



ORD. 85-23 - RZN23-000003
CAPE CORAL CITY COUNCIL
INTRO: OCTOBER 18, 2023
HEARING: NOVEMBER 1, 2023

ORD85-23 - RZN23-000003

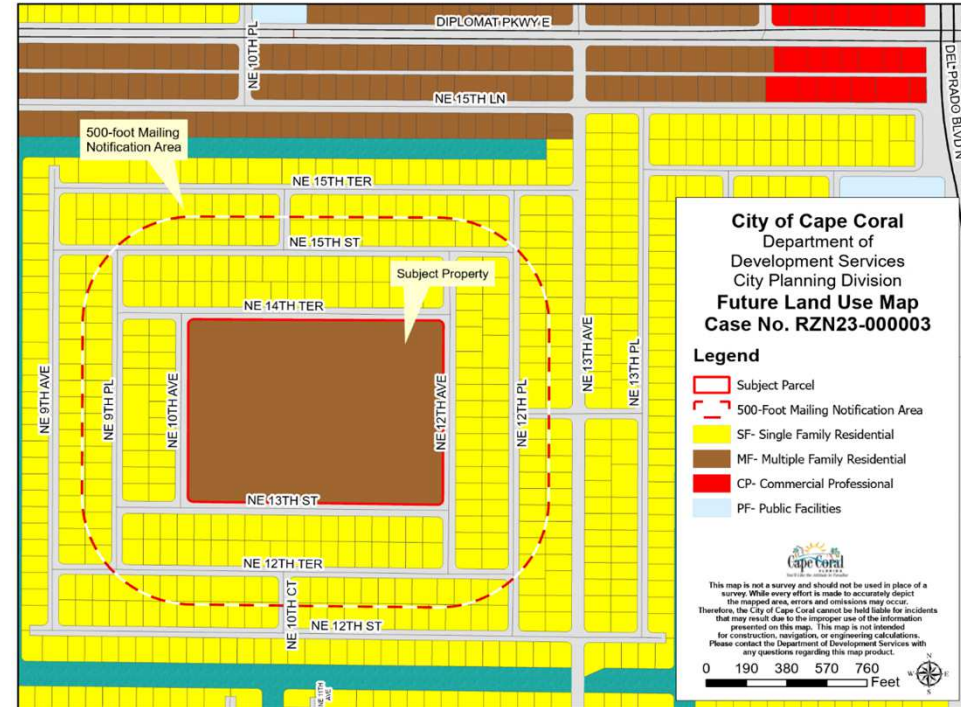
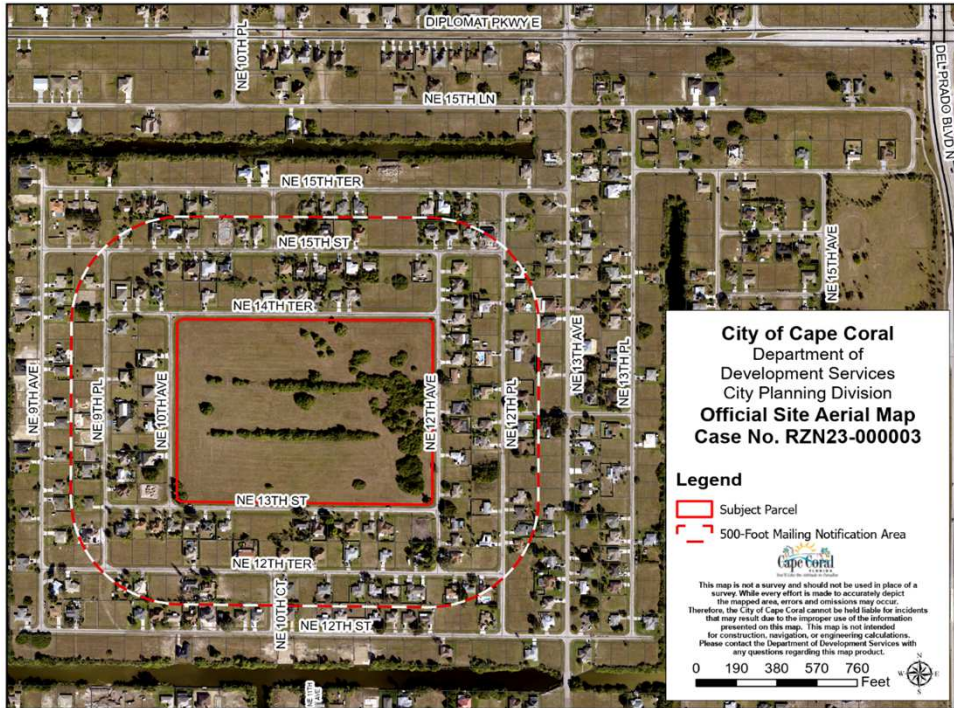
- i. Applicant: Duplexes Resort Park LLC
- ii. Property Owner: Duplexes Resort Park LLC

