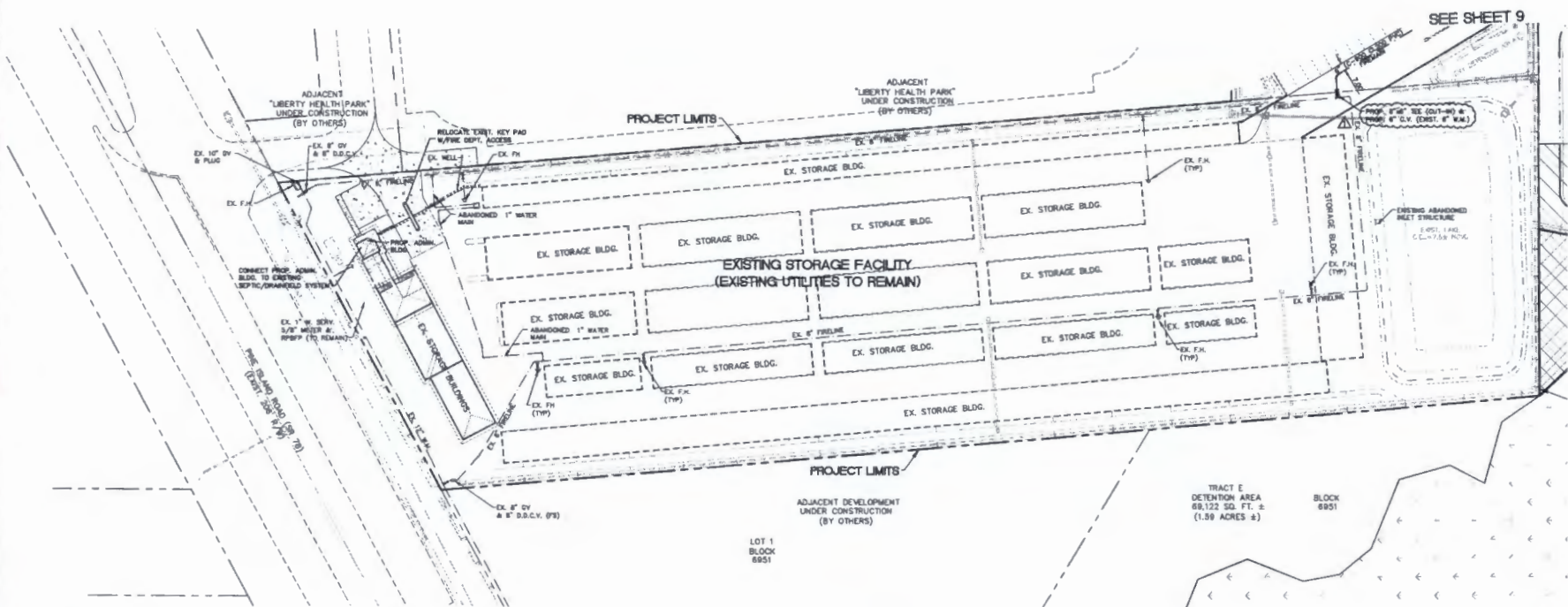

 BERM/DETENTION AREAS

 ROCK BOULDER RIP-RAP OVER
 FILTER FABRIC

 ASPHALT PAVEMENT AREAS (SEE
 PAVEMENT SECTIONS)

 CONCRETE

 EXIST. STORM DRAIN & INLET

 * INLET STRUCTURE I.D.

 PROP. STORM DRAIN & INLET

 PROPOSED CONTOUR ELEVATION

 PROPOSED ELEVATION (NGVD)

 ** DESIGN ELEVATIONS (NGVD)

 EXISTING ELEVATION (NGVD)

 DRAINAGE FLOW ARROW
 * SEE STRUCTURE TABLE
 ** ALL DESIGN ELEVATIONS WITHIN CITY R/W
 INCLUDING PAVEMENT, WALKS, DRIVES & ALLEYS
 ARE TO BE COORDINATED WITH CITY PUBLIC
 WORKS DEPT. PRIOR TO CONSTRUCTION.





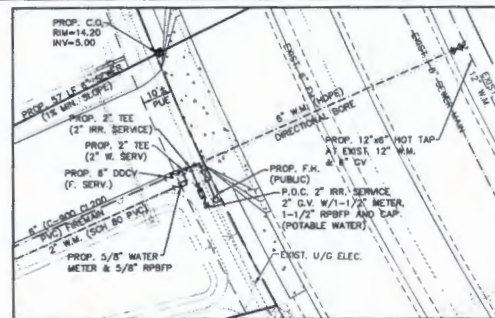
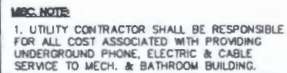
	FIRE HYDRANT ASSEMBLY W/ PIPE BOLLARDS
	GATE VALVE
	WATER MAIN
	FIRE MAIN
	SANITARY SEWER MAIN W/ MANHOLE
	IRRIGATION MAIN
	MANHOLE STRUCTURE I.D.
	6" SEWER LATERAL
	PVC SDR 26 W/CLEAN-OUT
	WATER METER W/ BACKFLOW PREVENTOR
	F.D.C. (FIRE SERVICE)

1. UTILITY CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COST ASSOCIATED WITH PROVIDING UNDERGROUND PHONE, ELECTRIC & CABLE SERVICE TO MECH. & BATHROOM BUILDING.



SEE SHEET 9

SEE SHEET 9



UTILITY CONNECTION BLOW-UP

Scale: 1"=20'

PORTION OF
O.R. 4362 (PGS. 4273-4274)

PROJECT LIMITS



Joseph W. Edwards, D.D.

THIS PLAN IS INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT MAY CHANGE SIGNIFICANTLY BASED UPON SITE, ENVIRONMENTAL AND REGULATORY CONSTRAINTS. "NOT FOR CONSTRUCTION."

DATE	BY	REVISION DESCRIPTION
09/15/16	BC	POP. INITIAL CITY SUBMITTAL
09/21/16	BC	LAUREL CITY COMMENTS (09/23/16)
09/27/16	BC	POP. STAFF COMMENTS (10/27/16)

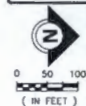
VALON ENGINEERING, INC.
2503 DEL PRADO BLVD. #700
CAPE CORAL, FLORIDA 33904


Midway Family Partnership PJ
408 SE 48th Lane
Ocala, Florida 33404
Tel: (352) 942-5430


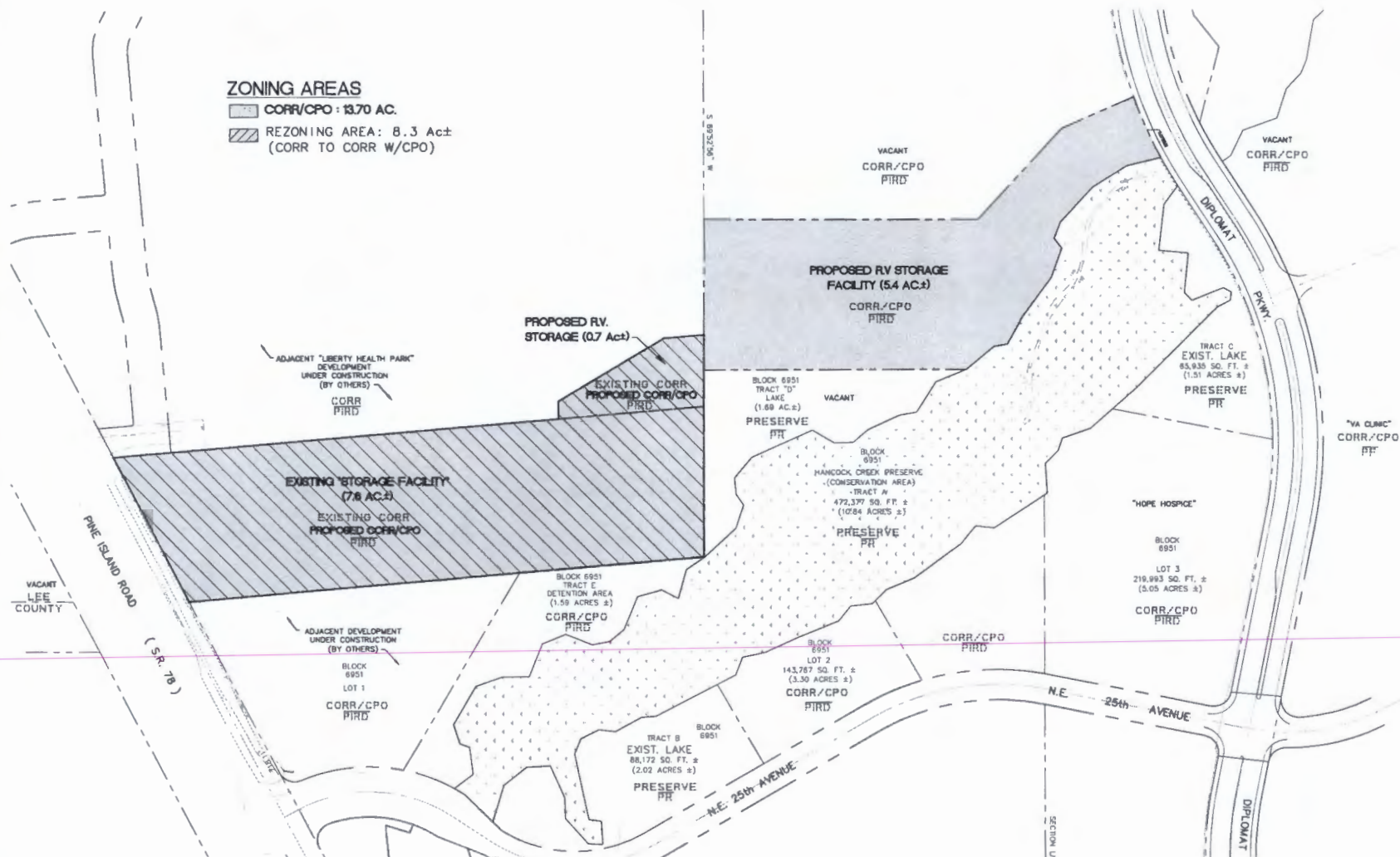
**STOR-RITE SELF STORAGE
FACILITY EXPANSION**
2255 N.E. POPE ISLAND ROAD

MASTER

9 of 14



 REZONING AREA: 8.3 Ac±
(CORR TO CORR W/CPO)

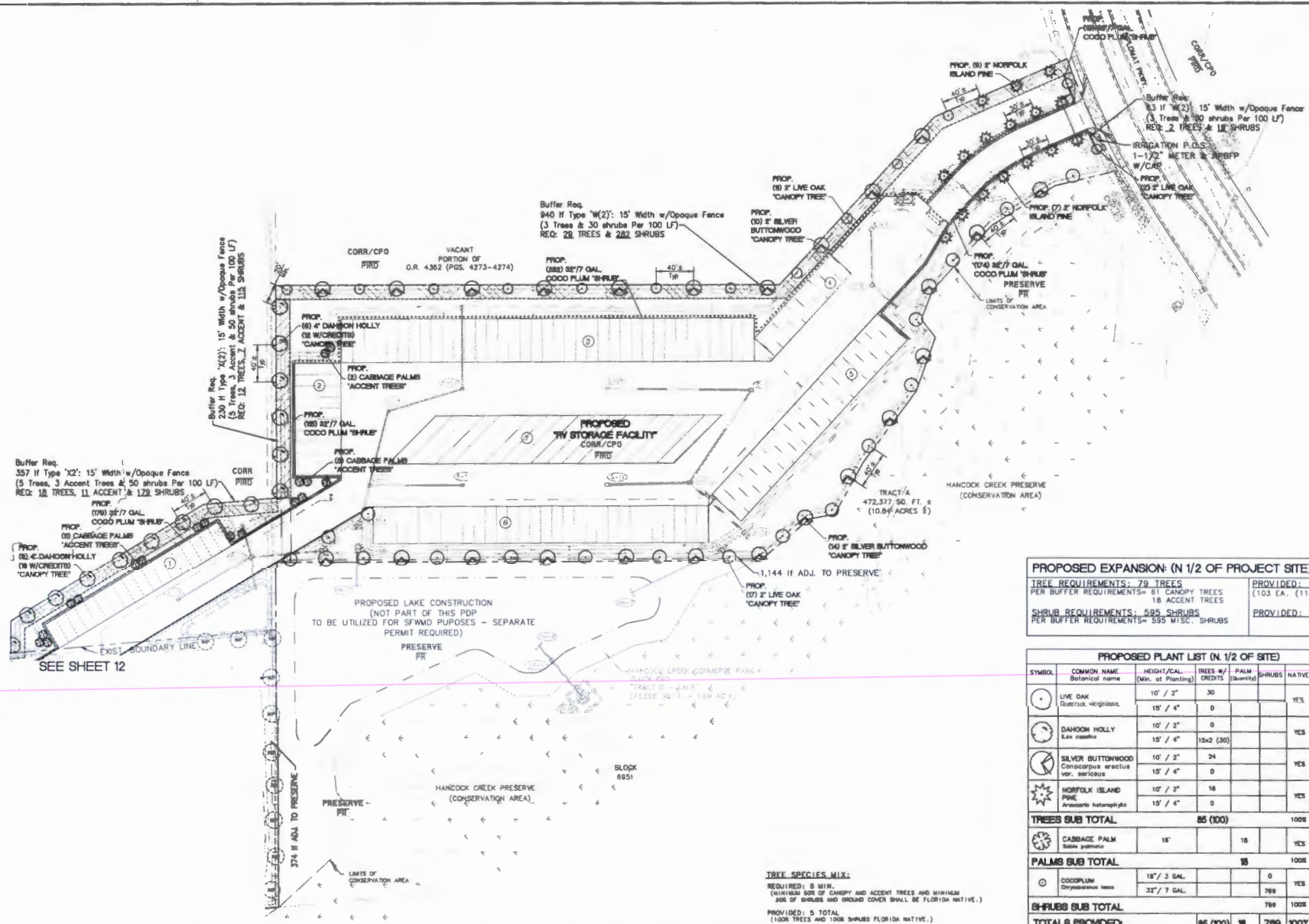


AVALON ENGINEERING, INC.
2503 DEL PRADO BLVD. #200
CAPE CORAL, FLORIDA 33904
FBI-#3128 (239) 573-7077

Libby Family Partnership #3
408 SE 48th Lane
Ocala, Florida 33904
Tel: (239) 942-9430
Tt: Brian Kirby P.E.

**STOR-RITE SELF STORAGE
FACILITY EXPANSION**
2666 N.E. PINE ISLAND ROAD
CAPE CORAL - LEE COUNTY, FLORIDA

ZONING
PLAN



PROPOSED EXPANSION: (N 1/2 OF PROJECT SITE)			
TREE REQUIREMENTS= 79 TREES	PROVIDED: 118 TREES		
PER BUFFER REQUIREMENTS= 61 CANOPY TREES	(103 EA. (118 w/CREDITS)		
18 ACCENT TREES			
SHRUB REQUIREMENTS= 595 SHRUBS	PROVIDED: 769 SHRUBS		
PER BUFFER REQUIREMENTS= 595 MISC. SHRUBS			

PROPOSED PLANT LIST (N 1/2 OF SITE)						
SYMBOL	COMMON NAME Botanical name	HEIGHT/CA. (Min. at Planting)	TREES W/ CREDITS	PALM (Quantity)	SHRUBS	NATIVE
○	LIVE OAK <i>Quercus virginiana</i>	10' / 2"	30			YES
		15' / 4"	0			
○	DAHOOH HOLLY <i>Ilex cassia</i>	10' / 2"	0			YES
		15' / 4"	15x2 (30)			
○	SILVER BUTTWOOD <i>Conocarpus erectus</i> var. <i>sericeus</i>	10' / 2"	24			YES
		15' / 4"	0			
★	NORFOLK ISLAND <i>Ardisia heterophylla</i>	10' / 2"	16			YES
		15' / 4"	0			
TREES SUB TOTAL			85 (100)			100%
○	CABBAGE PALM <i>Sabal palmetto</i>	18"		16		YES
PALMS SUB TOTAL				16		100%
○	COCODRUM <i>Corymbium sp.</i>	18" / 3 GAL.			0	YES
		32" / 7 GAL.			769	
SHRUBS SUB TOTAL					769	100%
TOTALS PROVIDED			85 (100)	16	769	100%

TREE SPECIES MIX:
REQUIRED: 5 MIN.
(MINIMUM 50% OF CANOPY AND ACCENT TREES AND MINIMUM
50% OF SHRUBS AND GROUND COVER SHALL BE FLORIDA NATIVE.)
PROVIDED: 5 TOTAL
(100% TREES AND 100% SHRUBS FLORIDA NATIVE.)

NO PLAN IS INTENDED FOR CONSTRUCTION WITHOUT THE NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND SHRUBS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ANIMALS AND PLANTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING CULTURAL AND HISTORICAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE ARCHITECTURE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE ARCHITECTURE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE ARCHITECTURE.

ALCANTARA ENGINEERING, INC.
501 DEL MAR BLVD. #200
APT. 200, DEL MAR, FL 33034
PH: (305) 442-1400
FAX: (305) 442-1401
WWW.ALCANTARA-ENG.COM

JOSEPH W. EDWARDS, P.E.
FLORIDA LICENSE # 38815
1111 S.W. 10TH AVE., 11TH FLOOR, MIAMI, FL 33135
PH: (305) 372-7577
FAX: (305) 372-7578
WWW.JWE-CONSULTING.COM

STOR-RITE SELF STORAGE FACILITY EXPANSION
800 S.W. 10TH AVE., 11TH FLOOR, MIAMI, FL 33135
13 of 14

LANDSCAPE PROVIDED (TOTAL PROJECT SITE)

TREE REQUIREMENTS: 181 TREES	PROVIDED: 288 TREES
PER BUFFER REQUIREMENTS: 140 CANOPY TREES	EXIST. TREES: 47 EA. (129)
41 ACCENT TREES	PROP. TREES: 111 EA. (128)
	EXIST. PALMS: 13 (13)
	PROP. PALMS: 18 (18)
SHRUB REQUIREMENTS: 1,301 SHRUBS	PROVIDED: 1,318 SHRUBS
PER BUFFER REQUIREMENTS: 1,301 MISC. SHRUBS	

PROPOSED PLANT LIST (TOTAL)

SYMBOL	COMMON NAME Botanical name	HEIGHT/CAL. (Min. at Planting)	TREES W/ CREDITS	PALM (Density)	SHRUBS	NATIVE
•	LIVE OAK <i>Quercus virginiana</i>	10' / 8"	30			YES
•	DAHOOB HOLLY <i>Ilex cassine</i>	10' / 2"	0			YES
•	NORFOLK ISLAND PINE <i>Avicennia heterophylla</i>	15' / 4"	15x2 (30)			YES
•	SILVER BUTTWOOD <i>Conocarpus erectus</i> var. <i>serotinus</i>	10' / 2"	50			YES
		15' / 4"				
TREES SUB TOTAL			111 (126)			100%
•	CABBAGE PALM <i>Sabal palmetto</i>	18"		18		YES
PALMS SUB TOTAL				18		100%
•	COCOPLUM <i>Dryopteris acrostichum</i>	18" / 3 GAL.		0		YES
		32" / 7 GAL.		1,180		
SHRUBS SUB TOTAL					1,180	100%
TOTALS PROVIDED:			111 (126)	18	1,180	100%

"CANOPY" (MATURE HEIGHT EXCESS OF 15') MIN. HEIGHT OF (10') FEET, A MIN. DIAMETER OF (2") INCHES WHEN MEASURED AT A HEIGHT OF (12") INCHES ABOVE THE GROUND.

"ACCENT" (MATURE HEIGHT OF 6'-15') MIN. HEIGHT OF (8') FEET, A MIN. DIAMETER OF (1-1/2") INCHES WHEN MEASURED AT A HEIGHT OF (8") INCHES ABOVE THE GROUND.

