

## **Cape Coral Planning & Zoning Commission**



Wednesday, September 7, 2022

9:00 AM

Council Chambers

**1. CALL TO ORDER**

A. Chair Marker

**2. MOMENT OF SILENCE**

**3. PLEDGE OF ALLEGIANCE**

**4. ROLL CALL**

A. Apking, Bennie, Marker, O'Connor, Safranek, Sommers, York and Alternates Fioretti and Schwartz

**5. APPROVAL OF MINUTES**

A. Meeting Minutes - August 3, 2022

**6. BUSINESS**

**7. PLANNING AND ZONING COMMISSION PUBLIC HEARING**

A. Ordinance 83-22 (FLUM22-000018)

**WHAT THE ORDINANCE ACCOMPLISHES:**

**An ordinance amending the City of Cape Coral Comprehensive Plan by amending the Future Land Use Map from Public Facilities (PF) to Multi-Family Residential (MF) land use for property described as all of Block 2088, Unit 31, Cape Coral Subdivision; property located at 1429 NE 15<sup>th</sup> Avenue.**

**Applicants: The School Board of Lee County & Birdsong Housing Partners Acreage: 9.78 acres**

**8. CITIZENS INPUT**

**9. STAFF UPDATES**

**10. OTHER BUSINESS**

**11. MEMBER COMMENTS**

**12. DATE AND TIME OF NEXT MEETING**

A. Wednesday, October 5, 2022, at 9:00 a.m. in Council Chambers

**13. 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 Office of the City Clerk whose office is located at City Hall, 1015 Cultural Park Boulevard, Florida; telephone number is 1-239-574-0411, at least forty-eight (48) hours prior to the meeting 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.



**AGENDA REQUEST  
FORM**  
CITY OF CAPE CORAL

Item Number:	5.A.
Meeting Date:	9/7/2022
Item Type:	APPROVAL OF MINUTES

**TITLE:**

Meeting Minutes - August 3, 2022

**REQUESTED ACTION:**

**SUMMARY EXPLANATION AND BACKGROUND:**

**STRATEGIC PLAN ALIGNMENT:**

1. Is this a Strategic Decision?

If Yes, Priority Goals Supported are listed below.

If No, will it harm the intent or success of the Strategic Plan?

**RECOMMENDATIONS:**

**SOURCE OF ADDITIONAL INFORMATION:**

**FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:**

1. Will this action result in a Budget Amendment?

**PREPARED BY:**

Division- Department-

**ATTACHMENTS:**

Description	Type
1. Meeting Minutes - August 3, 2022	Backup Material

**MINUTES OF THE REGULAR MEETING OF  
THE CITY OF CAPE CORAL  
PLANNING & ZONING COMMISSION**

**WEDNESDAY, AUGUST 3, 2022**

Chair Marker called the meeting to order at 9:00 a.m.

A moment of silence was observed.

Pledge of Allegiance.

ROLL CALL: Commissioners Apking, Bennie, Marker, O'Connor, Safranek, Sommers, York, and Alternates Fioretti and Schwartz were present.

ALSO PRESENT: Dan Sheppard, Council Liaison  
Brian Bartos, Assistant City Attorney  
John Naclerio, Assistant City Attorney  
Wyatt Daltry, Planning Team Coordinator

**APPROVAL OF MINUTES**

Meeting Minutes – July 6, 2022

***Vice Chair O'Connor moved, seconded by Commissioner Sommers, to approve the Regular Meeting Minutes from July 6, 2022, as presented.***

***Commission polled as follows: Apking, Bennie, Marker, O'Connor, Safranek, Sommers, and York voted "aye." All "ayes." Motion carried 7-0.***

**BUSINESS**

**PLANNING AND ZONING COMMISSION PUBLIC HEARING**

**Ordinance 52-22 (LU22-0001) - Continued from July 6, 2022**

**WHAT THE ORDINANCE ACCOMPLISHES:**

An ordinance amending the City of Cape Coral Comprehensive Plan by amending the Future Land Use Map from Commercial/Professional (CP) to Multi-Family (MF) land use for property described as Lots 12-16, Block 3100, Unit 62, Cape Coral Subdivision; property located at 1917 SW Santa Barbara Place.