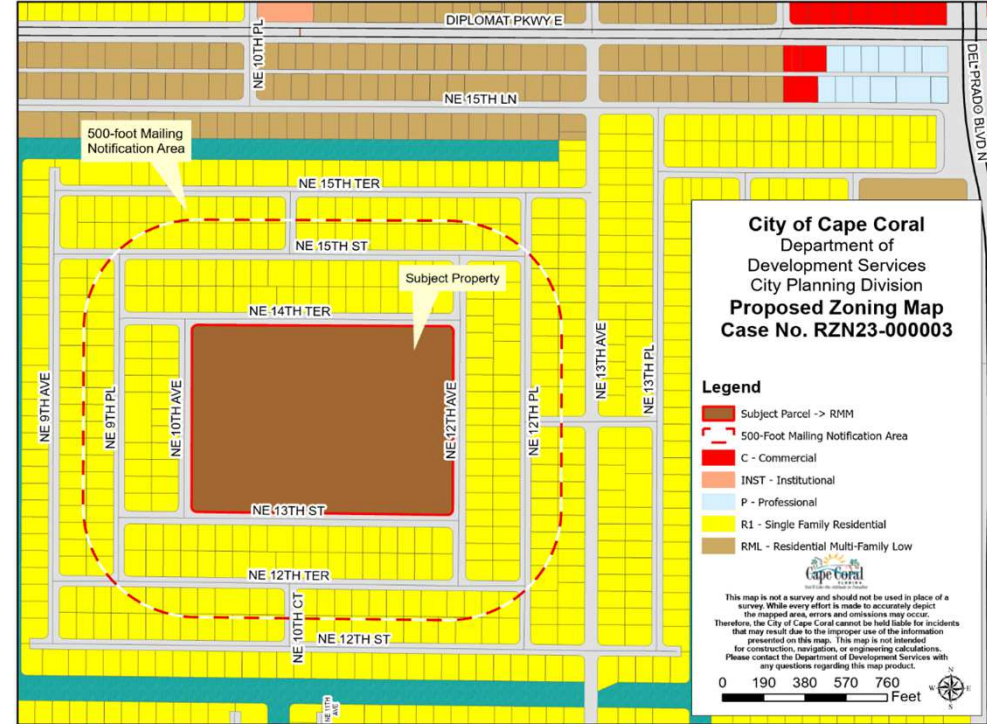
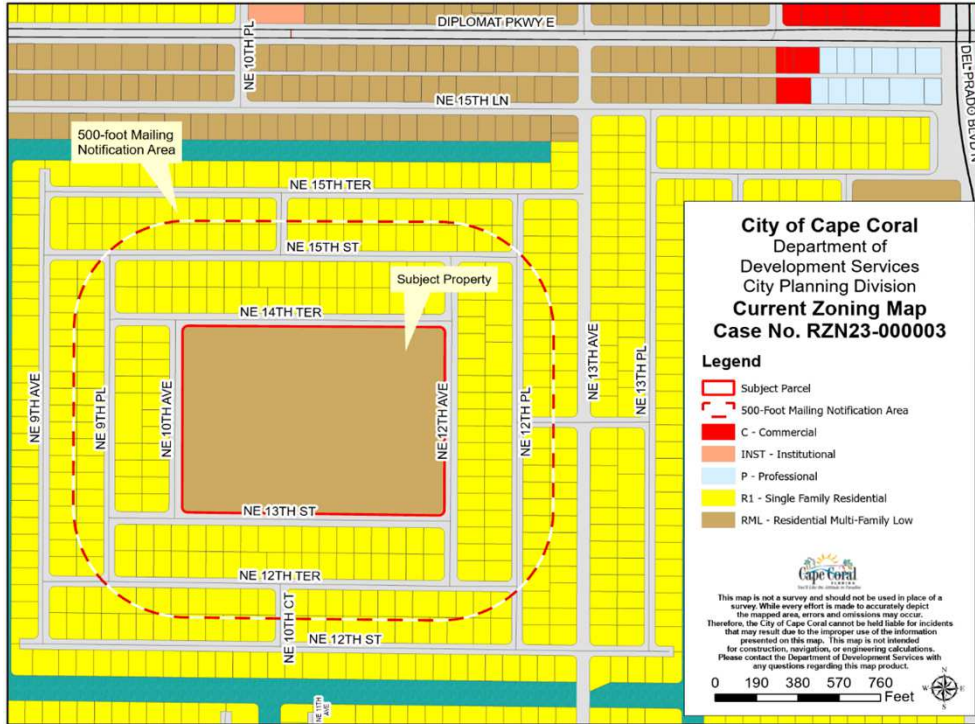
- iii. Address: 1322 NE 12th Avenue
- iv. Location: Block 2072, Cape Coral Subdivision
- v. Size: +/- 24.67 Acres
- vi. Urban Services: Transition