"PALMS" MINIMUM HEIGHT OF 18" OVERALL, IF PLANTED WITHIN 10' FEET OF A WALKWAY PROVIDE MINIMUM OF 10' FEET CLEAR TRUNK AT PLANTING.

"SHRUBS" SHALL BE 18" HEIGHT, (3) THREE GAL. MIN.
"SHRUBS" IN BUFFER YARDS SHALL BE 32" HEIGHT, (7) SEVEN GAL. MIN.

EXISTING PLANT LIST (TOTAL SITE)

SYMBOL	COMMON NAME Botanical name	EA.	W/ CREDITS	NATIVE
•	LIVE OAK <i>Quercus virginiana</i>	8	18	YES
•	MAHOGANY <i>Swietenia mahagoni</i>	4	12	YES
•	BLACK OLIVE <i>Rivina humilis</i>	25	75	YES
•	NORFOLK ISLAND PINE <i>Avicennia heterophylla</i>	12	24	YES
EXISTING TREES		47	129	100%
•	CABBAGE PALM <i>Sabal palmetto</i>	6	8	YES
•	QUEEN PALM <i>Spathoglottis floribunda</i>	7	7	NO
EXISTING PALMS		13	13	46%
•	COCOPLUM <i>Dryopteris acrostichum</i>	138		YES
EXISTING SHRUBS		138		100%

TREE SPECIES MIX:

REQUIRED: 5 MIN.
(MINIMUM SIZE OF CANOPY AND ACCENT TREES AND MINIMUM SIZE OF SHRUBS AND GROUND COVER SHALL BE FLORIDA NATIVE.)

PROVIDED: 7 TOTAL
(17% TREES AND 100% SHRUBS FLORIDA NATIVE.)

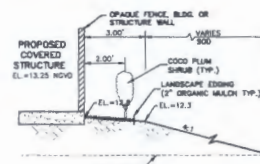
GENERAL LANDSCAPING NOTES:

- THE LANDSCAPE PLAN REPRESENTS THE MINIMUM REQUIRED BY THE CITY OF CAPE CORAL ORDINANCES 107-07. THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH DETAILED LANDSCAPE PLANS FOR HIS APPROVAL. THESE PLANS SHALL INCLUDE ALL PLANTINGS AND PLANTER TREATMENTS. THE LANDSCAPE CONTRACTOR SHALL ALSO PROVIDE DETAILED LANDSCAPE PLANS FOR ACCENT SHRUBS AND TREATMENTS AROUND BUILDINGS. ALL LANDSCAPING SHALL MEET THE MINIMUM REQUIREMENTS OF THE CITY OF CAPE CORAL ORDINANCES 107-07 & DESIGN STANDARDS.
- ALL PLANTS, TREES & SHRUBS SHALL BE FLORIDA NO. 1 OR BETTER AS DESCRIBED IN LATEST EDITION OF "GRADES AND STANDARDS FOR NURSERY PLANTS", STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.
- ALL "CANOPY" (MATURE HEIGHT EXCESS OF 15') TREES SHALL HAVE A MINIMUM HEIGHT OF (10') TEN FEET, A MINIMUM DIAMETER OF (2") TWO INCHES WHEN MEASURED AT A HEIGHT OF (12") TWELVE INCHES ABOVE THE GROUND.
- ALL "ACCENT" (MATURE HEIGHT OF 6'-15') TREES SHALL HAVE A MINIMUM HEIGHT OF (8') EIGHT FEET, A MINIMUM DIAMETER OF (1-1/2") ONE AND ONE HALF INCHES WHEN MEASURED AT A HEIGHT OF (8") SIX INCHES ABOVE THE GROUND.
- ALL "PALM TREES" SHALL HAVE A MINIMUM HEIGHT OF 18" OVERALL, IF PLANTED WITHIN 10' FEET OF A WALKWAY PALM SHALL HAVE A MINIMUM OF 10' FEET CLEAR TRUNK AT PLANTING. THE NUMBER OF PALM TREES PLANTED SHALL NOT EXCEED 50% OF THE REQUIRED TREES.
- ALL "SHRUBS" SHALL BE (3) THREE GAL. MIN., AND HAVE A MINIMUM HEIGHT OF (18") EIGHTEEN INCHES WHEN PLANTED. SHRUBS REQUIRED IN BUFFER YARDS MUST BE (7) SEVEN GAL. MIN., AND HAVE A MINIMUM HEIGHT OF 32", UNLESS OTHERWISE DESIGNATED ON THE PLANS.
- A 30" INCHES MINIMUM DEEP ROOT BARRIER, (3") FEET EACH SIDE OF PLANTING (PER CITY CODE) IS REQUIRED ALONG ALL R/W WHERE TREES ARE PLANTED WITHIN (7") FEET OF WALKS.
- PLANTINGS NEAR UTILITY INFRASTRUCTURE INCLUDING OVERHEAD TRANSMISSION OR DISTRIBUTION LINES SHALL MEET PLANTING SEPARATIONS AS INDICATED IN TABLE 1 ("MINIMUM SEPARATION DISTANCE BETWEEN TREES AND OVERHEAD TRANSMISSION OR DISTRIBUTION LINES") OF CAPE CORAL LANDSCAPE ORDINANCE 107-07.
- PLANTINGS AT BOTTOM OF RETENTION/DETENTION AREAS I.E. TREES, PALMS AND SHRUBS MUST NOT INTERFERE WITH THE VOLUME OF STORMWATER STORAGE, OR IMPED THE FLOW OF RUNOFF. TREES AND SHRUBS MUST NOT INTERFERE WITH THE REQUIRED SIDE SLOPES AND SHALL NOT BE PLANTED ON SLOPES GREATER THAN 3:1. RETENTION/DETENTION AREAS MUST BE STABILIZED WITH SOD UNLESS AN ALTERNATIVE METHOD IS SPECIFICALLY PERMITTED PRIOR TO PLANS APPROVAL. NO ORGANIC MULCH WILL BE PERMITTED IN RETENTION/DETENTION AREAS.
- ALL PERVIOUS AREAS WITHIN THE PROJECT SITE SHALL BE SOLID BAHIA SOD, UNLESS OTHERWISE NOTED. CONTRACTOR SHALL RESTORE ALL EXISTING SOD AND LANDSCAPING DISTURBED ON SITE DURING OR AS A RESULT OF CONSTRUCTION. ALL UNPAVED PORTIONS AND/OR SOD DISTURBED IN CITY RIGHT-OF-WAY SHALL BE RE-SODDED WITH SOLID BAHIA SOD IN ACCORDANCE WITH THE CAPE CORAL PUBLIC WORKS DEPARTMENT STANDARDS. ALL OTHER DISTURBED AREAS SHALL BE SEED, MULCHED OR HYDROSEEDING.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TREES AND SOD FOR A PERIOD OF 90 DAYS AFTER THE LANDSCAPING IS COMPLETED AND ACCEPTED. ANY PLANTINGS THAT PERISH WITHIN THIS 90 DAY PERIOD SHALL BE REPLACED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
- THE LANDSCAPE CONTRACTOR SHALL PROVIDE AN AUTOMATIC IRRIGATION SYSTEM PLAN TO BE APPROVED BY THE OWNER OR THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. PROPOSED SYSTEM SHALL BE FROM THE EXIST. CITY IRRIGATION WATER SUPPLY OR A WELL. THE CONTRACTOR SHALL COORDINATE AND INSTALL CONNECTIONS TO THE IRRIGATION SYSTEM PER THE CITY OF CAPE CORAL REQUIREMENTS. (AN EXISTING SYSTEM MAY BE MODIFIED)

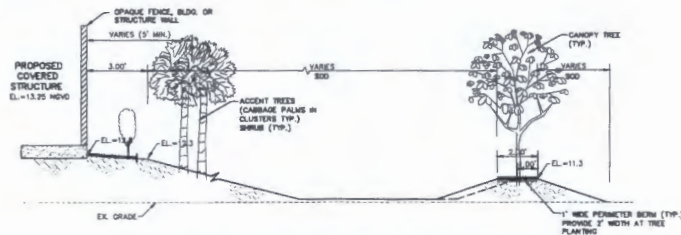
PLANTING NOTES:

- MULTI-TRUNK TREES TO HAVE 3 MAIN LEADERS CUT.
- REMOVE ALL TREE STAKING ACCESSORIES AT THE END OF THE FIRST YEAR MAINTENANCE PERIOD.
- PLANT TREE AT A DEPTH WHICH WILL ENSURE PROPER DRAINAGE AND PROGRESSIVE GROWTH.
- NO ORGANIC MULCH WILL BE PERMITTED IN RETENTION/DETENTION AREAS.
- CANOPY TREES PLANTED WITHIN 7' (FEET) OF ANY ROADWAY OR WALK OR PUBLIC UTILITIES SHALL PROVIDE A ACCEPTABLE ROOT BARRIER PER CITY OF CAPE CORAL.

- IRRIGATION PIPING SHALL BE ASTM D1785, SCHEDULE 40 OR 80 WITH 1/2" MINIMUM COVER.
- PIPING UNDER PAVEMENT SHALL BE IN A PVC SLEEVE (ASTM D1785, SCHEDULE 40 PVC).
- THE LANDSCAPE CONTRACTOR SHALL PROVIDE "AS-BUILT" DRAWINGS AND OPERATION MANUALS.
- ALL ELECTRICAL WORK SHALL CONFORM TO THE NATIONAL ELECTRICAL CODE AND N.E.P.A. 70.



TYPICAL SHRUB PLANTING SECTION
AT STRUCTURE
N.T.S.



TYPICAL CANOPY/ACCENT TREE PLANTING
SECTION AT STRUCTURE
N.T.S.

JOSEPH R. GARDNER, P.E.
FL. LICENSE # 20013

THIS PLAN IS SUBMITTED FOR CONSTRUCTION OF THE LANDSCAPE AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

DATE: 01/15/2013
BY: J. R. GARDNER
CHECKED: J. R. GARDNER
SCALE: AS SHOWN

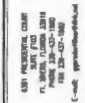
AVAILON ENGINEERING, INC.
2503 DEL PRADO BLVD. #100
CAPE CORAL, FL 33914
TEL: (239) 373-2077
FAX: (239) 373-2077

STORY FAMILY PARTNERSHIP #3
10000 S.W. 11TH AVE. #100
CAPE CORAL, FL 33914
TEL: (239) 373-2077

STOR-RITE SELF STORAGE
FACILITY EXPANSION
10000 S.W. 11TH AVE. #100
CAPE CORAL, FL 33914

LANDSCAPE
REQUIREMENTS

14 of 14



**Gersdorf &
Gersdorf, Inc.
Architects**

STOR-RITE SELF STORAGE
2555 NE PINE ISLAND RD CAPE CORAL FL 33909

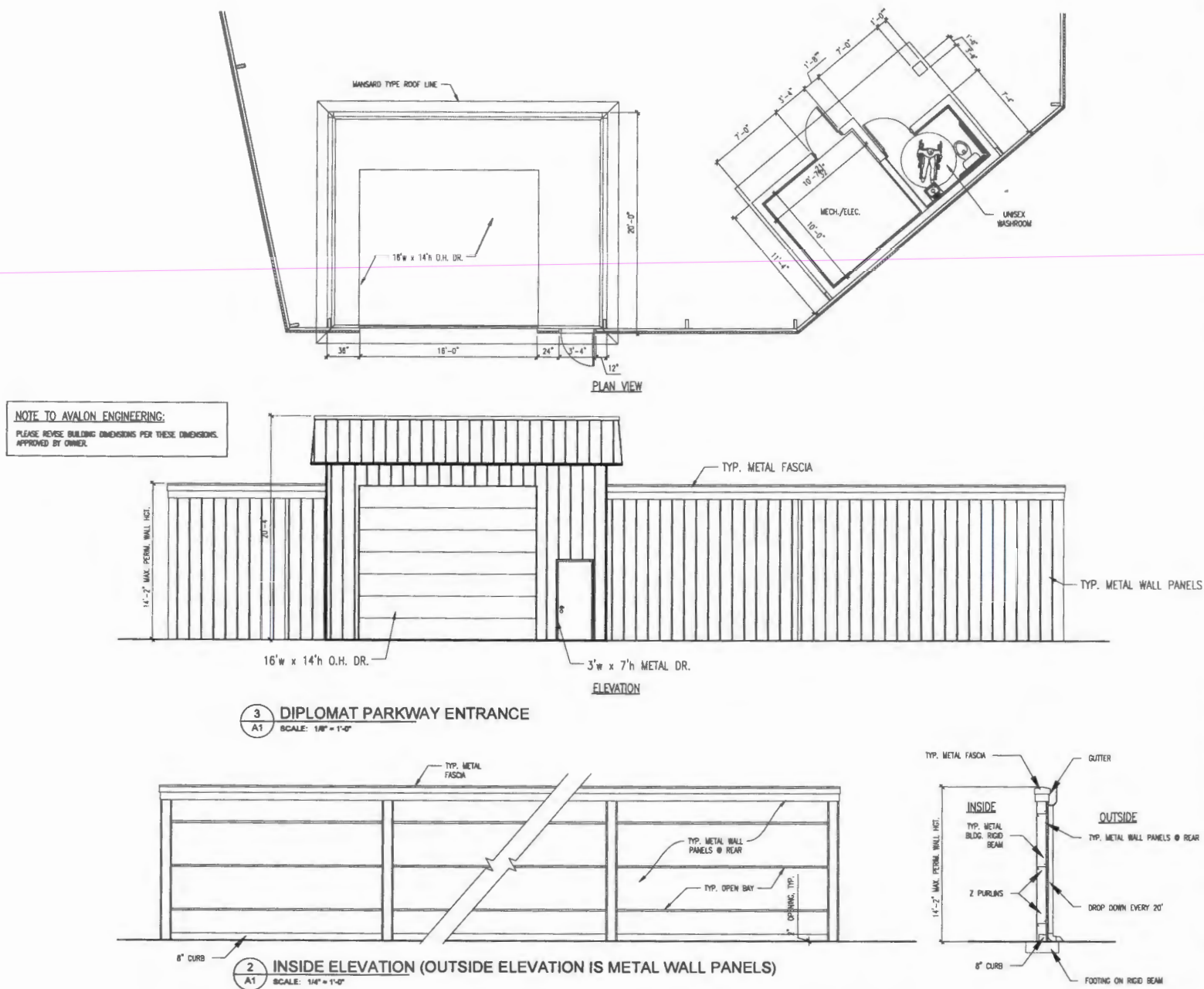
SITE DETAIL
SCALE: PER PLAN

GREG W. GERSDORF
ARCHITECT
FL. REG. #AR10597

524

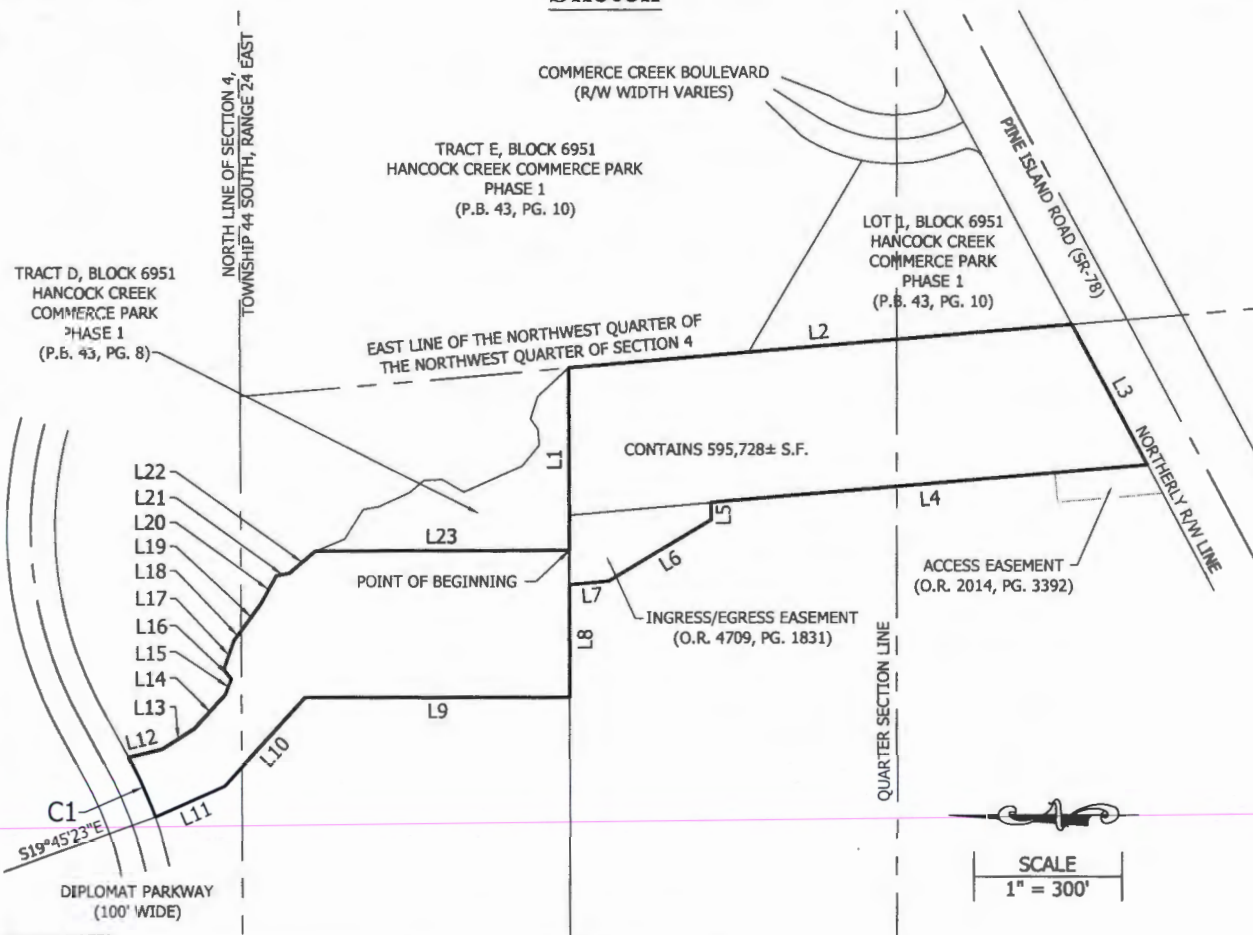
FILE #18-1120

SD





Sketch



SURVEY NOTES:

1. BEARINGS ARE BASED ON THE NORTHERLY RIGHT-OF-WAY LINE OF PINE ISLAND ROAD (S.R. 78), BEING S61°59'29\"W.
2. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
3. **THIS IS NOT A SURVEY**
4. ADDITIONS TO OR DELETIONS OTHER THAN THE SIGNING SURVEYOR AND MAPPER ARE PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN CONSENT OF THE SIGNING SURVEYOR AND MAPPER. COPYRIGHT 2016, JEFFREY D. STOUTEN, PSM, ALL RIGHTS RESERVED.
5. DO NOT COPY WITHOUT THE WRITTEN CONSENT OF JEFFREY D. STOUTEN, PSM.
6. NOT VALID WITHOUT SHEETS 2 & 3 OF 3.