Applicant: Cape Life, LLC

Acreage: 0.57 acres

Chair Marker indicated that Ordinance 52-22 was continued from the Planning and Zoning Commission meeting on July 6, 2022.



Planning Team Coordinator Daltry discussed the following displayed slides:

- Ordinance 52-22 / (LU22-0001)
- Background
- Site Map
- 2021 Aerial Map
- Current FLU Map / Proposed FLU Map
- Background/History – 2 slides
- Background/Comp Plan Analysis
- Staff Recommendation: Denial
- Correspondence: None.

Public Hearing opened.

No speakers.

Public Hearing closed.

Discussion held regarding:

- Consistency of Block 3100
- Spot Land-Use change
- Existing multi-family properties surrounding the subject parcel
- Setbacks and development standards as it pertains to subject property and property on Santa Barbara Boulevard
- Amortization of multi-family property
- Staff's efforts and consideration regarding availability of Commercial Land
- Buffer requirements

***Commissioner Apking moved, seconded by Commissioner York, to recommend denial of Ordinance 52-22 (LU22-0001), as presented.***

***Commission polled as follows: Apking, Safranek, and York voted "aye." Bennie, Marker, O'Connor, and Sommers voted "nay." Three "ayes." Four "nays." Motion failed 3-4.***

***Commissioner Bennie moved, seconded by Vice Chair O'Connor, to recommend approval of Ordinance 52-22 (LU22-0001), as presented.***

***Commission polled as follows: Bennie, Marker, O'Connor, and Sommers voted "aye." Apking, Safranek, and York voted "nay." Four "ayes." Three "nays." Motion carried 4-3.***

**Ordinance 12-22 (TXT21-0001)**

**WHAT THE ORDINANCE ACCOMPLISHES:**

An ordinance amending the City of Cape Coral Comprehensive Plan by amending policy 1.15 of the Future Land Use element to establish the Burnt Store Road District future land use classification.

Planning Team Coordinator Daltry discussed the following displayed slides:

- Ordinance 12-22 / (TXT21-0001)
- Purpose
- Background – 3 slides
- Key Language
  - Policy 1.15
  - Policy 1.15r – 2 slides
- Conclusion
- Recommendation: Adoption

Public Hearing opened.

No speakers.

Public Hearing closed.

Commissioner Apking discussed the Town Hall Meeting with City of Cape Coral regarding Land Use and Zoning for Burnt Store Road that was held on July 30, 2022. He complimented Staff on their presentation. “With some of these concepts, why wouldn’t we consider implementing them in some of the other parts of the City which still needs to be developed as far as landscaping, fronts that we have with the parking in the back, etc.?” He recommended to the rest of the Commissioners review the taping.

Planning Team Coordinator Daltry offered to provide a copy of the presentation to the City Clerk’s Office which could then be distributed to Members of the Planning and Zoning Commission.

Discussion held regarding:

- Burnt Store Overlay District versus Burnt Store Corridor (BSC)
- Notion of prospectively having two zoning districts for the BSC as a whole
- New proposed FLU Map Classification, BSC would be the Zoning District consistent with that
- The Burnt Store Overlay District is potentially what would be considered for placement south of Van Buren Pkwy on existing CAC FLU Properties, existing Commercial Professional properties; integration with nearby residential properties
- Prospective height limitations and Uses within the Burnt Store Overlay District
- FLU Map Amendment – prospective adoption
- Potential effect(s) of Ordinance 12-22 on properties with any type of frontage on Burnt Store Road

- Potential effect(s) of Ordinance 12-22 on residential development
- Number of Single-Family and Multi-Family residential sites that would become prohibited in the proposed area

***Commissioner York moved, seconded by Commissioner Apking, to approve Ordinance 12-22 (TXT21-0007), as presented.***

***Commission polled as follows: Apking, Bennie, Marker, Safraneck, Sommers, and York voted "aye." O'Connor voted "nay." Six "ayes." One "nay." Motion carried 6-1.***

#### **CITIZENS INPUT**

No speakers.

#### **STAFF UPDATES**

None.

#### **OTHER BUSINESS**

None.