- vii. Amendment Request:
 - A privately initiated rezoning request from Residential Multi-Family Low (RML) to Residential Multi-Family Medium (RMM)

ORD85-23 RZN23-000003 | Background Information

- i. The site is one block in northeast Cape Coral.
- ii. The parcel is currently vacant.
- iii. The subject property is located within the North 1 West Contract 6 Utility Expansion Project and should have water and sewer services in 2025.
- iv. Zoning: RML - Rezoned from R-3 by Ord. 4-19.
- v. FLUM: MF (Original)





Analysis - Land Development Code 3.4.6.B

*I. The proposed rezoning meets **Four of Six** of the LDC Section 3.4.6.B. criteria. I - IV*

V. LDC Section 3.4.6.B.5: The characteristics of the proposed rezone area are suitable for the uses permitted in the proposed zoning district;

The rezone area is suitable for RMM Zoning for the following reasons:

- i. RMM District is consistent with the Multi-Family Residential FLUC
- ii. The area of the site (24.67 acres) substantially exceeds the one acre minimum required by the LDC for RMM-zoned properties.
- iii. The site exhibits full block depth to accommodate parking, landscaping, stormwater management, and varying access options increasing the likelihood of a high-quality design.

Analysis - Land Development Code

V. LDC Section 3.4.6.B.5: The characteristics of the proposed rezone area are suitable for the uses permitted in the proposed zoning district;

The rezone area is NOT suitable for RMM Zoning for the following reasons:

- i. Streets serving the subject property provide access to multiple single-family residences or properties with a single-family zoning designation.
- ii. Centralized utilities are not yet available to the site, but will be in 2025.
- iii. The subject property is not located along a major roadway; all estimated additional trips would access the property via local streets within the neighborhood.
- iv. The subject property is located centrally in a low-density residential neighborhood.
- v. The proposed RMM district will allow buildings with a maximum height of 60 feet. Building with this height will be out of character with the one-story single family homes that surround the site.
- vi. The proposed rezoning is **inconsistent** with this criteria.

Analysis - Land Development Code

VI. LDC Section 3.4.6.B.6: Whether a zoning district other than the district requested will create fewer potential adverse impacts to existing uses in the surrounding area.

- i. The existing RML district will create fewer impacts than the proposed RMM district because of fewer units, less trips, and lower maximum building height.
- ii. The proposed rezoning is **inconsistent** with this criteria.

Analysis - Comprehensive Plan

I. Consistent with Comp. Plan Goal of Chapter 4, Policy 1.15

II. Consistent with the Housing Element Goal. - Choice

III. Consistent with the Housing Policy 2.1: Pursuant to S. 163.3202 (1), F.S - Lowering Costs and Maintaining Quality.

Analysis - City Impact: Fire and Police

I. Fire:

- i. The property is currently served by Fire Station #5
- ii. Future development could generate is expected to 100-200 calls for service annually.
- iii. Moderate impact on department operations if approved.

II. Police:

- i. The property is served by police patrol Zone 1 North.
- ii. Less than 1% increase to recorded calls for service in Zone 1, 1% or less city wide.
- iii. Proposed development will have a minor impact to service demands.
- iv. Additional notes:
 - i. The area around the subject property generally has two points of ingress/egress at the intersections of NE 13th Avenue and NE 15th Terrace, and NE 13th Avenue and NE 12th Street.
 - ii. The location will influence North/South traffic flows on NE 13th Avenue and at the intersections of NE 13th Avenue and Diplomat Parkway E., and NE 13th Avenue and Pine Island Road NE.
 - iii. Traffic from development in Block 2072 can be compounded with traffic from Diplomat Elementary and Middle Schools during school year during start/end of school days.
 - iv. City services rely on movement along the Pine Island Road and Diplomat Parkway E. corridors.

Recommendation

While this application has some positive attributes, on balance, the requested zoning based on the location of the site, would be incompatible with the surrounding area. Staff recommends denial.

The Hearing Examiner recommended approval following a public hearing held September 19, 2023.

Correspondence:

THANK YOU