Sketch to Accompany Description

Subject Parcel

A Tract of Land lying in Sections 3 and 4, Township 44 South, Range 24 East, City of Cape Coral, Lee County, Florida



Digitally signed by Jeffrey Stouten
DN: cn=Jeffrey Stouten,
o=Stouten Cramer, Inc., ou,
email=jeff@scisurvey.com, c=US
Date: 2016.12.28 15:17:47 -05'00'

THIS IS NOT A SURVEY

STOUTENCRAMER
PROFESSIONAL SURVEYORS

CERTIFICATE OF AUTHORIZATION: LB7922
324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991
Phone: (239) 673-9541 Fax: (239) 424-8181
www.scisurvey.com

JOB # 16-1472 PREPARED FOR: AVALON ENGINEERING

SECTIONS 3&4, TOWNSHIP 44S, RANGE 24E

DATE	REVISION

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on December 22, 2016 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

JEFFREY D. STOUTEN (FOR THE FIRM)
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6594
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Sheet 1 of 3

Curve and Line Tables

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	850.00	132.65	08°56'30"	N65°46'22"E	132.52

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°52'57"E	373.38'
L2	S04°56'55"E	1029.67'
L3	S61°59'29"W	325.63'
L4	N04°56'55"W	892.54'
L5	S89°52'56"W	35.00'
L6	N31°02'52"W	243.94'
L7	N04°56'55"W	80.00'
L8	S89°52'59"W	230.00'
L9	N00°00'00"E	543.36'
L10	N47°25'02"W	245.35'
L11	N23°53'26"W	156.33'
L12	S13°50'31"E	69.72'
L13	S32°15'11"E	79.79'
L14	S47°32'06"E	94.41'
L15	S69°11'47"E	34.29'
L16	N51°50'39"E	24.73'
L17	S70°28'12"E	61.97'
L18	S53°27'48"E	26.00'
L19	S53°27'48"E	69.88'
L20	S61°12'51"E	63.69'
L21	S10°06'09"E	27.60'
L22	S40°08'39"E	70.63'
L23	S00°07'04"E	520.63'

THIS IS NOT A SURVEY

Tables to Accompany Sketch
Subject Parcel
*A Tract of land lying in Sections 3 & 4,
 Township 43 South, Range 24 East, City
 of Cape Coral, Lee County, Florida*

Not Valid without Sheet 1 & 3 of 3

Sheet 2 of 3

STOUTENCRAMER
 PROFESSIONAL SURVEYORS

CERTIFICATE OF AUTHORIZATION: LB7922
 324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991
 Phone: (239) 673-9541 Fax: (239) 424-8181
 www.scisurvey.com

I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on **December 22, 2016** is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.

See Sheet 1 of 3 for Signature and Seal

JEFFREY D. STOUTEN (FOR THE FIRM)
 FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
 RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB # 16-1472 PREPARED FOR: AVALON ENGINEERING
 SECTIONS 3 & 4, TOWNSHIP 43S, RANGE 24E

Description

Subject Parcel Description:

Parcel of land lying in Sections 3 and 4, Township 44 South, Range 24 East, City of Cape Coral, Lee County, Florida being more particularly described as follows:

Beginning at the Southwest corner of tract D, Block 6951, Hancock Creek Commerce Park Phase I as recorded in Plat Book 43 at Page 10 of the Public Records of Lee County, Florida, thence run N89°52'57"E, along the South line of said Tract D, a distance of 373.38 feet to an intersection with the East line of the Northwest quarter of the Northwest quarter of said Section 4; thence run S04°56'55"E, along said East line, a distance of 1,029.67 feet to an intersection with the Northerly right-of-way line of Pine Island Road (State Road 78); thence run S61°59'29"W, along said Northerly Right-of-way line, a distance of 325.63 feet; thence run N04°56'55"W, departing said Northerly Right-of-way line, a distance of 892.54 feet; thence run S89°52'56"W a distance of 35.00 feet; thence run N31°02'52"W a distance of 243.94 feet; thence run N04°56'55"W a distance of 80.00 feet; thence run S89°52'59"W a distance of 230.00 feet; thence run N00°00'00"E a distance of 543.36 feet; thence run N47°25'02"W a distance of 245.35 feet; thence run N23°53'26"W a distance of 156.33 feet to an intersection with the Southerly right-of-way line of Diplomat Parkway (100 feet wide) being a point on a non-tangent curve; thence run 132.65 feet along the arc of said non-tangent curve to the left of radius 850.00 feet, concave to the Northwest, to which a radial line bears S19°45'23"E, having a delta angle of 08°56'30", a chord bearing of N65°46'22"E and a chord length of 132.52 feet; thence run S13°50'31"E a distance of 69.72 feet; thence run S32°15'11"E a distance of 79.79 feet; thence run S47°32'06"E a distance of 94.41 feet; thence run S69°11'47"E a distance of 34.29 feet; thence run N51°50'39"E a distance of 24.73 feet; thence run S70°28'12"E a distance of 61.97 feet; thence run S53°27'48"E a distance of 26.00 feet to an intersection with the North line of said Section 4; thence continue S53°27'48"E a distance of 69.88 feet; thence run S61°12'51"E a distance of 63.69 feet; thence run S10°06'09"E a distance of 27.60 feet; thence run S40°08'39"E a distance of 70.63 feet to the Northwest corner of said Tract D; thence run S00°07'04"E, along the West line of said Tract D, a distance of 520.63 feet to the Point of Beginning.

Said Parcel Contains 595,728 sq. ft. (more or less)

Bearings are based on the Northerly right-of-way line of Pine Island Road (S.R. 78) being S61°59'29"W.

THIS IS NOT A SURVEY	Tables to Accompany Sketch Subject Parcel <i>A Tract of land lying in Sections 3 & 4, Township 43 South, Range 24 East, City of Cape Coral, Lee County, Florida</i>	<i>Not Valid without Sheets 1 & 2 of 3</i>
<i>Sheet 3 of 3</i>	<div data-bbox="646 1759 1006 1890">STOUTENCRAMER PROFESSIONAL SURVEYORS</div> <div data-bbox="609 1906 1060 1990">CERTIFICATE OF AUTHORIZATION: LB7922 324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991 Phone: (239) 673-9541 Fax: (239) 424-8181 www.scisurvey.com</div>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on December 22, 2016 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <p>See Sheet 1 of 2 for Signature and Seal</p> <div data-bbox="1101 1938 1536 2001">JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER</div>

**A-1 Shelters Self Storage,
Hancock Creek Site PDP Amendment (PDP16-0011)**

Planning Division
Final Project Staff Report

Prepared by Mike Struve, AICP, LEED Green Associate,
Planning Team Coordinator

Approved by Robert H. Pederson, AICP, Planning Manager

February 10, 2017

PURPOSE

This document provides a single, consolidated review for a Planned Development Project (PDP) amendment entitled "A-1 Shelters Self Storage, Hancock Creek Site." Within this report the following topics are addressed:

- Description of the site.
- Previously granted entitlements for the site.
- Need for the PDP amendment.
- Description of the proposed project.
- Analysis of applicant requests.
- Analysis of general standards and requirements for PDPs.
- Concurrency review.
- Consistency with the City Comprehensive Plan.
- Consistency with the SW Florida Regional Planning Council Strategic Regional Plan.
- Summary of the positive and negative aspects of the project.
- Project recommendation.

DESCRIPTION OF THE SITE

The 13.7-acre site has frontage along two streets; Pine Island Road to the south and Diplomat Parkway to the north. Pine Island Road is classified as a Principal Arterial and Diplomat Parkway is classified as a Minor Arterial. While the site will have driveways along both streets, the main access will be from Pine Island Road as it presently exists. The site is in the Urban Services Transition Area.

The site is irregular in shape and relatively long, but narrow. The site has a length of over 2,100 feet and at its narrowness point, a width of only 70 feet. The southern-most 7.6 acres has a self-storage facility that includes a stormwater pond. The remaining 6.1 acres is forested and has a small wetland (less than 0.2 acres).

The northern 5.4 acres of the site was part of the Hancock Creek Commerce Park Development of Regional Impact (DRI). This DRI was adopted in 1989 but abandoned by the City in 2011. Only three parcels developed in the 218-acre DRI, as changes in market conditions were no longer favorable for industrial development.

PREVIOUSLY APPROVED ENTITLEMENTS FOR THE SITE

A PDP for the southern 7.6 acres was approved in 1998 for "A-1 Shelters Self Storage, Hancock Creek Site." Ordinance 6-98 granted the following:

- A deviation of 12 feet from the minimum front setback requirement of 50 feet; and
- A deviation of 58 parking spaces to allow a project with four parking spaces.

The PDP approved 121,700 sq. ft. of self-storage uses that included office space and caretaker residence uses. This site was zoned Industrial (I-1) at the time. In 2011 the City changed the future land use classification to the Pine Island Road District and zoning to the Corridor District. Similar land use and zoning changes were made to other properties in this area to improve the development potential of lands near the VA Clinic that opened in 2012.

NEED FOR THE PDP AMENDMENT

A PDP was required for this project in 1998. At that time the City required all developments of three acres or more to obtain entitlements through the PDP process.

A PDP amendment is now required for the following reasons:

1. A rezone is sought for property within a previously approved PDP (LUDR, Section 4.2.5.A.3).
2. Additional lands are being incorporated into the PDP project area (LUDR, Section 4.2.5.A.3).
3. Deviations from several wall requirements can be requested only by PDP (LUDR, Section 4.2.4.K).

DESCRIPTION OF THE PROPOSED PROJECT

The PDP amendment includes adding 6.1 acres (north of the self-storage facility) into the project. This land will be developed with an enclosed storage use. Several buildings with connecting walls will enclose an area for storing recreational vehicles (RVs), although other vehicles or items may be stored in this area as well. The Master Development Plan shows seven buildings with covered stalls for 145 RVs. The height of the buildings and walls will be 14 feet, two inches and will provide a seamless screening treatment for the RVs. Landscaping will be installed around the perimeter of the site for buffering.

This amendment also involves adding the Commerce Park Overlay (CPO) to 8.3 acres, including the existing self-storage site. The self-storage facility is classified as a mini-warehouse use and since this use is not allowed in the Corridor District, it is considered a legal nonconforming use. Because mini-warehouses are allowed as a permitted use in the CPO, applying the CPO will eliminate a nonconforming use and provide an added benefit of assuring the entire 13.7-acre site has uniform zoning and a single PDP approval.

ANALYSIS OF APPLICANT REQUESTS

Within this PDP amendment, the Developer requests the following:

- A rezone of 8.3 acres from the Corridor District to the Corridor District with the CPO.
- A deviation from the requirement that limits metal to 30% of the front surface of exterior walls facing a public right-of-way.
- A deviation of 12 feet, four inches to allow an entryway feature in a CPO Buffer that is 20 feet, four inches tall.

- A deviation from the requirement that building walls meeting the opaque feature requirement within a CPO Buffer must be surfaced with stucco, brick, stone, textured concrete masonry units, or other concrete surfaces.
- A deviation from the nonresidential design standards for buildings associated with the enclosed storage use.
- Development Plan approval.

A) Rezoning

Request:

The Developer seeks a rezone to apply the CPO to 8.3 acres which are zoned Corridor. This area includes the 7.6-acre mini-warehouse use. An additional 0.7 acres near the northwest corner of the mini-warehouse facility is also proposed to be rezoned.

Analysis:

Staff reviewed this application based on LUDR, Section 2.7.13, which sets out the requirements of the Corridor District and the CPO, and the ten General Standards within LUDR, Section 8.7.3.B and provides the following analysis:

1. *The extent to which the value of the property is diminished by the proposed zoning of the property;*

The rezone should have a positive effect on the value of this property since the CPO allows several manufacturing and light industrial uses that are prohibited in the Corridor District. As a general rule, property values increase as the number of uses and, therefore, options available to an owner in utilizing his property increase. In this particular case, the existing mini-warehouse use is a legal nonconforming use that was originally established when the parcel had Industrial Zoning. The rezone will eliminate this nonconformity since this use is allowed in the CPO.

2. *The extent to which the removal of a proposed change in zoning depreciates the value of other property in the area;*

The rezone should not have a significant effect on surrounding property values. Large, unplatted parcels to the north have Corridor/CPO Zoning or Preservation Zoning. Property to the west consists of a 32-acre mixed-use subdivision approved in 2014 by Ordinance 38-14. A site plan (SP16-0027) for a 320-unit, multi-family development on 32.88 acres was recently approved by the City. The site to the east has Corridor/CPO Zoning and is being developed with a health care facility use.

The rezone of the site will require a buffer with an opaque fence or wall with landscaping along the western property line of the mini-warehouse development. Buffers that include an opaque fence or wall with landscaping on the exterior are typically required along property lines of sites developed with CPO uses.

3. *The suitability of the property for the zoning purpose;*

LUDR, Section 2.7.13J states *"The purpose of the Commerce Park Overlay (CPO) is to expand the uses available in designated geographic areas of the Corridor Zoning District while also relaxing building design criteria and increasing required buffering. The CPO allows a mix of commercial service and industrial uses. The CPO is intended to provide for the expansion of existing enterprises that without the CPO are non-conforming uses, but which, nonetheless, are significant contributors to the economy of the City. The CPO provides these uses flexibility, so that they can expand in a manner that allows them to economically comply with the aesthetic vision of the Corridor District. The CPO shall not be construed to be a separate zoning district, but is an overlay in the Corridor District."*

The rezone of this site is suitable for the following reasons:

1. The site has a PIRD Future Land Use and Corridor zoning.
 2. The site has a sizeable area; over seven acres.
 3. The site abuts three other properties with Corridor/CPO Zoning. Other properties with Corridor/CPO Zoning also exist in this area, although not adjacent.
 4. The rezone will eliminate a legal nonconforming use, as the existing mini warehouse use is prohibited in the Corridor District but allowed in the CPO.
4. *The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed zoning;*

Land use, zoning, and existing uses of the site and adjacent parcels are shown in Table 1.

Table 1. Zoning, Future Land Use Designations, and Existing Uses of the Site and Surrounding Parcels.

Subject Parcel	Zoning	Future Land Use (FLU)	Existing Use
Current:	Corridor	PIRD	Mini warehouse use
Proposed:	Corridor/CPO	No change proposed	No change proposed
	Surrounding Zoning	Surrounding FLU	Surrounding Existing Uses
North:	Preservation and Corridor/CPO	Natural Resources/Preserve	Undeveloped
South:	Pine Island Road ROW/Incorporated Lee	Pine Island Road ROW/Incorporated Lee	Undeveloped
East:	Corridor/CPO	PIRD	Being developed with a health care facilities use
West:	Corridor	PIRD	Being developed with a multi-family use

The site is in an area that lacks the platted 5,000 sq. ft. lots that dominate much of the City. Sites to the immediate east and west are being developed. The nearest developed parcels with established businesses have hospice, insurance, and church uses which are 360 to over 600 feet away.

Although a rezone will eliminate a legal nonconforming use, the staff analysis considers the full range of permitted uses in the CPO. The CPO allows several light industrial and

manufacturing uses that are prohibited in the Corridor District. For developing CPO properties, a landscape buffer is required between the development and public rights-of-way and between the CPO site and any property not included in the development. The CPO also requires compliance with City architectural standards.

The existing mini-warehouse use generates a small number of PM peak hour trips. The site has frontage on Pine Island Road, a Major Arterial. This CPO permits several industrial and manufacturing uses that frequently involve transporting goods and products on major roads.

5. *The relative gain to the community as compared to the hardship, if any imposed, from rezoning said property;*

Since the property is developed and significant redevelopment of the site is not proposed at this time, staff does not envision a short-term hardship or gain to the community. Viewed more broadly, applying the CPO to the site will allow for a wider array of light industrial and manufacturing uses than allowed in the Corridor District. Such uses are appropriate for this area of the City. The CPO will eliminate a nonconforming use on this site and also provide uniformity in CPO coverage throughout the 13.7-acre project.

6. *The community need for the use proposed by the zoning;*

The CPO allows a wider array of light manufacturing and industrial uses than the Corridor District. The City has a deficiency in land that supports these types of uses. Furthermore, this property has access to centralized utilities and frontage along a major road. These factors enhances the suitability of the site for the CPO.

7. *Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property;*

The future land use of this site was changed from Industrial to Pine Island Road District by Ordinance 20-11. The site was rezoned from Industrial to Corridor by Ordinance 52-11.

8. *The extent to which the proposed zoning promotes the health, safety, morals, or general welfare of this community;*

Approval of this rezone will have little to no negative effect upon the health, safety, morals, or general welfare of the community. The application of the CPO will eliminate a nonconforming use that exists on this site and provide the owner with additional options for redeveloping the site in the future, with appropriate safeguards in place.

9. *The extent to which the proposed zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan;*

Since a major redevelopment of this site is not proposed, level of service standards will be unaffected by this rezone. The site is in the Urban Service Transition Area. Potable water

and sewer services are available to the site. The project generates an estimated 27 trips per P.M. peak hour.

10. Whether the proposed zoning is consistent with the City Comprehensive Land Use Plan.

The Corridor Zoning is consistent with the Pine Island Road District Future Land Use, as outlined within Policy 1.15 of the Future Land Use Element. Properties with Corridor Zoning are eligible for the CPO Overlay. The request is also consistent with Policy 2.7 of the Economic Development Element.

Recommendation:

Staff recommends approval of this rezone.

B) LUDR Deviations

Request

The Developer requests a deviation to LUDR, Section 2.7.13J.5.d that limits metal to 30% of the front surface of exterior walls facing public rights-of-way.

This deviation applies to wall along the north side of the enclosed storage site with frontage on Diplomat Parkway.

Analysis

Staff analyzed this request based on LUDR, Section 4.2.4.K. "*Deviations.*" Deviations to the LUDRs provide flexibility in developing land through the PDP process. Such requests allow for standards different from those appearing in the LUDRs for zoning of the site and that may include area, dimensional, and other regulations. The City Council may approve one or more deviations within a PDP, provided the project demonstrates a unique and innovative design that would be enhanced by the approval of the deviation(s), and the public health, safety, and welfare would be served by the approval of the deviation(s).

LUDR, Section 4.2.4.K provides examples of unique and innovative design elements that may include but are not limited to the following:

1. Providing usable common space within the development to offset and compensate for decreases in typical lot sizes or yard requirements;
2. Applying different requirements than those found within the applicable zoning district in question to promote compatibility with surrounding uses;
3. Providing places for public assembly that are linked together and centrally located for accessibility;
4. Locating buildings and dwelling units to provide optimum access to open space areas; and,
5. Providing for the integration and preservation of natural resources within development.

The metal wall facing Diplomat Parkway is about 75 feet long. The wall will be about 187 feet south of this right-of-way. Landscaping along Diplomat Parkway and the drive isle approaching the wall will buffer and partially screen this structure. This deviation is consistent with the unique and innovative design criterion found in LUDR, Section 4.2.4.K as the metal wall enclosing the storage yard will produce a uniform, seamless appearance to the development. This request will not adversely affect the health

safety or welfare of the public as several factors will contribute to this structure being inconspicuous to motorists traveling past this site. These factors include landscaping in front of the wall, the length of the wall, and the distance of the wall from Diplomat Parkway.

Recommendation

Staff recommends approval.

Request

The Developer requests a deviation to LUDR, Section 2.7.13J.6.c(5) for building walls meeting the screening requirement within a CPO Buffer to have stucco, brick, stone, textured concrete masonry units, or other concrete surfaces. The Developer proposes building walls with metal surfaces.

Analysis

Staff analyzed this request based on LUDR, Section 4.2.4.K. *"Deviations."*

This deviation applies to the western property line of the enclosed storage site since a CPO Buffer is required along this property line. A CPO Buffer is not required along the eastern property line since the Preservation Zoning of the adjacent parcel to the east does not require a similar buffer.

The CPO Buffer will include two opaque features, buildings and walls. These structures will both be metal and will have identical heights. A seamless screening treatment will result compared to a screening treatment comprised of two or more materials if the building walls were composed of a different material. The CPO Buffer will exceed the minimum 15-foot width, as this buffer will vary from 18 to 36 feet in width. Over 500 linear feet of buffer will have a width of 36 feet. Staff finds the combination of the consistency in screening materials and the enhanced buffer width to be consistent with the unique and innovative design criterion found in LUDR, Section 4.2.4.K. This request is consistent with protecting the health, welfare, and safety of the public as the buildings along this property line will not be visible from a public right-of-way. It is recommended that shrubs planted in this area be maintained at 48 inches at maturity to provide better buffering from the adjacent multi-family project under construction to the west.