#### **MEMBER COMMENTS**

Commissioner Apking discussed his attendance at a recent Transportation Advisory Board meeting in which traffic studies were discussed.

#### **DATE AND TIME OF NEXT MEETING**

A Regular Meeting was scheduled for Wednesday, September 7, 2022, at 9:00 a.m. in Council Chambers.

#### **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:33 a.m.

Submitted by,

Shana Dixon  
Recording Secretary



**AGENDA  
REQUEST  
FORM**  
CITY OF CAPE  
CORAL

Item Number:	7.A.
Meeting Date:	9/7/2022
Item Type:	PLANNING AND ZONING COMMISSION / LOCAL PLANNING AGENCY PUBLIC HEARING

**TITLE:**

Ordinance 83-22 (FLUM22-000018)

**REQUESTED ACTION:**

Approve or Deny

**SUMMARY EXPLANATION AND BACKGROUND:**

This application is a privately-initiated future land use map amendment request from the Public Facilities (PF) classification to the Multi-Family Residential (MF) classification for 9.78 acres located at 1429 NE 15<sup>th</sup> Ave.

The property has a multi-family zoning designation (RML) and was formerly used as an Alternative Learning Center site by the Lee County School Board in the early 2010s. The Lee County School Board is in the process of selling the property. The Multi-Family Residential future land use map classification permits a variety of housing types such as single-family detached residences, duplexes, and larger-scale multi-family residential complexes such as condominiums and apartment complexes. If approved, the site could be developed with a maximum of 156 dwelling units. In discussions with the public safety departments, minor impacts to services are anticipated.

**STRATEGIC PLAN ALIGNMENT:**

- |  |    |
|--|----|
| 1. 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 |

**RECOMMENDATIONS:**

City Planning Staff Recommendation: Approval

**SOURCE OF ADDITIONAL INFORMATION:**

Vince Caetero, Director of Development Services, 574-0600

**FISCAL IMPACT/FUNDING SOURCES(S)/BUDGET CONSIDERATIONS:**

N/A

- |   |    |
|---|----|
| 1. Will this action result in a Budget Amendment? | No |
|---|----|

**PREPARED BY:**

Brienne Cherry, Planning  
Technician

Division- City  
Planning

Department- Development  
Services

ATTACHMENTS:

Description	Type
▣ 1. Ordinance 83-22 (FLUM22-000018)	Ordinance
▣ 2. Novus Packet	Backup Material
▣ 3. Power Point Presentation	Presentation

ORDINANCE 83 - 22

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM PUBLIC FACILITIES (PF ) TO MULTI-FAMILY RESIDENTIAL (MF) LAND USE FOR PROPERTY DESCRIBED AS ALL OF BLOCK 2088, UNIT 31, CAPE CORAL SUBDIVISION; PROPERTY LOCATED AT 1429 NE 15<sup>TH</sup> AVENUE; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral on February 13, 1989, adopted a Comprehensive Plan pursuant to the Comprehensive Planning Act; and

WHEREAS, as part of the Comprehensive Plan the City of Cape Coral adopted therewith a future land use map designating land uses and proposed land uses throughout the City of Cape Coral consistent with the Comprehensive Plan and Comprehensive Planning Act; and

WHEREAS, the City of Cape Coral City Council has considered the testimony, evidence, and documentation for the Land Use Amendment initiated by THE SCHOOL BOARD OF LEE COUNTY and BIRDSONG HOUSING PARTNERS, regarding the below described property, and considered the recommendation of the Planning & Zoning Commission/Local Planning Agency and City staff.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION 1. That the below described real property located within the City of Cape Coral, Florida, is hereby amended consistent with the City of Cape Coral Comprehensive Plan as follows:

FROM PUBLIC FACILITIES (PF) TO MULTI-FAMILY RESIDENTIAL (MF) LAND USE

UNIT 31, ALL OF BLOCK 2088, CAPE CORAL SUBDIVISION AS FOUND IN PLAT BOOK 14, PAGE 155 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SECTION 2. 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 3. Effective Date. The effective date of this small scale development amendment to the Comprehensive Plan shall be thirty-one (31) days after the adoption of this ordinance. Alternatively, if the small scale development amendment adopted by this ordinance is challenged by an "affected person" within thirty (30) days after adoption, then the effective date of this amendment shall be the date upon which either the state land planning agency or the Administration Commission issues a "final order" determining that this small scale development amendment is "in compliance" as provided in Section 163.3187(5), Florida Statutes.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
JOHN GUNTER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