Recommendation

Staff recommends approval of this deviation with the following conditions:

1. Required shrubs within the Buffer X and Buffer W along the west property line of the enclosed storage use shall be maintained at a minimum height of 48 inches at maturity.
2. The width of the CPO Buffer X and Buffer W along the western property line of the enclosed storage site shall range from 18 to 36 feet as shown on Sheet 13 of the Master Landscape Plan. Changes in the width of these buffers may be approved by the DCD Director provided good cause is demonstrated by the Developer, compliance with the CPO minimum buffer width is achieved, and such changes affect no more than 10% of the total length of these two buffers combined.

Request

The Developer requests a deviation of 12 feet, four inches to LUDR, Section 2.7.13J.6.c(2) that limits walls in a CPO buffer to eight feet. An entryway feature will have a height of 20 feet, four inches. Except for the entryway, the walls and facades of buildings enclosing the RV storage area and will have a uniform height of 14 feet, two inches.

Analysis

Based on the height of RVs, the deviation is sought to screen these vehicles from surrounding properties. The height of the walls and storage buildings will be similar to provide a consistent screening treatment when viewed from the outside of the storage facility. The entryway will have a height of 20 feet, four inches and this additional height will call attention to the entrance of the storage facility from Diplomat Parkway. Staff finds that this deviation will apply a different requirement (e.g., wall height) than exists in the CPO regulations, and the additional height will promote a project that is compatible with the surrounding uses. The additional height will provide better screening for the RVs than a shorter wall, and as a result, approval of this request will promote the public health, safety, and welfare of the community.

Recommendation

Staff recommends approval this deviation.

Request

The Developer requests a deviation from all requirements associated with LUDR, Section 5.6 entitled "Non-residential design standards." This deviation is sought for eight buildings with the enclosed storage use. Seven of the buildings will provide protection for RVs stored on this site. The other building has an area of 149 sq. ft. that contains bathrooms along with electrical and mechanical equipment.

LUDR, Section 5.6.10 addresses deviations requested to the City's architectural requirements for nonresidential buildings. Such requests may be approved by the City Council provided the deviation will not be contrary to the public interest and will be in harmony with the general intent and purpose of this section and where either of the following applies:

1. Conditions exist that are not the result of the applicant and which are such that a literal enforcement of the regulations involved would result in unnecessary or undue hardship; or,
2. Literal conformity with the regulations would inhibit innovation or creativity in design.

LUDR, Section 5.6.10.B states *"in determining whether a particular deviation request should be approved as the result of unnecessary or undue hardship, factors the Hearing Examiner (or the City Council, when applicable) shall consider include, but are not limited to, the following: site constraints such as shape, topography, dimensions, and area of the property, the effect other regulations would have on the proposed development, or other locational factors that may make compliance with this section impossible or impracticable, the effect the requested deviation would have on the community appearance including, but not limited to, consideration of the mass, scale, and other characteristics of a proposed building relative to the characteristics of existing and approved surrounding buildings whether on the same or nearby sites, and the relative visibility and character of equipment or loading areas which are otherwise required to be screened along with constraints on alternative location of such equipment or loading areas. Additionally, the Hearing Examiner (or the City Council, when applicable) shall find that the approval of the deviation(s) would serve the intent of this section to protect the health, safety, and welfare of the public while ensuring a high level of overall aesthetic appeal and visual interest in the City."*

Analysis

Are site constraints present (like shape, topography, dimensions, or area of the properties) that would interfere or impede with the implementation of the nonresidential design standards?

Staff response: No. While the property is irregularly shaped and rather narrow, there are no physical features associated with the site that would interfere with complying with the architectural standards.

Are other regulations or locational factors present that make compliance with this section (i.e., the nonresidential design standards) impossible or impractical?

Staff response: Several factors are present that make compliance with this section impractical.

The nature of the development. A combination of buildings and walls will form the perimeter of the storage yard. Except for the entryway feature off Diplomat Parkway, the site will appear to have an uninterrupted 14-foot metal wall around the site. The buildings will be roofed and will mimic the appearance of a carport with multiple stalls for storing RVs.

The CPO regulations. CPO Buffers are required for the western property line of the site. Both the Buffer X and W subtypes allow metal walls with no required architectural treatments.

The visibility of the buildings from outside the development. The sides of the buildings will have the appearance of a metal wall and will provide for a seamless transition between the building and walls of the site. One building will be placed in the center of the storage area but will not be visible from outside the site.

Land uses on surrounding properties. The storage use will likely be visible only along the west property line of the site. Southwest of the site, a 32.88-acre property is being developed with 320 multi-family units. Approved plans for this residential development shows a row of trees along the eastern property line adjacent to the enclosed storage site. CPO Buffers are required along the west property line of the storage site that will provide suitable "softening" of the perimeter wall. The site will likely not be visible from residents or businesses to the east as lands with Preservation Zoning are adjacent to the development. The nearest buildings on the site from both Pine Island Road and Diplomat Parkway will be behind walls and will not be visible from either right-of-way.

What effect will the requested deviation would have on the community appearance?

Staff response: The requested deviation is anticipated to have little if any negative effect on community appearance for the following reasons.

- The integration of several buildings into the perimeter wall enclosing the storage area will provide for seamless screening of the use. The outer walls of these building will be indistinguishable from adjoining metal walls used for screening this use.
- Landscaping on the outer perimeter of the development will buffer this use and reduce the starkness of the walls.
- The distance of the development from Pine Island Road and Diplomat Parkway, coupled with Preservation lands to the east of the site, will contribute to a development that is largely hidden from view except for along the west side of the site.

What affect would the deviation have on the relative visibility and character of equipment or loading areas which are otherwise required to be screened along with constraints on alternative location of such equipment or loading areas?

Staff response: There will be no negative affect as loading areas are absent from this development. All RVs will be stored within the enclosed area and will not be visible except to customers visiting this business.

Will the approval of the deviation protect the health, safety, and welfare of the public while ensuring a high level of overall aesthetic appeal and interest in the City?

Staff response: The health, safety, and welfare of the public will be served by the approval of this deviation as the wall around this storage use will shield the public from RVs and items stored within the enclosed area. Aesthetic appeal will be achieved by providing a continuous, seamless screening treatment around the site that will be well buffered. Furthermore, the relatively remote location of this development with direct access only from Diplomat Parkway will mean this site will be rather inconspicuous to most residents living and working in this area.

Recommendation

Staff recommends approval of this deviation.

C) Expand Project Area of the PDP

Request:

The PDP amendment includes adding 6.1 acres north of the existing self-storage facility into the project area. This new land area has frontage on Diplomat Parkway that will be developed with an enclosed storage use.

Analysis:

All land within the project area will have identical future land use and zoning designations. Both properties within the PDP are contiguous with one another and will extend the project area from Pine Island Road to Diplomat Parkway. Access to the project will be available from both streets. The configuration of the parcel being added to the PDP is irregular and has limited frontage on Diplomat Parkway. While this parcel is poorly suited for most retail and office uses, the site is appropriate for a storage use that does not place a high premium on visibility from the street.

Recommendation:

Staff recommends approval of expanding the project area of the PDP.

ANALYSIS OF GENERAL STANDARDS AND REQUIREMENTS FOR PDPS

This project was evaluated for compliance with general standards and requirements found in LUDR, Section 4.2 that is provided below.

- A. *Environmental control standards:* A June, 2016 Environmental Survey was submitted by W. Dexter Bender and Associates, Inc. This report did not identify state or federally protected species on this site. City staff reported a small area of wetlands on the site during a field inspection. An Environmental Resource Permit will likely be needed from the South Florida Water Management District. The project is compliant with the four standards in LUDR, Section 5.4.

- B. *Maintenance of improvements:* General landscape areas are shown on the development plan. Compliance with City landscaping regulations will be reviewed when a site plan for the project is submitted.
- C. *Consistency with Comprehensive Plan:* This project is consistent with several policies and goals contained within the Comprehensive Plan discussed in greater detail elsewhere in this report.
- D. *Financial Responsibility:* This standard is not applicable as the owner will not be required to provide a statement of financial responsibility for this project.
- E. *Dimensional requirements:* The project is compliant with dimensional requirements for the Corridor District.
- F. *Maximum density:* This project does not involve a residential use. This standard is not applicable.
- G. *Minimum parcel size:* The Corridor District does not have a minimum lot area requirement. In addition, the project is not in the Urban Services Reserve Area.
- H. *Time limitation:* Substantial construction is required to commence within two years from the date of project approval or within one year of the last permit approval for all appropriate regulatory bodies, whichever is less.
- I. *Ownership requirements:* Two entities, Kirby Family LP #3 and Kirby FLP own all property within the PDP project area.
- J. *Special exceptions:* This project does not involve a special exception use.
- K. *Deviations:* One deviation to the LUDRs is sought to allow a wall within a CPO buffer to have a maximum height of 14 feet, two inches.
- L. *Underground Utilities:* New utilities serving the site will be placed underground.

CURRENCY REVIEW

The project will meet concurrency requirements for solid waste, drainage, potable water, sewer, and transportation. Details are provided in Table 2.

Table 2. Information on Design Capacity, Usage, and Concurrency Status for Various Services.

SERVICE	FACILITY DESIGN CAPACITY	USAGE	STATUS
Solid Waste ¹	1,836 Tons	1,384 Tons	Capacity exists
Drainage ²	NA	NA	NA
Potable Water	30.1 MGD ³	9.4 MGD	Capacity exists
Sewer	28.4 MGD	12.8 MGD	Capacity exists
Roads			
<i>NE Pine Island Road</i> ⁴	Level of Service D	13,300	Capacity exists
<i>Diplomat Parkway</i>	Level of Service D	7,300 AADT ⁵ No data	Capacity exists

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The project is consistent with the following goals and policies. The specific language associated with each goal and policy identified below appears in Exhibit "A."

Conservation and Coastal Management Element	Future Land Use Element	Infrastructure Element	Transportation Element	Economic Development
Policies 1.1.7, 1.2.1, 1.2.17, 1.5.2, and 1.7.9	Policies 1.9, 1.15.m, 1.17, 4.1, 5.3, 8.2, and 8.3	Goal 2	Policies 1.1.1, 2.1.1, 2.1.5, and 2.2.3	Policy 2.7

CONSISTENCY WITH THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL STRATEGIC REGIONAL POLICY PLAN

The project is consistent with one strategy in the Economic Development Element of this plan.

"Increase the retention and expansion of local business and industry and encourage local entrepreneurial development."

¹ Solid waste services are provided by Lee County Government.

² Projects are reviewed for compliance with South Florida Water Management District standards during site plan review.

³ MGD stands for millions of gallons per day.

⁴ East of SW 19th Avenue as reported by Lee County DOT.

⁵ AADT stands for average annual daily trips.

SUMMARY OF THE POSITIVE AND NEGATIVE ASPECTS OF THE PROJECT

POSITIVE ASPECTS OF THE PROJECT	
<ul style="list-style-type: none">• The commercial site has frontage along two major streets.• Applying the CPO to the self-storage site will eliminate a nonconforming use.• The project will generate a low number of vehicle trips.	
NEGATIVE ASPECTS OF THE PROJECT	
<ul style="list-style-type: none">• A site plan for a multi-family project to the immediate west of the site was recently approved.	
MITIGATING MEASURES	
<ul style="list-style-type: none">• The perimeter of the site will be screened by a combination of buildings and walls with landscaping placed on the outside of these structures.	

PROJECT RECOMMENDATION

Staff finds that this PDP amendment with conditions is consistent with the City LUDRs and Comprehensive Plan. Staff supports all requests made by the applicant and recommends approval.

A-1 Shelters Self Storage, Hancock Creek Site PDP Amendment
EXHIBIT "A"

Conservation and Coastal Management Element

Policy 1.1.7

"The City of Cape Coral will continue to extend sanitary sewer and potable water facilities to previously unserved areas of the City, and will coordinate with private and county sources for the provision of solid waste facilities to meet the existing and projected needs identified with the Capital Improvements and Infrastructure Elements of this Comprehensive Plan, and consistent the City's Facilities Planning Report, prepared by Montgomery Watson Harza (MWH) in 2005."

Policy 1.2.1

"By 2009, the City of Cape Coral will adopt regulations to ensure that, prior to property development, or habitat alteration, of any kind, owners of properties having viable native habitat and/or which may contain habitat for protected species, undergoing significant development and/or habitat alteration, will be required to provide an environmental survey of their properties and undertake acceptable mitigation, as appropriate."

Policy 1.2.17

"The City shall require, as a condition of approval for Planned Development Projects and Site Plan Reviews, a protected species survey, which reflects the current conditions (at the time of the review) on the development site. If listed species are known to inhabit or use the site, the applicant shall prepare a protected species management plan."

Policy 1.5.2

"The City will continue to conserve and protect its wetlands in accordance with standards set by FDEP and SFWMD. The City shall direct future land uses incompatible with protection and conservation of wetlands away from wetlands. The evaluation of incompatibility shall include the following factors for land uses: types, intensity, density, extent, distribution, and location of allowable land uses. The evaluation of incompatibility shall include the following attributes of the wetlands: types, value, function, size, conditions, and location."

Policy 1.7.9.

"The City will continue its policy of requiring all applicants for City building permits to complete an affidavit stating they have inspected the proposed building site for the presence of burrowing owl nests. The applicant shall be required to state whether state and federal permits to remove the owl burrows are needed or whether the development can be completed without removing the owl burrows, in which case the contractor shall accept full responsibility for protecting the owl burrows from actions of employees or sub-contractors."

Future Land Use Element

Policy 1.9

"The City will issue no development orders or construction permits, which result in a reduction in the level of service for any affected public facility below the level of service standard adopted in this comprehensive plan."

Policy 1.15.m

"Pine Island Road District: Under this land use designation, at least two distinctive zoning categories will be allowed: Village and Corridor zoning. The Village zone is intended to promote maximum pedestrian friendliness and minimal automobile traffic between residential areas, shopping destinations, a variety of entertainment establishments, and employment opportunities. The Corridor zone designation will be placed on the land located between the Villages and will include larger scale, less pedestrian-oriented uses. This Land Use designation will encourage mixed-use development at key intersections with major North-South streets along Pine Island Road. The Pine Island Road District will be defined as the union of two major mixed-use areas defined below as follows: ...

... Corridor: The land located between the Villages and includes such uses as, retail, office, office/warehouse, light manufacturing, institutional (schools, colleges), single family residential, multi-family residential golf courses, larger scale commercial retail (big box stores over 50,000 square-feet) and government uses such as parks and public facilities. Commercial and light manufacturing uses shall not exceed a floor to lot area ratio (FAR) of 1.25 in accordance with City design standards. Public facilities shall be subject to Policy 1.15.i of the Future Land Use Element and parks and recreation shall be subject to Policy 1.15.j of the Future Land Use Element."

Policy 1.17

"Land development regulations, whether adopted or revised subsequent to the adoption of this plan, will address buffering and open space requirements, and will protect existing residential land uses from incompatible land uses."

Policy 4.1

"Future development requiring access or connection to public water and sewer facilities will be located within either the Urban Services Infill or Transition areas."

Policy 5.3

"New commercial development shall meet all of the requirements for adequate facilities based on the level of service standards adopted for roads, potable water and sanitary sewer, solid waste, storm water facilities and other services in this plan."

Policy 8.2

"Land development regulations, adopted pursuant to s. 163.3202, F.S., will require the buffering of incompatible land uses."

Policy 8.3

"Commercial developments shall be designed to minimize negative impacts on surrounding residential uses and the land development regulations shall provide for adequate buffering between commercial and residential uses. The design should ensure adequate screening of unsightly views of commercial development (such as loading docks, rooftop equipment, service entrances, trash containers, parking areas and exterior storage) through the extensive uses of landscaping, berms, fencing, concealment, architectural features, open space, setbacks, and/or building orientation. Ensure that the placement of any noise generating activities such as ingress/egress, parking, deliveries, air conditioning equipment and dumpster collections are designed to minimize any adverse noise effects. Traffic and parking should

not adversely affect neighborhood quality. Noise, safety and overall maintenance of commercial properties should be carefully monitored."

Infrastructure Element

Goal 2

"Provision of Sanitary Sewer, Drainage, Potable Water, and Solid Waste Services – the City of Cape Coral will provide sanitary sewer, drainage, and potable water facilities, and will coordinate with private and County sources for the provision of solid waste facilities to meet existing and projected needs identified in this plan."

Transportation Element

Policy 1.1.1

"The City shall review professionally accepted studies and current traffic counts to determine levels of service standards within Cape Coral. The City hereby adopts the following peak hour, peak season Level of Service Standards for the following facilities:

- a) Del Prado Boulevard (Cape Coral Parkway to SR 78) – LOS E
Del Prado Boulevard (SR 78 to US 41) – LOS D*
- b) State Road 78 (Pine Island Road) West of Del Prado Boulevard – LOS C
State Road 78 (Pine Island Road) East of Del Prado Boulevard – LOS D*
- c) Pondella Road – LOS E*
- d) Hancock Bridge Parkway (City Limits to Del Prado Boulevard) – LOS E*
- e) Cape Coral Parkway (Cape Coral Bridge to Pelican Boulevard) – LOS E*
- f) Burnt Store Road/Veterans Parkway Corridor – LOS E*
- g) All other local, collector, and arterial roadways – LOS D*
- h) All other limited access facilities – LOS D*
- i) All other roads within City jurisdictions – LOS D"*

Policy 2.1.1

"The City will continue to implement specific, non-motorized transportation policies and programs within the Urban Services Infill and Transition Areas, which will eventually result in the establishment of regularly maintained and improved bicycle and pedestrian facilities throughout the City of Cape Coral."

Policy 2.1.5

"The City shall continue to require new development to incorporate design elements to accommodate and protect bicyclists and pedestrians."

Policy 2.2.3

"Through the Planned Development Project (PDP) process and other site plan review procedures, the City shall require new development to accommodate public transit, bicycles, pedestrians, and other alternative modes in the project's site design."

Economic Development Element

Policy 2.7

"The City of Cape Coral shall maximize economic growth by developing and implementing a marketing strategy to encourage development in the neighborhood centered around the Veterans Administration Clinic. Scheduled to open in 2012, the facility owned by the United States Department of Veterans Affairs (located on 30 acres at the northwest corner of Corbett Road and Diplomat Parkway East) is designed to provide primary and Speciality healthcare to a population of 202,000 veterans throughout Southwest Florida. The purpose of the marketing strategy is to optimize support to the facility, that will in turn benefit the local economy, by attracting a concentration of development that would have a synergistic relationship with the Veterans Administration clinic. To this end, the City may take a variety of actions, including, but not limited to, consideration of modifications to the regulatory framework, creation of specific advertizing campaigns to focus attention on this area, and consideration of incentives to attract development such as office and medical parks, assisted living facilities, hotels, and light industrial enterprises."

ORDINANCE 6 - 98

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AN ORDINANCE APPROVING A PLANNED DEVELOPMENT PROJECT IN THE CITY OF CAPE CORAL, FLORIDA ENTITLED "A-1 SHELTERS SELF STORAGE, HANCOCK CREEK SITE"; PROVIDING FOR PLANNED DEVELOPMENT PROJECT APPROVAL FOR CERTAIN PROPERTY DESCRIBED AS PART OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 44 SOUTH, RANGE 24 EAST AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT 2555 PINE ISLAND ROAD NE; GRANTING DEVIATION OF FIFTEEN (15) FEET FROM THE LAND USE AND DEVELOPMENT REGULATIONS FRONT SETBACK REQUIREMENT OF FIFTY (50) FEET TO PERMIT A FRONT SETBACK OF THIRTY FIVE (35) FEET; GRANTING DEVIATION OF FIFTY EIGHT (58) SPACES FROM THE LAND USE AND DEVELOPMENT REGULATIONS PARKING REQUIREMENT OF SIXTY TWO (62) SPACES TO REQUIRE FOUR (4) SPACES; AND GRANTING SITE PLAN APPROVAL; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR ACTION ON REQUEST AND CONDITIONS OF APPROVAL; PROVIDING FOR LEGAL EFFECT AND LIMITATIONS OF THIS PDP DEVELOPMENT ORDER AND ADMINISTRATIVE REQUIREMENTS; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

PHILLIP
LIE GREEN, CLERK
JIM PSON

WHEREAS, an application from Lynn A. Kirby, Trustee has been received requesting approval of a Planned Development Project (PDP) for A-1 Shelters Self Storage, Hancock Creek Site, PDP 97-00800020; Deviation of fifteen (15) feet from the Land Use and Development Regulations front setback requirement of fifty (50) feet to permit a front setback of thirty five (35) feet; Deviation of fifty eight (58) spaces from the Land Use and Development Regulations parking requirement of sixty two (62) spaces to require four (4) spaces; and Site Plan Approval; and

WHEREAS, the request has been reviewed by the Cape Coral Planning and Zoning Commission/Local Planning Agency; and

WHEREAS, the City Council has considered the recommendations of the Planning and Zoning Commission/Local Planning Agency.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION I. PDP APPROVAL.

The City of Cape Coral City Council having considered the recommendations of the Planning and Zoning Commission and the Local Planning Agency, does hereby grant said PDP approval, deviation of fifteen (15) feet from the Land Use and Development Regulations front setback requirement of fifty (50) feet to permit a front setback of thirty five (35) feet; Deviation of fifty eight (58) spaces from the Land Use and Development Regulations parking requirement of sixty two (62) spaces to require four (4) spaces; and Site Plan Approval from the date of adoption of this ordinance. Approval of the PDP shall be subject to the terms and conditions set forth below.

SECTION II. FINDING OF FACT/CONCLUSION OF LAW

- A. The A-1 Shelters Self Storage, Hancock Creek Site development is a Light Industrial Planned Development Project (PDP). This development consists of rentable self-storage units on 7.61 acres of land located at 2555 Pine Island Road NE. The proposed development will contain 121,700 square feet of self-storage units and associated office space. 1400 square feet on a second story will be devoted to a caretakers residence. Approximately 2.66 acres of the site will be provided for ingress, egress, and internal site circulation and 1.48 acres of the site are to be provided as surface water management tracts. The development will occur in 1 phase(s) with a build out in 10 years.
- B. The proposed conditions below meet the criteria found in Section 163.3227, Florida Statutes.
- C. The name of the legal and equitable owner is Lynn A. Kirby, Trustee.

0R2923 Pg2766

D. The legal description of the property is as follows:

COMMENCING at the Northwest corner of Section 4, Township 44 South, Range 24 East, Lee County, Florida thence;

1. North 89°47'36" East, 1332.14 feet, along part of the North line of Section 4, to the East line of the Northwest 1/4 of the Northwest 1/4 of Section 4, thence;
2. South 04°56'55" East, 677.55 feet, along said East Line, to the North line of the South 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 4, and to the TRUE POINT OF BEGINNING of the tract of land described herein, thence;
3. South 04°56'55" East, 1029.67 feet, along the aforesaid East line, to the Northerly R/W line of Pine Island Road (SR-78) (66'R/W), thence;
4. South 61°59'29" West, 325.63 feet, to the East side of a proposed 60' R/W, thence;
5. South 04°56'55" West, 1182.54 feet, along the East side of a proposed 60' road R/W, to the North line of the South 1/2 of the Northwest 1/4 of the Northwest 1/4 of section 4, thence;
6. North 89°52'56" east, 300.68 feet, along said line, to the TRUE POINT OF BEGINNING, containing a computed area of 7.608 acres of land.

E. The subject parcel has 7.61 acres with a zoning district of I-1 (Industrial), pursuant to the authority of Chapter 166, Florida Statutes, and the Land Use and Development Regulations, Cape Coral, Florida, as amended. The subject parcel has a Future Land Use designation of Light Industrial.

F. All existing and future structures and uses, population density, building intensity, and building height shall conform with the provisions of the I-1 (Industrial) Zoning District of the Land Use and Development Regulations, Cape Coral, Florida, as same may hereafter be amended except as modified herein. In addition, the development shall obtain all local development permits from the City of Cape Coral, Florida, and other governmental jurisdictions. Failure of this agreement to address a particular permit, condition, term, restriction, or zoning regulation shall not relieve the Developer of the necessity of complying with the law governing said permitting requirements, conditions, terms, restrictions, or zoning regulations.

G. The Application for Development Approval is consistent with the requirements of Chapter 163, Florida Statutes.

H. The proposed development is not located in an Area of Critical State Concern, pursuant to the provisions of Chapter 380.05, Florida Statutes.

I. The proposed development does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

J. The proposed development, as noted, is consistent with the adopted City of Cape Coral Comprehensive Plan, and the City of Cape Coral Land Use and Development Regulations.

K. The term "Developer" for purposes of this development order, shall mean and refer to Lynn A. Kirby, Trustee, his or her heirs, successors in interest, lessees, and/or assigns.

SECTION III. ACTION ON REQUEST AND CONDITIONS OF APPROVAL

NOW, THEREFORE, be it ordained by the City Council of Cape Coral, Florida, in public meeting duly advertised, constituted and assembled this 9th day of February, 1998, that the Planned Development Project application for Development Approval submitted by Lynn A. Kirby, is hereby ordained approved, subject to the following conditions, restrictions, and limitations deemed necessary for the public health, safety, and welfare.

0R2922 Pg 2768

A. DRAINAGE/WATER QUALITY

1. Prior to the issuance of any building permits, a general permit and stormwater discharge certification shall be obtained from the South Florida Water Management District (SFWMD). With each individual site development submitted, the Developer shall be required to provide on-site stormwater runoff provisions, with either a letter of compliance, modification, or exemption, as applicable, from South Florida Water Management District.
2. The Developer shall provide, as part of the site's overall management plan, regularly scheduled parking lot vacuum sweeping to help ensure optimal stormwater runoff quality protection.
3. Prior to the issuance of any building permits, if applicable, the Developer shall coordinate with the City of Cape Coral, the Florida Department of Environmental Protection (DEP), and the SFWMD in the siting of any on-site temporary transfer and storage facilities for all special or hazardous waste that may be generated within the project site. Any facility constructed on-site shall be located as far away from the surface water management system as feasible.
4. At completion of construction, as required by the conditions imposed by SFWMD and prior to the issuance of a Certificate of Occupancy, the Developer will be required to provide certification by the Engineer of Record that all stormwater infrastructure and facilities have been constructed in accordance with the design approved by SFWMD and the City of Cape Coral, and should consist of the wording "Construction Compliance Certification".

B. ENERGY

Where feasible, the Developer shall incorporate at a minimum the following energy conservation measures into this development:

1. Use of energy efficient features in window design (e.g., tinting and exterior shading).
2. Use of operable windows and ceiling fans.
3. Installation of energy-efficient appliances and equipment.
4. Installation of energy-efficient lighting for streets, parking areas, and other interior and exterior public areas.
5. Cooperation in the location of bus stops, shelters, and other passenger and system accommodations for a transit system to service the project area.
6. Selection, installation, and maintenance of plants, trees, and other vegetation and landscape design features that have minimal requirements for water, fertilizer, maintenance, and other needs.
7. Planting of shade trees to provide shade for all street and parking areas.
8. Placement of trees to provide needed shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months.
9. Orientation of structures, as possible, to reduce solar heat gain by walls and to utilize the natural cooling effects of the wind.
10. Provision for structural shading (e.g., trellises, awnings, and roof overhangs), wherever practical when natural shading cannot be used effectively.
11. Provision of bicycle racks or storage facilities in recreational, commercial, and multi-family residential areas.

0R2923 PB2769

C. HURRICANE EVACUATION

The Developer shall incorporate the sheltering demands of the employees and their families, if possible, within their building design.

D. WETLANDS, VEGETATION, AND WILDLIFE

1. Ongoing control and removal of nuisance exotic plants on-site is required including but not limited to *Casuarina* sp. (Australian Pine), *Melaleuca quinquenervia* (melaleuca), and *Schinus terebinthifolius* (Brazilian Pepper).
2. Required on-site landscaping and screening shall be maintained throughout the life of this development.
3. A protective barrier composed of stakes (or other scrap lumber) and rope or other suitable material shall be placed around all existing trees to remain as shown on submitted development plans.
 - (a) The protective barrier shall be erected prior to land preparation or construction activities.
 - (b) The protective barrier shall be placed at or greater than the full dripline of all protected trees and shall be maintained and remain in place until all major construction activity is terminated.
 - (c) No equipment, chemicals, soil deposits or construction materials shall be placed within such protective barriers.
 - (d) Light construction activities subsequent to the removal of protective barriers shall be accomplished with light machinery or hand labor.

E. FIRE PROTECTION

1. The Developer shall review site development plans with the fire department to incorporate fire protection design recommendations into the project.
2. Fire impact fees shall be paid as specified by City Ordinance.

F. WATER CONSERVATION

1. The Developer shall incorporate the use of water conserving devices as required by state law (Section 553.14, Florida Statutes).
2. For the purpose of non-potable water conservation, the development shall utilize xeriscape principals in the design and installation of the project's landscaping.
3. No irrigation shall take place on the site between the hours of 9:00 A.M. and 5:00 P.M. after the establishing of landscaping, and prior to the installation and hook-up to the secondary water system, if applicable. After the secondary water system is installed, there will be no watering restrictions unless mandated by the City or SFWMD for conservation or other health, safety, and welfare reasons.

G. SOLID WASTE

1. The Developer and tenants of the project shall utilize all methods of reducing solid waste volume generated at the project.
2. The Developer and tenants of the project shall identify to the City, the presence of and the proper on-site handling and temporary storage procedures for hazardous waste that may be generated on-site, in accordance with local, regional and state hazardous waste programs.

0R2923 PB2770

3. The Developer will require that an EPA/DEP approved holding storage tank be provided on-site along with the proper monitoring devices if a prospective user has the potential for producing toxic or industrial waste. These wastes will be disposed of off-site by a company licensed to dispose of such wastes.
4. The Developer shall inform the waste hauler and disposer of the nature of any hazardous waste on the site, to determine if, and the extent of, any special precautions that may be necessary.
5. No on-site solid waste disposal facilities shall be located on the site.
6. The Developer shall participate in recycling programs.
7. Solid waste disposal shall be provided through Lee County, Florida pursuant to Special Act, Chapter 85-447. Current and planned facilities have sufficient capacity to meet the demands of this development.

H. WASTEWATER MANAGEMENT

1. Wastewater (sewer) service is not available to the site.
2. When service becomes available to the site the Developer shall design, construct and install all improvements required by the City to connect to the City's wastewater system. Said design, construction, and installation shall be accomplished in accordance with prevailing City design criteria and shall be subject to City inspection and approval prior to acceptance.
3. Wastewater containing hazardous materials shall be segregated and handled in accordance with Florida Department of Environmental Protection (DEP) criteria. Wastewater entering the City system shall meet quality limitations as specified by City Ordinance(s).
4. Sewer impact fees, betterment fees, and/or all other applicable fees shall be paid as specified by City Ordinance(s).
5. The Developer shall connect to City wastewater facilities within thirty (30) days notification of requirement for connection.
6. The Developer shall grant appropriate easements for the future utility service as required by the City.

I. WATER SERVICE

1. Water service is not available to the site.
2. When Service becomes available to the site, the Developer shall design, construct and install all improvements required by the City to connect to the City's water system. Said design, construction, and installation shall be accomplished in accordance with prevailing City design criteria and shall be subject to City inspection and approval prior to acceptance.
3. Water impact fees, betterment fees, and/or all other applicable fees shall be paid as specified by City Ordinances(s).
4. The Developer shall connect to City water facilities within thirty (30) days notification of requirement for connection.
5. The Developer shall grant appropriate easements for the future utility service as required by the City.

J. IRRIGATION SERVICE

1. Irrigation service is not available to the site.

0R2923 P62771

2. When service becomes available to the site, the Developer shall connect to the City's irrigation system as prescribed by City Ordinance. The Developer shall design, construct and install all improvements required by the City to connect to the City's irrigation system. Said design, construction, and installation shall be accomplished in accordance with prevailing City design criteria and shall be subject to City inspection and approval prior to acceptance.
3. Irrigation betterment fees and/or all other applicable fees shall be paid as specified by City Ordinance(s).

K. AIR QUALITY

1. If the development creates a complex source of pollution as defined by Florida Department of Environmental Protection (DEP) rules, application shall be made directly to DEP for permitting.
2. The development will be required to comply with all federal, state and local laws and codes governing air quality and emissions.

L. HISTORICAL/ARCHAEOLOGICAL

During the life of the project, if any historical or archaeological sites are uncovered, work in the vicinity shall cease until the proper authorities can be contacted and an evaluation of the site carried out.

M. TRANSPORTATION

1. The traffic impact assessment upon which this development order for A-1 Shelters Self Storage, Hancock Creek Site PDP is based assumes project buildout in 5 years. The traffic impact assessment included the expected impacts of Light Industrial proposed land use(s).
2. The traffic impacts of this development do not degrade roadway and intersection level of service (LOS) below LOS standards adopted in the City of Cape Coral Comprehensive Plan.
3. The Developer shall provide the City of Cape Coral all appropriate Road Impact Fees at the time of application for each building permit.
4. The Developer shall provide the City of Cape Coral with an Annual Traffic Monitoring Report each year until the development reaches buildout. Preparation of the report shall not begin until the Developer provides the City of Cape Coral with an acceptable methodology for preparing the report. If this report shows impacts greater than those estimated at the time of original approval and or determines that the LOS is degraded below adopted LOS standards, the Developer shall provide mitigation actions to assure that all roadways and intersections shall be improved so as to maintain the adopted peak hour LOS standard.

N. CONCURRENCY

The A-1 Shelters Self Storage, Hancock Creek Site PDP is concurrent for roads, sewer, water, drainage, solid waste, and parks based on the analysis of the proposed development and specific mitigation programs specified herein.

SECTION IV. LEGAL EFFECT AND LIMITATIONS OF THIS DEVELOPMENT ORDER, AND ADMINISTRATIVE REQUIREMENTS

- A. This Development Order shall constitute an ordinance of the City of Cape Coral, adopted by this Council in response to the Planned Development Project Application for Development Approval filed for A-1 Shelters Self Storage, Hancock Creek Site.
- B. This Development Order shall be binding on the Developer.

0R2923 PR2772

- C. The terms and conditions set out in this document constitute a basis upon which the Developer and City may rely in future actions necessary to implement fully the final development contemplated by this Development Order.
- D. All conditions, restrictions, stipulations and safeguards contained in this Development Order may be enforced by either party hereto by action at law or equity, and all costs of such proceedings, including reasonable attorney's fees, shall be paid by the defaulting party.
- E. Any references herein to any governmental agency shall be construed to mean to include any future instrumentality which may be created and designated as successor in interest to or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Development Order.
- F. The approval granted by this Development Order is limited. Such approval shall not be construed to obviate the duty of the Developer to comply with all applicable local or state review and permitting procedures, except where otherwise specifically provided. Such approval shall also not obviate the duty of the Developer to comply with any City Ordinance or other regulations adopted after the effective date of this Development Order.
- G. Subsequent requests for local development permits shall not require further review pursuant to Sections 163.3220-163.3243, Florida Statutes, unless it is found by the City Council, after due notice and hearing, that a substantial deviation from the terms or conditions of this Development Order, or other changes to the approved development plans which create a reasonable likelihood of adverse impacts which were not evaluated in the review by the City, has occurred and/or would result from the issuance of the local development permit. Substantial deviations include but are not limited to:
1. A greater than five (5) percent increase in the square footage of the development.
 2. Any change that requires a variance to code or other requirements over and above those specifically incorporated herein.
 3. An expiration of the period of effectiveness of this Development Order as herein provided.
 4. A failure to carry out Development Order conditions and/or Developer commitments incorporated within the Development Order to mitigate impacts to the extent indicated in the Development Order, or in accordance with the Development Order.

Upon a finding that any of the above is present, the City Council may order a termination of all development activity until such time as a new PDP Application for Development Approval has been submitted, reviewed and approved in accordance with Chapter 163, Florida Statutes, and all local approvals have been obtained.

- H. The deadline for commencing physical development under this Development Order shall be two (2) years from the date of adoption of the Order or one (1) year from final permit approval from all appropriate governmental jurisdictions, whichever is less, provided that all conditions are met in a timely manner and further provided that this effective period may be extended by this Council upon a finding of excusable delay in any proposed development activity and that considerations have not changed sufficiently to warrant further consideration of the development. In the event the Developer fails to commence significant physical development of that property identified in this Development Order within two (2) years from the date of rendition of this Development Order, development approval shall terminate and the development shall be subject to further consideration. Significant physical development shall include obtaining a certificate of compliance or occupancy on some substantial portion of the project (e.g., water management system or major road system). This Development Order shall otherwise terminate in 10 years from the date of this Development Order, unless an extension is approved by this Council. An extension may be granted if the project has been developing substantially in conformance with the original plans and approved conditions, and if no substantial adverse impacts not known to Cape Coral at the time of their review and approval, or arising due to the extension, have been identified. For the process of determining when the build-out date has been exceeded, the time

shall be tolled during the pendency of administrative and judicial proceedings relating to development permits.

- I. The Director of the Cape Coral Department of Community Development or his/her designee, shall be the local official responsible for assuring compliance with this Development Order. Upon reasonable notice by the City and at all reasonable times, the Developer shall allow the City of Cape Coral, its agents, employees, and/or representatives, access to the project site for the purpose of assuring compliance with this Development Order.

- J. The Developer, or its successors in title to the undeveloped portion of the subject property, shall submit a report annually to the Cape Coral City Council, the Director, and all affected permit agencies. This report shall describe the state of development and compliance as of the date of submission.

The first monitoring report shall be submitted to the Director not later than one (1) year from the effective date of this order, and further reportings shall be submitted not later than annually thereafter. The Developer shall so inform any successor in title to any undeveloped portion of the real property covered by this Development Order. This shall not be construed to require reporting from tenants or owners of individual lots or units. Annual Monitoring Reports including Traffic Monitoring Reports shall be required until such time as the project is complete, at which time, a final development report shall be submitted to the City.

- K. Copies of this recorded Development Order will be forwarded to the Developer, the Department of Community Affairs, and all permitting agencies. Upon this Development Order becoming effective, notice of its adoption shall be recorded in the Office of the Clerk of the Circuit Court by the City, as provided in Section 163.3239, Florida Statutes.

SECTION V. SEVERABILITY.

In the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

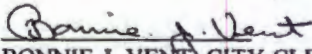
SECTION VI. EFFECTIVE DATE.

Upon its adoption by the Cape Coral City Council, this ordinance shall take effect when it has been recorded in the public records of the County and thirty (30) days after having been received by the State Land Planning Agency pursuant to Section 163.3239, Florida Statutes. Permits issued prior to or after the effective date of this Ordinance are obtained solely at the risk of the Developer and are subject to the requirements and review pursuant to Chapter 163, Florida Statutes.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS 9th DAY OF February, 1998.

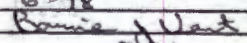

ROGER G. BUTLER, MAYOR

ATTESTED TO AND FILED IN MY OFFICE THIS 14th DAY OF February, 1998.


BONNIE J. VENT, CITY CLERK

LEGAL REVIEW:


BRUCE R. CONROY
CITY ATTORNEY
ord97800020.pdp

I HEREBY CERTIFY that I am the duly appointed and qualified Clerk of the City of Cape Coral, Florida, and the keeper of the records and corporate seal of said municipality; that this is a true and correct copy of Ordinance
6-98

City Clerk

City of Cape Coral
PO Box 150027
Cape Coral, FL 33915

0R2923 Pg2773

CHARLIE GREEN LEE C.T.R.
98 FEB 23 AM 11:11

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Kirby Family LP #3 & Kirby FLP

APPLICATION NO: PDP16-0011

STATE OF FLORIDA)
) §
COUNTY OF LEE)

I, Vincent A. Cautero, AICP having first been duly sworn according to law, state on my oath the following:

That I am the Director of the Department of Community Development and responsible in performing duties as required for the City of Cape Coral.

That pursuant to City of Cape Coral code. Section 8.3.2A and Section 8.11.3.A all required written notice and publication has been provided. Also posting of a sign has been done when applicable per Section 8.3.2A.