GUNTER \_\_\_\_\_  
TATE \_\_\_\_\_  
SHEPPARD \_\_\_\_\_  
HAYDEN \_\_\_\_\_

NELSON \_\_\_\_\_  
WELSH \_\_\_\_\_  
LONG \_\_\_\_\_  
COSDEN \_\_\_\_\_

ATTESTED TO AND FILED IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2022.

\_\_\_\_\_  
KIMBERLY BRUNS  
CITY CLERK

APPROVED AS TO FORM:



\_\_\_\_\_  
BRIAN R. BARTOS  
ASSISTANT CITY ATTORNEY  
ord/FLUM22-000018





DEPARTMENT OF DEVELOPMENT SERVICES  
CITY PLANNING DIVISION

For Internal Use Only

Case \_\_\_\_\_

Date \_\_\_\_\_

Tel. (239) 574-0553  
Fax (239) 574-0591  
P.O. Box 150027  
Cape Coral, FL 33915-0027

**FUTURE LAND USE MAP AMENDMENT (FLUMA) APPLICATION**

**NOTE TO APPLICANT:** The completed application must be legible, and all items must be provided at the time of submission.

**FLUMA APPLICATION REQUIREMENTS**

1. ☒ Letter of intent stating the actual request and why the request is being made
2. ☒ Applicant's portion of request shall be typewritten, and signature notarized:
  - All forms (Application, Acknowledgement Form, Authorization to Represent) must be signed by the property owner or the applicant. If the Authorized Representative is an attorney, the application and the Acknowledgement Form may be signed by the attorney and an Authorization to Represent Form is not required.
  - If there are any deed restrictions on the property, a copy of the restrictions will be required.
3. ☒ Certified survey done within past six (6) months MAY be required
4. ☒ If the subject property is within 500 feet of any County properties, the applicant must provide:
  - a typewritten list of all affected property owners within the area. The list must prepare in label format and contain the following information; name, address, city, and zip-code.
5. ☒ The applicant must provide a traffic projection of the number of trips that are anticipated to be generated by the revised Land Use including the distribution of these trips onto the roadway system. The applicant may also be required to perform a more detailed traffic impact analysis based on the City's traffic impact guidelines.
6. ☒ Chapter 163, Florida Statutes, requires that comprehensive plan map amendments be City Council must hold a submittal hearing (1st public hearing) prior to sending amendments to DEO. (Council may approve for submittal or deny proposed land use map amendments. Only approved amendments are submitted to DEO.) DEO then has ninety (90) days to review and respond to the proposed amendments. Upon receipt of DEO comments or objections, the local government has sixty (60) days to approve, deny, or approve with modifications the proposed land use map amendments.
7. ☒ Comprehensive Plan Amendments are reviewed by the Planning and Zoning Commission and City Council. Planning and Zoning Commission is an advisory body to City Council and makes recommendations on all amendments.
8. ☒ Please refer to the Future Land Use Map Amendment Section 3.5.2. for additional information.

**NOTE:** IF ANY OF THE ABOVE INFORMATION IS ON A SHEET LARGER THAN 11 X 17, THE APPLICANT MUST SUPPLY SEVENTEEN (17) COPIES TO BE USED FOR DISTRIBUTION. IN ADDITION TO THE APPLICATION FEE, ALL REQUIRED ADVERTISING COSTS ARE TO BE PAID BY THE APPLICANT (ORD 39-03, SECTION 3.5.2.). ADVERTISING COSTS WILL BE BILLED AND MUST BE PAID PRIOR TO HEARING.





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**FUTURE LAND USE MAP AMENDMENT APPLICATION**

**FEES:** \$1,225.00 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, Section 3.5.2). Advertising costs will be billed and must be paid prior to hearing.