DATED this 13 day of February, 2017.

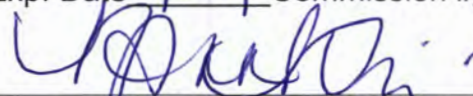


Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 13 day of February, 2017, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 11/30/17 Commission # FF060852



Signature of Notary Public

Michelle Miller

Print Name of Notary Public





NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: PDP16-0011

REQUEST: The owners, Kirby Family LP #3 and Kirby FLP 3, seek to amend Ordinance 6-98 which approved a planned development project in Cape Coral, Florida entitled "A-1 Shelters Self Storage, Hancock Creek Site" providing for planned development project approval for property at 2555 NE Pine Island Road and near the southeast corner of Diplomat Parkway East and NE 24th Avenue; expanding the planned development project area by 6.1 acres, rezoning 8.3 acres from the Corridor to the Corridor District with the Commerce Park Overlay; granting a deviation to the Land Use and Development Regulations, Section 2.7.13J; granting development plan approval.

LOCATION: 2555 NE Pine Island Road

CAPE CORAL STAFF CONTACT: Mike Struve, Planning Team Coordinator, 239-242-3255, mstruve@capecoral.net

PROPERTY OWNERS: KIRBY FAMILY LP #3 and Kirby FLP 3

AUTHORIZED REPRESENTATIVE: Linda Miller, Avalon Engineering, Inc.

UPCOMING PUBLIC HEARING: Notice is hereby given that the Hearing Examiner will hold a public hearing at 9:00 AM on Tuesday, January 10, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

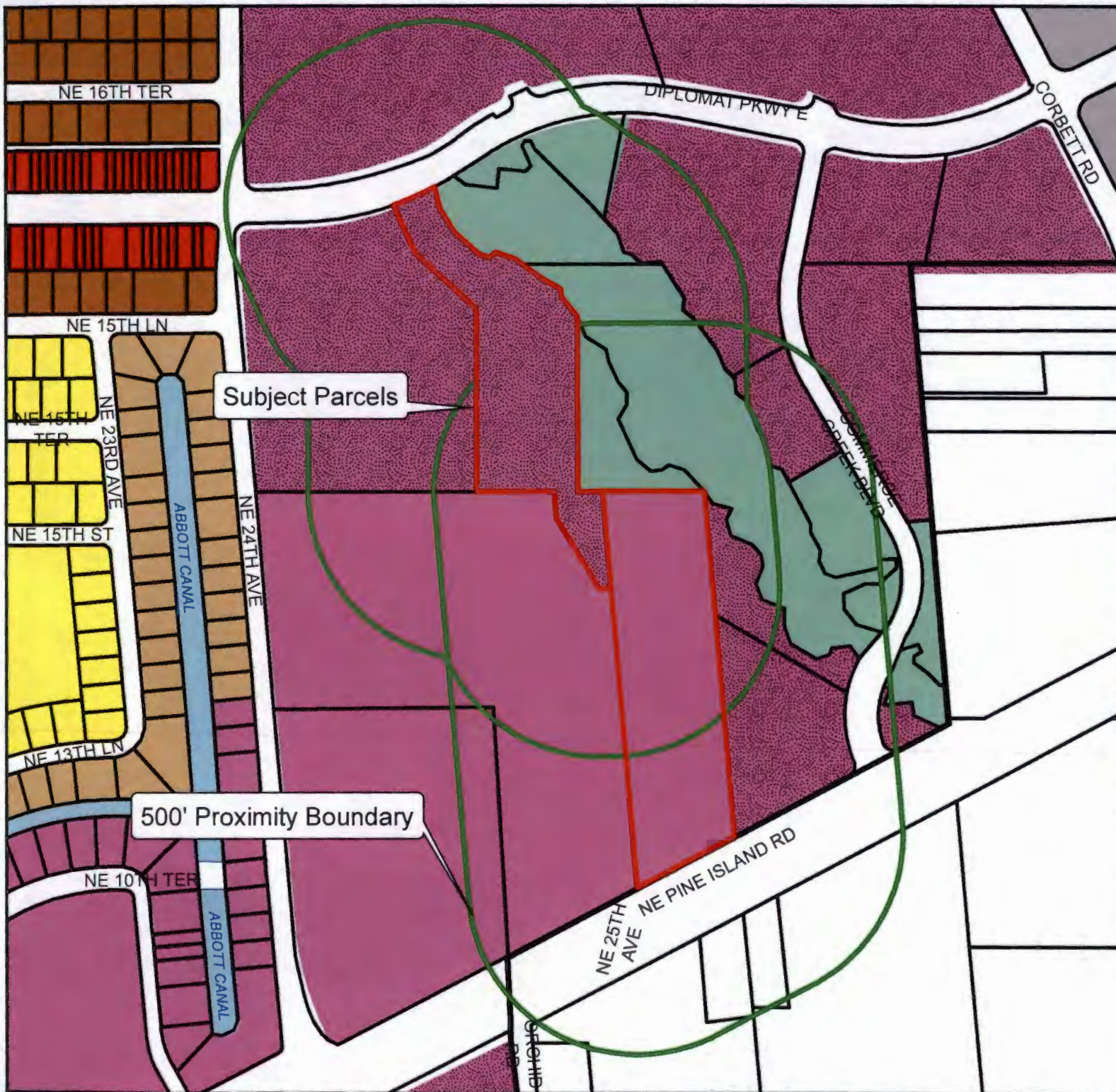
DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Department of Community Development
Post Office Box 150027 • Cape Coral, Florida 33915-0027
1015 Cultural Park Blvd. • Cape Coral, Florida 33990
Email: planningquestions@capecoral.net



CITY OF CAPE CORAL

Department of
Community Development
Planning Division

ZONING MAP
500 Proximity Boundary

Case No. PDP16-0011

Legend

- Subject Parcel North
- Subject Parcel South
- 500' Boundary SP North
- 500' Boundary SP South
- C-1
- CORR
- CPO
- I-1
- PRES
- R-1B
- R-3
- RX



DECEMBER 8, 2016

0 160 320 480 640 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

KRKA




CITY OF CAPE CORAL

Department of
Community Development
Planning Division

PROPOSED ZONING MAP 500 Proximity Boundary

Case No. PDP16-0011

Legend

-  Subject Parcels
-  500' Boundary
-  C-1
-  CORR
-  CPO
-  I-1
-  PRES
-  R-1B
-  R-3
-  RX



DECEMBER 8, 2016

0 160 320 480 640
Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

KRKA



CITY OF CAPE CORAL

Department of
Community Development
Planning Division

FUTURE LAND USE MAP

500 Proximity Boundary

Case No. PDP16-0011

Legend

- Subject Parcel North
- Subject Parcel South
- 500' Boundary SP North
- 500' Boundary SP South

Future Land Use

- SF
- MF
- PIRD
- I
- PF
- PK
- PR



DECEMBER 8, 2016

0 160 320 480 640 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

KRKA

Item Number:	2.D.
Meeting Date:	2/21/2017
Item Type:	HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case #SE16-0014*; Address: 3032 3108 Santa Barbara Blvd.; Applicant: Cory Noland

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. Is this a Strategic Decision? No
If Yes, Priority Goals Supported are listed below.
If No, will it harm the intent or success of the Strategic Plan? No

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

The applicant is requesting a Special Exception to allow a swimming pool supply store to have a liquid chemical storage tank in the Pedestrian Commercial (C-1) District.

LEGAL REVIEW:

EXHIBITS:

See attached "Backup Material"

PREPARED BY:

Kristin	Division- Planning	Department- Community
Kantarze		Development

SOURCE OF ADDITIONAL INFORMATION:

Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator, 239-242-3255, mstruve@capecoral.net

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Backup Material	Backup Material



DEPARTMENT OF COMMUNITY DEVELOPMENT
SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

Case # SE16-0014

REQUEST TO BOARD OF ZONING ADJUSTMENT & APPEAL FOR A SPECIAL EXCEPTION

FEE: \$833.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising fees will be billed and must be paid prior to hearing.

Following the approval of your request, the applicant shall be responsible for paying the City to electronically record the final signed Resolution or Ordinance with the Lee County Clerk of Court. Until this fee is paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the city from issuing any applicable building permits, site plans, certificates of use, or certificates of occupancy for any property covered by the Resolution or Ordinance.

OWNER OF PROPERTY

Donald E Hinks

Email: dhinks676@AOL.com

Address: 2612 SANTA BARBARA BLVD Suite 1x2
City: CAPE CORAL State FL Zip 33914
Phone: 239-242-8733

APPLICANT (if different from Owner)

X Cory Noland

Email: CORY.NOLAND@YAHOO.COM

X Address: 3032 SANTA BARBARA BLVD
City: CAPE CORAL State FL Zip 33904
Phone: 239-340-6396

AUTHORIZED REPRESENTATIVE

SELF

Email: _____

Address: _____
City: _____ State _____ Zip _____
Phone: _____

Unit 45 Block 1842 Lot(s) 87-96 Subdivision _____

Address of Property _____

Plat Book _____ Page _____

Current Zoning C-1 Strap Number 354423C3018420870

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

NAME (PLEASE TYPE OR PRINT)

Cory Noland

West Coast Pool Supplies
CORPORATION/COMPANY NAME

APPLICANT'S SIGNATURE

(SIGNATURE MUST BE NOTARIZED)



DEPARTMENT OF COMMUNITY DEVELOPMENT
SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

Case # _____

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

STATE OF FL, COUNTY OF Lee

Sworn to (or affirmed) and subscribed before me this 13th day of Sept, 2016 by
Donald Hinks who is personally known or produced
as identification.

Exp. Date: 9/15/17 Commission Number: FE054116

Signature of Notary Public:

Printed name of Notary Public:

Brittany Scott
Brittany Scott



BRITTANY SCOTT
MY COMMISSION # FF 054116
EXPIRES: September 15, 2017
Bonded Thru Budget Notary Services



DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

Case # _____

ACKNOWLEDGEMENT FORM

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Planning & Zoning Commission/Local Planning Agency, Board of Zoning Adjustments and Appeals, and Council.

I will have the opportunity, at the hearing, to present verbal information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising costs. All fees are to be submitted to the City of Cape Coral with the application or the item may be pulled from the agenda and continued to future date after fees are paid.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the

16th

day of

SEPTEMBER

, 20

16

CORY NOLAND

PRINT APPLICANT'S NAME

[Signature]
APPLICANT'S SIGNATURE

STATE OF

FLORIDA

COUNTY OF

LEE

Subscribed and sworn to (or affirmed) before me this

Cory James Noland

who is personally known or produced

as identification.

16th

day of

Sept

, 2016

by FLORIDA DRIVER'S license

Exp. Date:

07-20-18

Commission Number:

FF/43494

Signature of Notary Public:

[Signature]

Printed name of Notary Public:

MYRCIE VILFRANCHE



Myrcie Vilfranche
State of Florida

My Commission Expires 07/20/2018
Commission No. FF 143494

WEST COAST POOL SUPPLIES

3032 Santa Barbara Blvd.
Cape Coral, FL. 33914
239-340-6396

We are interested in opening a pool supply store at the property located at 3032 Santa Barbara Blvd Unit 203 & 204. We are requesting to have a bleach tank installed behind this unit. We have spoken with our landlord and he has approved for our business to be located here and also having the tank installed. Without having the tanks to provide this product to our customers we will not be able to operate. We are going to have Brenntag install the tank and refill the tank as needed. Our sales rep contact info is provided below if you have any question regarding specs on the tank.

Thank you for the opportunity to have a successful business in Cape Coral.

Ken Moyer
Brenntag Mid-South, Inc.
1575 Sunshine Drive
Clearwater, FL 33765
727-461-6116
kmoyer@brenntag.com

Cory Noland
West Coast Pool Supplies
3032 Santa Barbara Blvd
Cape Coral, FL 33914
239-340-6396
Corynoland@yahoo.com

[Previous on List](#) [Next on List](#) [Return to List](#)[Fictitious Name Search](#)[Submit](#)

No Filing History

Fictitious Name Detail

Fictitious Name

WEST COAST POOL SUPPLIES

Filing Information

Registration Number G16000094231
Status ACTIVE
Filed Date 08/30/2016
Expiration Date 12/31/2021
Current Owners 4
County LEE
Total Pages 2
Events Filed NONE
FEI/EIN Number NONE

Mailing Address

3032 SANTA BARBARA BLVD.
SUITE 203
CAPE CORAL, FL 33914

Owner Information

NOLAND, ELIZABETH MARIE
1923 SW 50TH TER.
CAPE CORAL, FL 33914
FEI/EIN Number: NONE
Document Number: NONE

NOLAND, CORY JAMES
1923 SW 50TH TER.
CAPE CORAL, FL 33914
FEI/EIN Number: NONE
Document Number: NONE

D'AURIA, KELLY STILSON
2844 SW 26TH AVE.
CAPE CORAL, FL 33914
FEI/EIN Number: NONE
Document Number: NONE

D'AURIA, CHRISTOPHER THOMAS
2844 SW 26TH AVE.
CAPE CORAL, FL 33914
FEI/EIN Number: NONE
Document Number: NONE

Document Images

[08/30/2016 -- Fictitious Name Filing](#)

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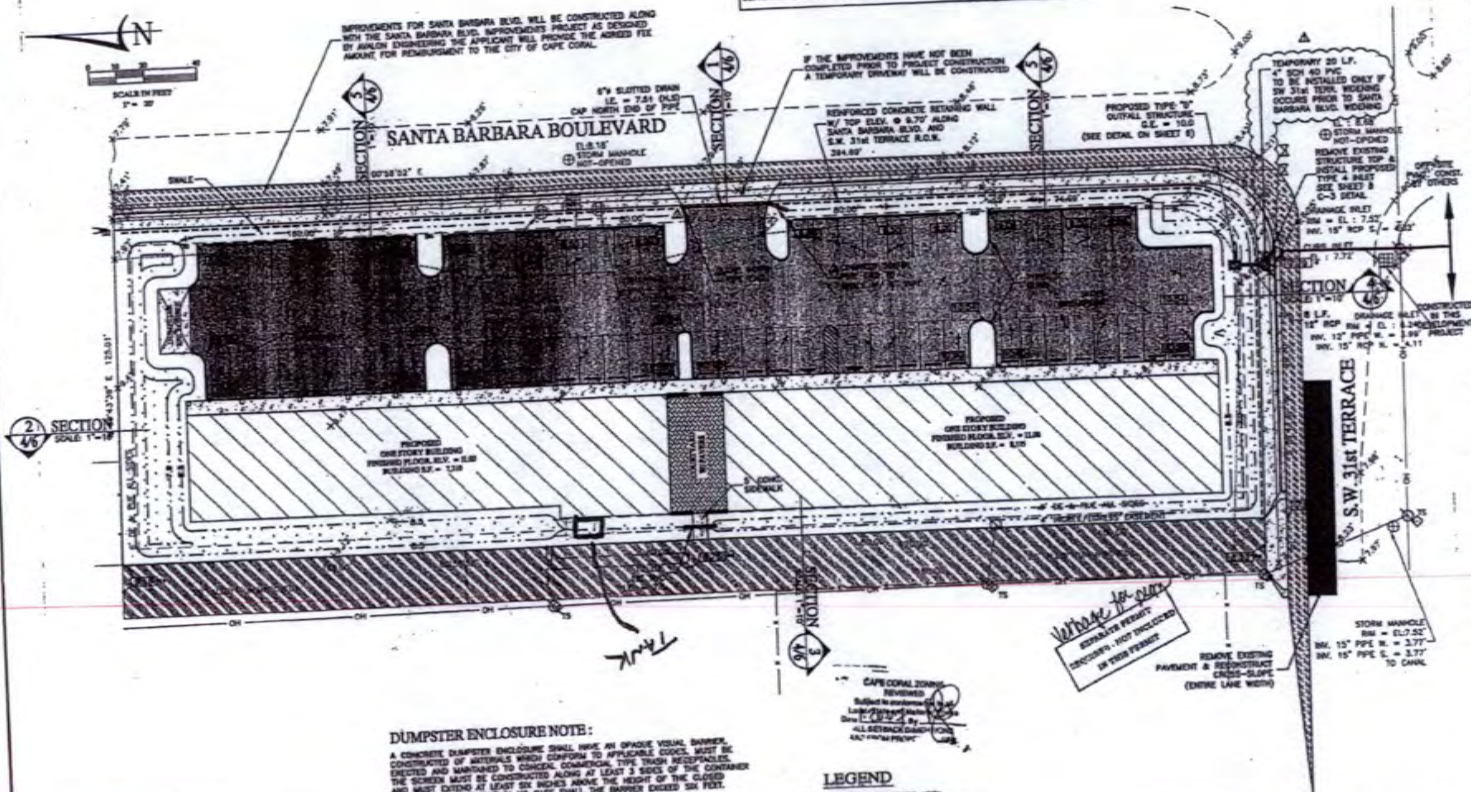
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No Filing History

NOTE:



DUMPSTER ENCLOSURE NOTE:

A CONCRETE DUMPSTER ENCLOSURE SHALL HAVE AN OPAQUE VISUAL BARRIER, CONSTRUCTED OF MATERIALS WHICH CONFORM TO APPLICABLE CODES, MUST BE ERECTED AND MAINTAINED TO CONCEAL COMMERCIAL TYPE TRASH RECEPTACLES. THE SCREEN MUST BE CONSTRUCTED ALONG AT LEAST 3 SIDES OF THE CONTAINER AND MUST EXTEND AT LEAST SIX INCHES ABOVE THE HEIGHT OF THE CLOSED DUMPSTER. THE BARRIER EXCEED SIX FEET.

AREA CALCULATIONS

[illegible]

-OFFSITE IMPERVIOUS	17,244 S.F.	0.40 ACRES
---------------------	-------------	------------

STORMWATER NOTE:

NOTE: SITE WILL BE REQUIRED TO ADHERE TO LAND USE REGULATION 5.2
E-RETENTION/DETENTION AREAS I.E. TREES AND SHRUBS MUST NOT INTERFERE
WITH THE VOLUME OF WATER STORAGE, TREES AND SHRUBS MUST NOT
INTERFERE WITH REQUIRED SIDE SLOPES, TREES AND SHRUBS MUST NOT
INTERFERE WITH OR IMPED THE FLOW OF RUNOFF, RETENTION/DETENTION AREAS
MUST BE STABILIZED WITH SOIL UNLESS AN ALTERNATIVE METHOD IS SPECIFIED,
PERMITTED PRIOR TO PLANS APPROVAL, NO ORGANIC WASTE WILL BE PERMITTED
IN OR ADJOINING RETENTION/DETENTION AREA.

CERTIFICATION

THE ENGINEER OF RECORD HEREBY CERTIFIES THAT HE IS FAMILIAR WITH THE PROPOSED FACILITIES AND HIS OPINION, IT CAN BE USED FOR CONSTRUCTION OF THE CONSTRUCTION SITE WITHOUT UNDO DANGER OF FLOODING FROM THE YEAR, 3 DAY PROPOSED FACILITIES. WITHOUT UNDUE DANGER OF FLOODING FROM THE YEAR, 3 DAY PROPOSED FACILITIES. WITHOUT UNDUE DANGER OF FLOODING FROM THE YEAR, 3 DAY PROPOSED FACILITIES. WITHOUT UNDUE DANGER OF FLOODING FROM THE YEAR, 3 DAY PROPOSED FACILITIES.

CITY OF CAPE CORAL
SHEET DESIGN

- * CITY OF CAPE CORAL PROJECT
08B43D-02004 DESIGN PLAN SET
FOR BLOCK 1842 INFRASTRUCTURE
DESIGN ON SHEET 2 OF 7
- ** CITY OF CAPE CORAL PROJECT
08B43D-02004 DESIGN PLAN SET
FOR BLOCK 1842 INFRASTRUCTURE
DESIGN ON SHEET 2 OF 5

PARKING CALCULATIONS

18 COMMERCIAL UNITS (UFA)	= 18,485
1 PARKING SPACE PER 250 SQ. FT.	= 82 SPACES
TOTAL SPACES REQUIRED	= 82 SPACES
HANDICAP SPACES REQUIRED	= 3
HANDICAP SPACES PROVIDED	= 4
TOTAL SPACE REQUIRED	= 82 SPACES
SPACES PROVIDED	= 86 SPACES

LEGEND

- | | |
|--|--------------------------------|
| | PROPOSED DETENTION AREA |
| | PROPOSED DRAINAGE PIPE & INLET |
| | PROPOSED DRAINAGE FLOW |
| | PROPOSED ELEVATION |
| | PROPOSED PAVEMENT |
| | PROPOSED CONCRETE |
| | PROPOSED OFFSITE PAVEMENT |

21. EXPANSION JOINTS ARE REQUIRED EVERY 100 FEET AND AROUND ALL ITEMS IN OR PASSING THROUGH THE SIDEWALK. SEE F.D.O.T. 900X 310 & 2004 F.D.O.T. SPEC. 522-5.

22. ALL WORK OR MATERIALS WHICH DO NOT CONFORM TO THE SPECIFICATION OF THE CITY OF CAPE CORAL, ENGINEERING DESIGN STANDARDIZATION OR FLORIDA DEPARTMENT OF TRANSPORTATION STANDARDS SPECIFICATION OR FLORIDA ROAD AND BRIDGE CONSTRUCTION OR ANY WORK PERFORMED WITHOUT AN INSPECTION BY A REPRESENTATIVE OF THE CITY OF CAPE CORAL, SITE DEVELOPMENT & REVIEW DIVISION IS SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S EXPENSE.

23. A SDR FINAL ENGINEERING INSPECTION IS REQUIRED AFTER ALL WORK IN THE RIGHT-OF-WAY IS COMPLETE. THIS WILL REQUIRE THAT ALL NIGHT-OF-WAY TEST REPORTS BE SUBMITTED AND APPROVED PRIOR TO THIS INSPECTION. FAILURE TO RECEIVE AN APPROVED FINAL COULD RESULT IN A DELAY WITH RECEIVING THE CERTIFICATE OF OCCUPANCY.
24. A CITY INSPECTION AND APPROVAL ARE REQUIRED PRIOR TO PLACEMENT OF CONCRETE AND/OR ASPHALT IN THE CITY'S RIGHT-OF-WAY.

GENERAL NOTES:

- [illegible]

**SOUTH SANTA BARBARA
PLAZA**

SECTION 35, TOWNSHIP 44S, RANGE 23E
LEE COUNTY, FLORIDA

GPD PLAN



SOURCE, INC.
 10000 LANTANA BLVD.
 FORT LAUDERDALE, FL 33304

JOB NO. 628-02-06	SHEET NO. 4
----------------------	----------------

DESIGN CRITERIA:BUILDING CODE: FLORIDA BLDG CODE 5TH EDITION (2014)SPECIAL INSPECTION REQUIREMENTS: NO
DESIGN WIND LOADING CRITERIA:

CODE: ASCE 7-10

RISK CATEGORY OF BUILDINGS AND OTHER STRUCTURES IV

ULTIMATE DESIGN WIND SPEED VALT = 180 MPH (3 SEC. GUST)

NOMINAL DESIGN WIND SPEED VASD = 140 MPH (3 SEC. GUST)

EXPOSURE C

WINDBORNE DEBRIS REGION - YES

GRAVITY DESIGN LOADS: SELF WEIGHT OF THE TANK

THE VOLUME OF THE CONTAINMENT TANK RELATIVE TO THE VOLUME OF THE STORAGE TANK, MEET THE REQUIREMENTS OF NFPA CHAPTER 60: PLEASE SEE TABLES 1 FOR MORE DETAILS (10% BIGGER THAN VOLUME OF THE STORAGE TANK). CALCULATION OF THE CONTAINMENT TANKS CAPACITY IS PERFORMED IN TABLES 2 THIS SHEET).

NOTE: ALL PROVIDED LOADS IN THIS PROJECT ARE WORKING LOADS

SPECIAL NOTES:

- PROPERTY OWNER IS RESPONSIBLE TO PROVIDE:
 - 6'-0" HIGH FENCE IS REQUIRED TO BE INSTALLED AROUND THE PERIMETER OF THE TANK ENCLOSURE.
- IF A CONCRETE OR ASPHALT PAD IS IN PLACE AND IN GOOD CONDITION, NEW PAD IS NOT NEEDED.
- IN CASE OF NEW CONCRETE POUR, THE FOLLOWING TO BE SATISFIED:
 - THE ASSUMED ALLOWABLE DESIGN SOIL/FOUNDATION CONTACT PRESSURE = 1500 PSF.
 - ALL FILL MATERIAL SHALL BE PLACED AND COMPACTED TO A CRITERIA NOT LESS THAN 98% OF MODIFIED PROCTOR MAXIMUM DRY DENSITY.
 - ALL POURED IN PLACE CONCRETE SHALL HAVE $f'_c = 3000$ PSI (MINIMUM 28 DAY ULTIMATE COMPRESSIVE STRENGTH)
- ALL PIPING, FLEXIBLE TUBING, VALVES AND ASSOCIATED FEEDINGS TO BE MIN. SCHEDULE 80 PVC, POLYETHYLENE OR POLYPROPYLENE.
- TIE DOWN CABLES CAN BE USED AS SPECIFIED ON DRAWING S1.
- RECOMMEND USING 40 MIL PVS SHEETING TO COVER PLYWOOD LAYERS UNDER STORAGE TANK.

TANKS ERECTION PROCEDURE:

- NEW CONSTRUCTION: ERECTION OF THE SECONDARY (CONTAINMENT) TANK AND ERECTION OF THE BLEACH TANK SHALL BE DONE AT THE SAME TIME. IT ALLOWS SECURING BOTH TANKS AT THE SAME TIME.
- REPLACEMENT OF THE EXISTING BLEACH TANK: TANK REPLACEMENT SHALL BE DONE AS ONE STEP PROCEDURE. IT MEANS THAT THE REMOVING OLD TANK AND ERECTION OF NEW TANK AND ITS SECURE TO BE DONE AT THE SAME TIME.

SPECIAL SAFETY REQUIREMENTS:

WHEN THE SODIUM HYPOCHLORITE (BLEACH) TRAILER IS UNLOADING INTO THE SODIUM HYPOCHLORIDE STORAGE TANK, THE FOLLOWING MUST BE SATISFIED:

- ENSURE THERE IS ENOUGH ROOM IN SELECTED SODIUM HYPOCHLORITE STORAGE TANK TO HOLD THE SODIUM HYPOCHLORITE FROM THE TANK TRAILER.
- CHOCK THE SODIUM HYPOCHLORITE TANK TRAILER AND ENSURE THAT THERE IS A TRACTOR UNDERNEATH THE TANK TRAILER OR THERE IS A TRAILER STAND UNDERNEATH THE TANK TRAILER.
- UTILIZE THE PROPER SAFETY EQUIPMENT TO UNLOAD THE TANK TRAILER. USE CLEAN, EMPTY 5 GALLON PAILS TO COLLECT ANY DRIPS. ALL LIQUID CHEMICAL MATERIALS TO BE RECYCLED.
- ATTACH HOSE AND PVC BLEED OFF TEE TO SODIUM HYPOCHLORITE TANK TRAILER UNLOADING VALVE AND CONNECT TO BOTTOM OF SODIUM HYPOCHLORITE UNLOADING VALVE.
- OPEN BOTTOM SODIUM HYPOCHLORITE (BLEACH) UNLOADING VALVE AND OTHER NECESSARY VALVES TO ALLOW MATERIAL TO FLOW INTO SELECTED STORAGE TANK.
- ATTACH AIR HOSE TO TANK TRAILER AIR LINE. OPEN NECESSARY VALVES TO ALLOW AIR TO PRESSURE THE TANK TRAILER TO MAXIMUM 15 PSI.
- WARNING NOTE: IF ANY LEAKS ARE FOUND, SHUT OFF THE AIR, BLEED DOWN THE AIR OFF THE TANK TRAILER, SHUT OFF ALL VALVES AND CORRECT LEAK.
- MONITOR THE UNLOADING PROCESS.
- WHEN THE TANK TRAILER HAS FINISHED UNLOADING, SHUT OFF SODIUM HYPOCHLORITE
 - TANK TRAILER UNLOADING VALVE AND ALL OTHER SODIUM HYPOCHLORITE VALVES. RECORD THE TANK LEVELS.
- SHUT OFF AIR VALVE AND BLEED DOWN THE AIR OFF OF THE TANK TRAILER. REMOVE AIR HOSE FROM TANK TRAILER. ENSURE ALL VALVES ARE CLOSED ON TANK TRAILER.
- PLACE A FIVE GALLON BUCKET UNDERNEATH THE SODIUM HYPOCHLORITE TANK TRAILER UNLOADING VALVE AND OPEN THE PVC BLEED OFF TEE VALVE TO RELIEVE PRESSURE OFF OF THE HOSE.
- CAREFULLY DISCONNECT THE HOSE FROM THE SODIUM HYPOCHLORITE TANK TRAILER UNLOADING VALVE AND ALLOW MATERIAL LEFT INTO HOSE TO FLOW INTO THE FIVE GALLON BUCKET. RECYCLE ALL RECOVERED MATERIALS
- DISCONNECT THE HOSE FROM THE BOTTOM SODIUM HYPOCHLORITE UNLOADING VALVE AND SECURE IN HOSE RACK. REMOVE AND SECURE CHOCKS PRIOR TO DEPARTURE.

(THE REQUIREMENTS DESCRIBED ABOVE ARE THE PROPERTY/BUSINESS OWNERS RESPONSIBILITIES.)

TABLE 2

CONTAINMENT TANK CAPACITY CALCULATIONS:

NRV = $(V_t + (N \cdot R \cdot V / 1728) \cdot 7.48) \leq (1.1 \cdot V_t \text{ or GRV})$	
WHERE:	
NRV =	STORAGE TANK VOLUME + BLOCK VOLUME
GRV = 227	GROSS RETAINMENT VOLUME
N=15	NUMBER OF BLOCKS PER ROW
R=5	NUMBER OF ROWS
V=432.24	VOLUME OF 1 BLOCK, $\Delta 3$ IN
CONVERSION FACTOR: 7.48 GAL=1FT ³	
Vt=2000	STORAGE TANK VOLUME
NRV =	$2000 + ((15 \cdot 5 \cdot 432.24) / 1728) \cdot 7.48 = 2141 <$ $(1.1 \cdot 2000 \text{ or } 2275) - \text{SATISFIED NFPA, CHAPTER 60}$

TABLE 1

STORAGE TANK				CONTAINMENT TANK				FOUNDATION DIMENSIONS			
VOLUME	O.D.	(H1)-HEIGHT	"A" & "B"	VOLUME	TOP	BOTTOM	(H2)-HEIGHT	"C"	"D"	"C1"	"D1"
GAL.	IN.	IN.	IN.	GAL.	DIM.	DIM.	IN.	IN.	IN.	IN.	IN.
2000	84"	144"	64"	2275	96"x96"	86"x86"	68"	140"	140"	160"	160"

BRENNTAG
50 S. BELCHER RD., SUITE 114
CLEARWATER FL 33765
www.brenntag.com

RDI
STRUCTURAL ENGINEERING, INC.
CA 29982 Phone: 727-388-1344
Email: jane@rdistructural.com
1135 Pasadena Ave. S. Suite 100,
South Pasadena, FL 33707

E.O.R. Seal:
Yevgeniya Fagerquist,
P.E. 59089

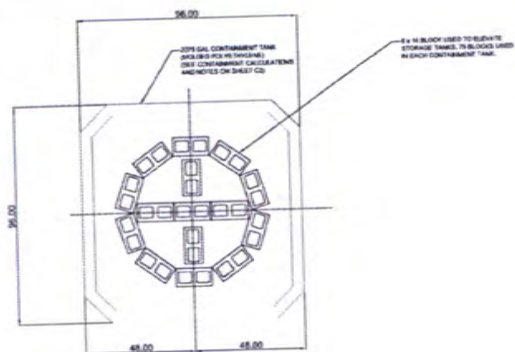
TANK SIZE: 2000 GAL
INSTALLATION DETAILS
WEST COAST POOL
SUPPLIES, LLC
SITE INSTALLATION ADDRESS:
3032 SANTA BARBARA BLVD.
SUITE 203
CAPRE CORAL, FL 33914

100% CONSTRUCTION
DOCUMENT

DATE: 10-4-2016
DRAWN BY: SV
CHECKED BY: JF
RDI JOB Nr.: 16068
SCALE:

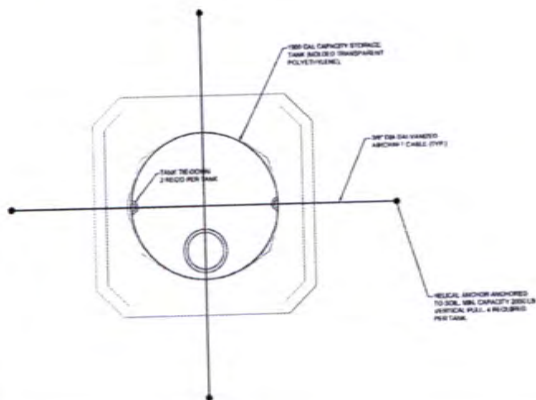
SHEET NUMBER

SN1



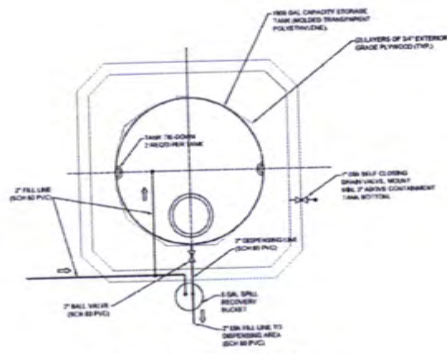
STORAGE AREA PLAN (EL. = +3')

SCALE: 1/2" = 1'



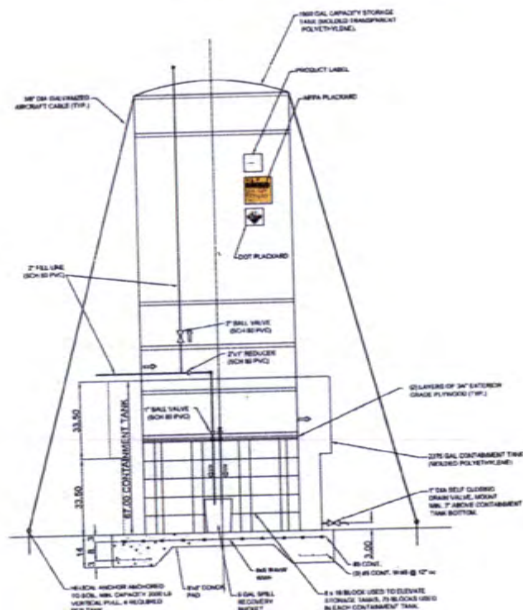
STORAGE AREA PLAN (EL. = +16')

SCALE: 1/2" = 1'



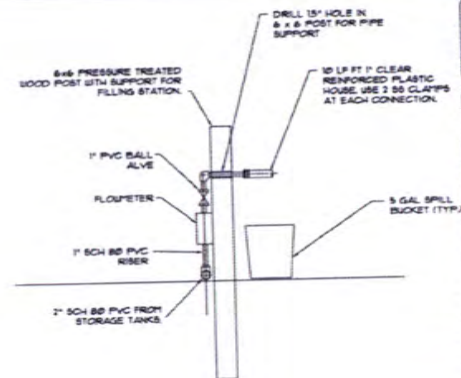
STORAGE AREA PIPING PLAN

SCALE: 1/2" = 1'



STORAGE AREA ELEVATION

SCALE: 1/2" = 1'



FILL STATION DETAIL

NOT TO SCALE

LAST REVISION: 12/05/18
LAST PLOTTED: 12/05/18
DRAWING SCALE: NOTED
PLOT SCALE: 1=1

CLIENT
Brenting MS-South, Inc.
50 South Bulcher Road, Ste 114
Clearwater, FL 33765



SCALE	DESCRIPTION
1/2" = 1'	USE TO LAYOUT TANK

REV.	DATE	SCALE	NOTED
1	11/24/2018		

PACSCON | Poole & Associates
Consulting Solutions, Inc.
P.O. Box 1874
Land O Lakes, Florida 34639

TANK LAYOUT AND DETAILS
935 SE 11 AVE
CAPE CORAL, FL 33990

WEST COAST POOL SUPPLIES, CAPE CORAL, FL

DESIGN CRITERIA:

BUILDING CODE: FLORIDA BLDG CODE, 5TH EDITION (2014 REVISION)
 SPECIAL INSPECTION REQUIREMENTS: NO
 DESIGN WIND LOADING CRITERIA:
 CODE: ASCE 7-10
 RISK CATEGORY OF BUILDINGS AND OTHER STRUCTURES IV
 ULTIMATE DESIGN WIND SPEED V_{ULT} = 180 MPH (3 SEC. GUST)
 NOMINAL DESIGN WIND SPEED V_{ASD} = 139 MPH (3 SEC. GUST)
 EXPOSURE C
 WINDBORNE DEBRIS REGION - YES
 GRAVITY DESIGN LOADS: SELF WEIGHT OF THE TANK
 NOTE: ALL PROVIDED LOADS IN THIS PROJECT ARE WORKING LOADS

SCOPE OF WORK:**PROVIDE NEW CONSTRUCTION:**

1. ERECTION OF ONE (1) SECONDARY CONTAINMENT TANK.
2. ERECTION OF ONE (1) 1900 GAL STORAGE TANK.
3. INSTALLATION OF WIND ANCHORING SYSTEM FOR THE STORAGE TANK.
4. INSTALLATION OF ONE (1) FILLING STATION, INCLUDING PIPING, PIPING APPURTENANCES AND PIPE SUPPORT POST.

NOTES:

1. ALL MATERIALS OF CONSTRUCTION FOR TANK, CONTAINMENT, HOSES AND SPILL PROTECTION SHALL BE MADE OF POLYETHYLENE AND OR POLYPROPYLENE MATERIALS COMPATIBLE FOR USE WITH SODIUM HYPOCHLORITE.
2. PRIMARY PRODUCT STORAGE TANKS TO BE CONSTRUCTED OF TRANSLUCENT MATERIAL, SO LIQUID LEVELS CAN BE MONITORED AT ALL TIMES.
3. ALL ASSOCIATED PIPING, VALVES, AND NOZZLES SHALL BE SCHEDULE 80 PVC MATERIAL.
4. SPILLDRIP COLLECTION BUCKETS MUST BE LOCATED AT TANK FILL LINE AND DISCHARGE MANIFOLD, USED AT ALL TIMES DURING WORK AND MAINTAINED AS NECESSARY TO CAPTURE AND PREVENT ALL PRODUCT LOSS.
5. THE VOLUME OF THE CONTAINMENT TANK RELATIVE TO THE VOLUME OF THE STORAGE TANK, MEETS THE REQUIREMENTS OF NFPA CHAPTER 60: PLEASE SEE TABLES FOR MORE DETAILS (30% LARGER THAN VOLUME OF THE STORAGE TANK).
6. ALL SECURITY FENCING IS THE RESPONSIBILITY OF THE PROPERTY OWNER. PROPERTY OWNER MUST FOLLOW ALL LOCAL, STATE AND FEDERAL REGULATIONS REGARDING SECURITY FENCING.
7. DESIGN SOIL FOUNDATION CONTACT PRESSURE IS MINIMUM 1500 PSF.
8. ALL FILL MATERIAL SHALL BE PLACED AND COMPACTED TO A CRITERIA NOT LESS THAN 98% OF MODIFIED PROCTOR MAXIMUM DRY DENSITY.
9. ALL POURED IN PLACE CONCRETE SHALL HAVE FC = 3000 PSI (MINIMUM 28 DAY ULTIMATE COMPRESSIVE STRENGTH).
10. TANK TIE DOWN CABLES SHALL BE AS SPECIFIED ON SHEET 5.1.