**OWNER(S) OF PROPERTY INFORMATION**

Owner <u>The School Board of Lee County, Flor</u>	Address <u>2855 Colonial Blvd</u>
Phone <u>239-337-8300</u>	City <u>Fort Myers</u>
Email <u>Kennethas@LeeSchools.net</u>	State <u>FL</u> Zip <u>33966</u>
Owner _____	Address _____
Phone _____	City _____
Email _____	State _____ Zip _____

**APPLICANT INFORMATION (If different from owner)**

Applicant <u>Birdsong Housing Partners</u>	Address <u>2700 Westhall Lane, Ste 200</u>
Phone <u>407-777-2323 x 107</u>	City <u>Maitland</u>
Email <u>asuarez@birdsonghousing.com</u>	State <u>FL</u> Zip <u>32751</u>

**AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)**

Representative <u>Adriannis Suarez</u>	Address <u>2700 Westhall Lane, Ste 200</u>
Phone <u>407-777-2323 x 107</u>	City <u>Maitland</u>
Email <u>asuarez@birdsonghousing.com</u>	State <u>FL</u> Zip <u>32751</u>

**PROPERTY INFORMATION**

Unit <u>31</u>	Block <u>2088</u>	Lot (s) _____	Subdivision _____
Property Address <u>1429 NE 15TH AVE, CAPE CORAL FL 33909</u>			
Plat Book <u>14</u>	Page <u>155</u>	Current Zoning <u>Residential Multi-Family Low (RML)</u>	
Strap Number <u>06-44-24-C2-02088.0000</u>		Acreage <u>9.81</u>	
Current Land Use <u>Public Facilities (PF)</u>		Proposed Land Use <u>Multi-Family (MF)</u>	



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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.

Adriannis Suarez

NAME (PLEASE TYPE OR PRINT)

  
AUTHORIZED SIGNATURE

STATE OF FL

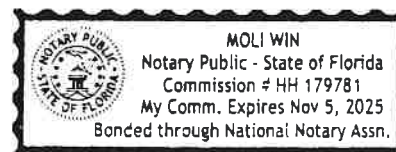
COUNTY OF Seminole

Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online notarization, this 25 day of April, 2022 by Adriannis Suarez who is personally known to me or produced \_\_\_\_\_ as identification.

Exp Date: Nov 5, 2025 Commission Number: HH 179781

Signature of notary Public: Moli Win

Printed Name of Notary Public: Moli Win







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**ESTIMATED PEAK HOUR TRIP**

Parcel Size: Width 800 Depth 534 Sq. Ft. \_\_\_\_\_ Acreage 9.81

Soil Type: Matlacha (Hydro Group B) and Wabasso (Hydro Group C/D)

Urban Services Area: (check one) Infill x Transition Reserve \_\_\_\_\_

Natural Resources (state habitat type, e.g. high lands, wetlands, upland forest, oak hammocks, etc.):  
None

Animal Species: (list any endangered, threatened, or species of special concern on-site)  
None

**Estimated Development:**

- Estimate total lot coverage 60 %
- Estimate total building floor area: tbd Sq. ft.
- Estimate type of future development and percentages:  
(e.g. business offices, commercial retail, automotive repair, etc.)

Multi-Family affordable units not to exceed 156 units

Estimated peak hour trip ends:

If 300 or less peak hour trip ends are projected, the applicant must provide the source of the traffic projection.  
If more than 300 peak hour trip ends are projected, a traffic impact study must be completed and submitted  
as part of the application (see attachments).

City Sewer: YES ☒ NO ☐

City Water: YES ☒ NO ☐



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**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 Hearing Examiner and City Council.

I will have the opportunity at the hearing to present 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 and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

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 6<sup>th</sup> Day of April, 2022.

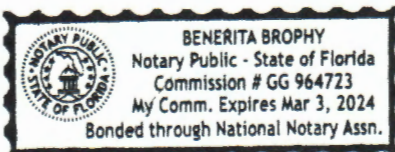
The School Board of Lee County, Florida  
CORPORATION/COMPANY NAME

Kenneth A. Savage, Ed.D.  
OWNER'S NAME (TYPE or PRINT)

  
OWNER'S SIGNATURE

STATE OF Florida  
COUNTY OF Lee


Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☐ online notarization, this 6<sup>th</sup> day of April, 2022 by Kenneth Savage who is personally known to me or produced \_\_\_\_\_ as identification.