SPECIAL SAFETY REQUIREMENTS:

WHEN THE SODIUM HYPOCHLORITE (BLEACH) TRAILER IS UNLOADING INTO THE SODIUM HYPOCHLORITE STORAGE TANK, THE FOLLOWING MUST BE SATISFIED:

1. ENSURE THERE IS ENOUGH ROOM IN SELECTED SODIUM HYPOCHLORITE STORAGE TANK TO HOLD THE SODIUM HYPOCHLORITE FROM THE TANK TRAILER.
2. CHECK THE SODIUM HYPOCHLORITE TANK TRAILER AND ENSURE THAT THERE IS A TRACTOR UNDERNEATH THE TANK TRAILER OR THERE IS A TRAILER STAND UNDERNEATH THE TANK TRAILER.
3. UTILIZE THE PROPER EQUIPMENT TO UNLOAD THE TANK TRAILER USE CLEAN, EMPTY 5 GALLON SPILL RECOVERY BUCKET TO COLLECT ANY DRIPS. ALL LIQUID CHEMICAL MATERIALS TO BE RECYCLED.
4. ATTACH HOSE AND PVC BLEED OFF TEE TO SODIUM HYPOCHLORITE TANK TRAILER UNLOADING VALVE AND CONNECT TO BOTTOM OF SODIUM HYPOCHLORITE UNLOADING VALVE.
5. OPEN BOTTOM SODIUM HYPOCHLORITE (BLEACH) UNLOADING VALVE AND OTHER NECESSARY VALVES TO ALLOW MATERIAL TO FLOW INTO SELECTED STORAGE TANK.
6. ATTACH AIR HOSE TO TANK TRAILER AIR LINE. OPEN NECESSARY VALVES TO ALLOW AIR TO PRESSURE THE TANK TRAILER TO MAXIMUM 15 PSI.
7. SHUT OFF AIR VALVE AND BLEED DOWN THE AIR OFF THE TANK TRAILER. REMOVE AIR HOSE FROM TANK TRAILER. ENSURE ALL VALVES ARE CLOSED ON TANK TRAILER.
8. PLACE A FIVE GALLON SPILL RECOVERY BUCKET UNDERNEATH THE SODIUM HYPOCHLORITE TANK TRAILER UNLOADING VALVE AND OPEN THE PVC BLEED OFF TEE VALVE TO RELIEVE PRESSURE OFF OF THE HOSE.
9. CAREFULLY DISCONNECT THE HOSE FROM THE SODIUM HYPOCHLORITE TANK TRAILER UNLOADING VALVE AND ALLOW MATERIAL LEFT INTO HOSE TO FLOW INTO THE FIVE GALLON SPILL RECOVERY BUCKET. RECYCLE ALL RECOVERED MATERIALS.
10. DISCONNECT THE HOSE FROM THE BOTTOM SODIUM HYPOCHLORITE UNLOADING VALVE AND SECURE IN HOSE RACK. REMOVE AND SECURE CHECKS PRIOR TO DEPARTURE.

CAPACITIES**STORAGE TANK**

VOLUME = 1900 GAL
 DIAMETER = 64 INCHES
 HEIGHT = 136 INCHES

CONTAINMENT TANK

VOLUME = 2275 GAL
 TOP DIMENSION = 96 INCHES x 96 INCHES
 BTM DIMENSION = 86 INCHES x 86 INCHES
 HEIGHT = 67 INCHES

CONTAINMENT TANK MEETS REQUIREMENTS OF NFPA 60

CONTAINMENT TANK CAPACITY IS 2275 GALLONS

STORAGE TANK CAPACITY IS 1900 GALLONS

75 BLOCKS REQUIRED FOR TANK SUPPORT

EACH BLOCK DISPLACES 1.87 GALLONS

[75 BLOCKS] x [1.87 GAL/BLOCK] = 140.25 GALLONS DISPLACED BY BLOCKS

NET CONTAINMENT CAPACITY = 2275 GAL - 140.25 GAL = 2134.75 GALLONS

$(2134.75 / 1000) \times 100\% = 113.38\% > 110\%$

CLIENT

Brenntag Mid-South, Inc.
 50 South Belcher Road, Ste 114
 Clearwater, FL 33765



PROJECT No. 17-0001-01
 SHEET 1 of 1

MISCELLANEOUS NOTES

935 SE 11 AVE
 CAPE CORAL, FL 33990

PACSCON | Poole & Associates
 Consulting Solutions, Inc.
 P.O. Box 1874
 Lees O'Leary, Florida 34339

SCALE: VERIFICATION
 1" = 10' (VERTICAL)
 1" = 10' (HORIZONTAL)
 USE IN VERT. PLANS

REV.	DATE	DESCRIPTION

SCALE: NOTED	DATE: 11/24/2018
CAD FILE: 1611101	DATE: 11/24/2018
DRAWN BY: A.A.	CHECKED BY:
APPROVED BY:	DATE:

Planning Division Case Report

SE 16-0014

Review Date: January 24, 2017

Property Owner: Donald E. Hinks
Owner Address: 2612 Santa Barbara Boulevard, Suite 1 and 2
Cape Coral, FL 33914

Applicant: Cory Noland

Request: The applicant is requesting a Special Exception to allow a swimming pool supply store to have a liquid chemical storage tank in the Pedestrian Commercial (C-1) District.

Location: 3032/3108 Santa Barbara Boulevard
Cape Coral Subdivision, Unit 45, Part 1, Block 1842, Lots 87 thru 96 plus the eastern half of a vacated alley right-of-way as described by Instrument Number 2011000061582.
Strap number: 35-44-23-C3-01842.0870

Prepared By: Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator

Reviewed By: Robert H. Pederson, AICP, Planning Manager

Recommendation: Approval with conditions

Urban Service Area: Infill

Site Visit: December 7, 2016

Right of Way Access: The site has access to Santa Barbara Boulevard, a Major Arterial Street.

Property Description:

The 1.26-acre site is occupied by a 15,485 sq. ft. shopping center. The applicant operates West Coast Pool Supplies that is classified as a Swimming Pool Supply Store in Units 203 and 204 that have a collective area of 1,466 sq. ft. The applicant requests a Special Exception for a liquid chemical storage tank in conjunction with the pool supply use.

Swimming pool supply stores are a permitted use in the C-1 District. However, a swimming pool supply store with a liquid chemical tank requires a Special Exception. This tank will store a sodium hypochlorite solution that is considered corrosive. This liquid is frequently referred to as bleach or liquid bleach, and is similar to chlorine in chemical composition. The tank will be to the rear of the building on the west side. The tank has a capacity of 1,900 gallons and will be in an elevated containment basin. The footprint of the tank and the containment basin will be 8 ft. by 8 ft. and will have a height of 13 feet.

The containment basin will have a capacity of 2,275 gallons and will trap bleach that might inadvertently leak or is spilled from the tank.

A hose or line from the tank to inside the building will deliver bleach on demand to staff inside the store. The chemical solution will be sold to people for maintaining their pools.

Zoning History of the Site

Ordinance 61-90 rezoned Lots 91-96 in Block 1842 from Multi-Family (R-3) to Professional Office (P-1).

Ordinance 69-06 approved a project entitled "South Santa Barbara Place." This Ordinance approved 16,195 sq. ft. of commercial uses in a multi-tenant building. This Planned Development Project (PDP) also approved:

- A rezone of Lots 87-90 from R-3 to the P-1 District.
- Special Exception Uses for Personal Services, Groups I, II, and III; Restaurants, Groups I and II; and Specialty Retail, Groups I and II.
- A deviation for rear setback relief from the west property line.

Ordinance 1-11 amended Ordinance 69-06 by approving the following:

- An expansion of the project to include Lots 1-6 with part of a vacated alley in Block 1842.
- A rezone of Lots 1-6 and 87-96 from P-1 to C-1.
- The vacation of an alley right-of-way between Lots 1-6 and Lots 91-96 in Block 1842.
- A deviation from Sheet E-1 of the Engineering and Design Standards to allow two parking lots lacking internal circulation.

Analysis:

The Planning Division has reviewed this application based on the City Land Use and Development Regulations (LUDR), Section 2.7.7, the C-1 Zoning District, and the five (5) standards outlined within Section 8.8.5a-e which covers Special Exceptions, and offer the following analysis for consideration:

1. Generally

The C-1 Zoning of this site is consistent with the Commercial/Professional Future Land Use. Swimming pool supply stores (with liquid chemical tanks) are allowed by Special Exception within the C-1 District. The City does not have special regulations that govern this particular use for the C-1 District.

2. Compatibility

Surrounding future land use, zoning, and existing uses of the subject property and adjacent parcels is shown in Table 2.

Table 2. Zoning Classifications, Future Land Use Designations and Existing Uses of the Site and Surrounding Parcels.

	Zoning	Future Land Use (FLU)	Existing Use
Site	Pedestrian Commercial (C-1)	Commercial/Professional	Shopping center
	Surrounding Zoning	Surrounding FLU	Surrounding Existing Uses
North:	Marketplace-Residential (MR)	Commercial Activity Center	Duplexes
South:	SW 31 st Terrace ROW/P-1 and Single Family Residential (R-1B)	SW 31 st Terrace/ Commercial/Professional and Single Family	Single family home, vacant site
East:	Santa Barbara Boulevard ROW/MR	Santa Barbara Boulevard ROW/Commercial Activity Center	Duplex, multi-family building, vacant Sites
West:	C-1 and MR	Commercial/Professional and Commercial Activity Center	Duplexes, vacant site

The shopping center is surrounded by properties with commercial or mixed-use zoning to the north, east, and west. Properties with R-1B Zoning exist to the south, but will be about 250 feet from this tank.

A vacant commercial property is directly west of where the tank will be placed. Three duplexes on the west side of Block 1842 will be within 100 feet of the tank. Trees behind the building will provide buffering of this use north and south of the tank.

The tank will be to the rear of the building. This structure will be next to the wall of the building to avoid an easement at the rear of this site. The rear of the building has electric panels mounted on the wall. Other utility-related structures are present on the ground.

According to the applicant, the tank will be refilled a maximum of twice a week based on customer demand. As a result, deliveries to the site will be infrequent.

Beyond occasional deliveries to refill the tank, the use will not produce any noise. Since the tank is enclosed, odor will not be noticeable to the public. The tank will be in a containment basin for capturing bleach should a spill or leak occur.

The tank will be at the rear of the building and will likely not be visible from the north, east, or south. Existing trees at the rear of the shopping center and a fence required by staff for improving security of this structure will provide some screening of the tank from to the west. The height of this tank makes screening of this structure impractical. This use will produce no noise or odor, and will generate a small number of trips. Based on these factors, staff finds that this use will be compatible with the surrounding area.

3. *Minimum Lot Frontage; Access*

The site has about 410 feet of frontage along Santa Barbara Boulevard and has a single driveway. The site also has about 135 feet of frontage along SW 31st Terrace. The tank will be accessible from a vacated alley north of SW 31st Street. This vacated alley is paved and will provide access to the tank as this land is owned by the owner of the shopping center. Based on the proposed location of the tank, access to the rear of this site for servicing the tank will be sufficient.

4. *Building Location; Setbacks*

The shopping center building is compliant with the established setbacks for the C-1 Zoning District. Building setbacks are typically not administered for structures such as tanks unless specifically addressed in the LUDR. However, Florida Building Code and the National Fire Protection Association (NFPA) may have setback requirements for this structure. Public utility and drainage easements are behind the shopping center and the tank will need to be placed outside this easement.

5. *Screening and Buffering*

Landscaping is present around the periphery of the site. It is likely, however, that this landscaping does not meet current code as the site was developed in 2007 prior to the City significantly strengthening these requirements in 2009. This project will not require the site to be brought into compliance with the current landscaping code.

The placement of the tank at the rear of the building between existing trees should screen this structure from three directions – the north, east, and south. The tank will be visible to several residents living to the west of this site. A fence around the tank will be required for security purposes, however, this fence will likely be ineffective in completely screening this tank because of the height of this structure. The rear wall of the building has a pale yellow color and the white opaque exterior of the tank should reduce the conspicuousness of the tank against this background. Discussions with Fire Review Staff indicate that a fire wall may be required along the western side of this tank.

Consistency with the Comprehensive Plan:

This request is consistent with Policies 1.15.c and 8.3 of the Future Land Use Element provided below.

Policy 1.15.c.

"Intensities of use in the Commercial/Professional land use classification shall not exceed a floor to lot area ratio (FAR) of 1.0. Density, as permitted within the Flexible Development Overlay District (see below), shall not exceed 16 units per acres. (Note: Zoning districts compatible with this classification may also be used in conjunction with the Mixed Use (MX) future land use classification. When used in conjunction with the MX Classification, densities, intensities and other parameters, as described for those

districts may differ from those described for the CP Classification.) Permitted uses will ultimately depend upon the zoning district of the subject parcel. Generally, there zoning districts are found in the Commercial/Professional future land use classification. However, the City may develop additional zoning districts, compatible with the CP future land use classification in the future. ... The Pedestrian Commercial (C-1) District is designed to facilitate a broad variety of large or small commercial uses. Uses allowed in the C-1 District range from a variety of small or neighborhood-based commercial uses to large retail or service uses, which may serve a relatively large trade area and, which may be developed as major shopping facilities. As many commercial uses have the potential to generated relatively high levels of vehicular trips from customers and sometimes delivery vehicles, preferred locations for the C-1 District have direct access onto arterial or collector roads and adequate depth (a minimum of 250 feet) for larger-scale development..."

Staff comment: C-1 Zoning is consistent with the Commercial/Professional Future Land Use Classification. The site supports a shopping center that includes swimming pool supply store in this building. The property has frontage on Santa Barbara Boulevard, a Major Arterial, which will facilitate commercial deliveries to the swimming pool supply store for refilling the tank.

Policy 8.3

"Commercial developments shall be designed to minimize negative impacts on surrounding residential uses and the land development regulations shall provide for adequate buffering between commercial and residential uses. The design should ensure adequate screening of unsightly views of commercial development (such as loading docks, rooftop equipment, service entrances, trash containers, parking areas and exterior storage) through the extensive uses of landscaping, berms, fencing, concealment, architectural features, open space, setbacks, and/or building orientation. Ensure that the placement of any noise generating activities such as ingress/egress, parking, deliveries, air conditioning equipment and dumpster collections are designed to minimize any adverse noise effects. Traffic and parking should not adversely affect neighborhood quality. Noise, safety and overall maintenance of commercial properties should be carefully monitored."

Staff comment: Impacts associated with the tank will be minimized by placing this structure at the rear of the building. Existing landscaping at the rear of the shopping center will buffer this use from the north and south. A fence around the tank, along with the light color of the tank will reduce the conspicuousness of this structure from residents to the west. This use is not anticipated to produce detectable odors or noise.

Recommendation:

This request is consistent with the Comprehensive Plan and the five standard for evaluating Special Exceptions. Staff recommends **approval** of this use with the following conditions.

1. An opaque fence with a minimum height of six feet shall be installed around the tank. The rear wall of the shopping center may serve as the fence on the east side of the tank. This fence shall be locked for security purposes except for those times that involve the refilling and maintenance of the tank.

2. In the event a fire wall is required by NFPA regulations, this fire wall may serve as a substitution for the fence on the west side of this structure required in Condition #1 above.
3. The liquid chemical tank shall be placed at all times within the containment basin.
4. The owner of the business shall place and have available absorbent pads or other similar absorbent material adjacent to the tank for the cleaning up of spills which may occur during the delivery of the sodium hypochlorite and the refilling of the tank.
5. A Site Development Plan (SDP) and building permit approval are required. A detailed review of the installation of the tank will be conducted at the time of SDP and building permit review.
6. Prior to issuance of a building permit for the installation of the tank, the Developer shall provide to the City a spill containment plan that shall address the following items:
 - a. Indicates how the product will be delivered to the facility;
 - b. Identifies the dimensions and volume of the storage and the containment tanks;
 - c. Identifies the method of dispensing of the sodium hypochlorite solution for retail sale and any container requirements;
 - d. Identifies measures that will be used to contain spillage so sodium hypochlorite does not enter the ground water or the City's drainage system;
 - e. Identifies materials for containing sodium hypochlorite solution that is spilled outside the containment facilities during either the filling of the tank or the dispensing for retail sale;
 - f. Identifies any personal safety equipment required to be worn during spill abatement;
 - g. Identifies the storage location of the materials used for spill containment and any personal safety equipment required during cleanup;
 - h. Identifies the method of removing and disposing of any sodium hypochlorite solution within the storage tank containment facilities; and
 - i. Provides qualifications and training requirements for the personnel authorized to dispense the sodium hypochlorite solution for retail sale.

Staff Contact Information

Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator
Planning Division
PH: 239-242-3255/Email: mstruve@capecoral.net

NOTICE OF PUBLIC HEARING

CASE NUMBER: SE16-0014

REQUEST: The applicant is requesting a Special Exception to allow a swimming pool supply store to have a liquid chemical storage tank in the Pedestrian Commercial (C-1) District.

LOCATION: 3032/3108 Santa Barbara Boulevard

CAPE CORAL STAFF CONTACT: Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator, 239-242-3255, mstruve@capecoral.net

PROPERTY OWNER(S): Donald E. Hinks

APPLICANT: Cory Noland

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 AM on Tuesday, February 21, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

by order of
Rebecca van Deutekom, MMC
City Clerk
REF # SE16-0014

LEGAL AD - DCD

PUBLISH AD: Saturday, February 11

Department of Community Development
Post Office Box 150027 • Cape Coral, Florida 33915-0027
1015 Cultural Park Blvd. • Cape Coral, Florida 33990
Email: planningquestions@capecoral.net








CITY OF CAPE CORAL

Department of
Community Development
Planning Division

CURRENT ZONING MAP 500 Proximity Boundary

Case No. SE16-0014
Lots: 87-96

Legend

-  Subject Parcel
-  500 ft Boundary
-  C-1
-  MR
-  P-1
-  R-1B
-  R-3



FEBRUARY 1, 2017

0 80 160 240 320 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

SRB

Subject Parcels

500' Proximity Boundary

SW 1ST AVE

SW 30TH TER

SW 31ST ST

SW 31ST TER

BARKENTINE CANAL

GLEASON PKWY

SANTA BARBARA BLVD

SW SANTA BARBARA PL

SE SANTA BARBARA PL

SE 30TH TER

SE 1ST AVE

SE 30TH ST

SE 31ST ST

SE 31ST TER

WAYNE CANAL

SE 32ND ST

SW 1ST PL

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Cory Noland

APPLICATION NO: SE16-0014

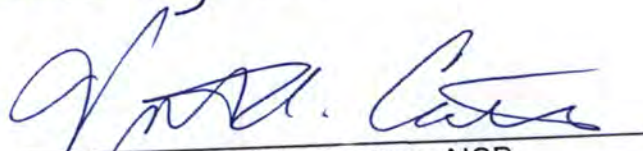
STATE OF FLORIDA)
) §
COUNTY OF LEE)

I, Vincent A. Cautero, AICP having first been duly sworn according to law, state on my oath the following:

That I am the Director of the Department of Community Development and responsible in performing duties as required for the City of Cape Coral.

That pursuant to City of Cape Coral code. Section 8.3.2A and Section 8.11.3.A all required written notice and publication has been provided. Also posting of a sign has been done when applicable per Section 8.3.2A.

DATED this 13 day of February, 2017.

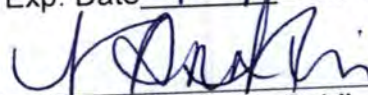


Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 13 day of February, 2017,
by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 11/30/17 Commission # FF060852



Signature of Notary Public

Michelle Miller

Print Name of Notary Public






CITY OF CAPE CORAL

Department of
Community Development

Case # SE16-0014

 Subject Parcel



Map Date: February 6, 2017
Aerial Date: 2016

0 100 200
Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.