Exp Date: 3/3/24 Commission Number: 99 964723

Signature of notary Public:

Printed Name of Notary Public:

  
Benerita Brophy





DEPARTMENT OF DEVELOPMENT SERVICES  
CITY PLANNING DIVISION

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AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT Adriannis Suarez

(Name of person giving presentation)

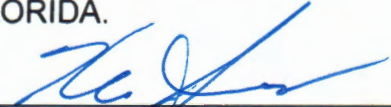
IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER  
AND CITY COUNCIL.

UNIT 31 BLOCK 2088 LOT(S) \_\_\_\_\_ SUBDIVISION \_\_\_\_\_

OR LEGAL DESCRIPTION CAPE CORAL UNIT 31 BLK.2088 PB 14 PG 155 ALL OF BLK.2088

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

The School Board of Lee County, FL  
PROPERTY OWNER (Please Print)

  
PROPERTY OWNER (Signature & title)  
Kenneth A. Savage, Ed.D., Superintendent

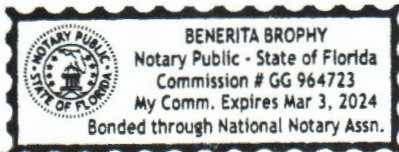
\_\_\_\_\_  
PROPERTY OWNER (Please Print)

\_\_\_\_\_  
PROPERTY OWNER (Signature & title)

STATE OF Florida

COUNTY OF Lee

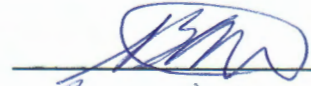
Sworn to (or affirmed) and subscribe before me, by means of ☒ physical presence or ☒ online  
notarization, this 6<sup>th</sup> day of April, 2022 by Kenneth Savage who  
is personally known to me or produced \_\_\_\_\_ as identification.



Exp Date: 3/3/2024 Commission Number: 99 964723

Signature of notary Public: \_\_\_\_\_

Printed Name of Notary Public: \_\_\_\_\_

  
Benerita Brophy

Note: Please list all owners. If a corporation, please supply the City Planning Division with a  
copy of corporation papers.





**FUTURE LAND USE MAP AMENDMENTS**

- A. Purpose of Amendments. Future Land Use Map amendments shall be considered for the following reasons:
1. The amendment implements the goals, objectives, and policies of the Comprehensive Plan.
  2. The amendment promotes compliance with changes to other city, state, or federal regulations.
  3. The amendment results in compatible land uses within a specific area.
  4. The amendment implements findings of reports, studies, or other documentation regarding functional requirements, contemporary planning practices, environmental requirements, or similar technical assessments.
  5. The amendment is consistent with the City's ability to provide adequate public facilities and services.
  6. The amendment prepares the City for future growth, such as reflecting changing development patterns, identifying demands for community services, reflecting changes necessary to accommodate current and planned growth in population, and facilitating community infrastructure and public services.
- B. Manner of Initiation. Applications for a Future Land Use Map Amendment (FLUMA) may be initiated in the following manner:
1. The City Council by its own motion;
  2. The Planning and Zoning Commission by its own motion;
  3. The City Manager for City initiated requests; or
  4. By a petition of one or more property owners of at least 51% of the property owners of an area proposed for amendment.
- C. Review Criteria. Proposed future land use map amendments shall be reviewed in accordance with the requirements of Chapter 163, Florida Statutes, and the following criteria:
1. Whether the proposed future land use amendment is consistent with the goals, policies, and future land use designations of the City Comprehensive Plan;
  2. The amendment protects the health, safety, and welfare of the community;
  3. The proposed amendment and all of the consistent zoning districts, and the underlying permitted uses, are compatible with the physical and environmental features of the site;
  4. The range of zoning districts and all of the allowed uses in those districts are compatible with surrounding uses in terms of land suitability or density and that a change will not result in negative impacts on the community or traffic that cannot be mitigated through application of the development standards in this Code;



**DEPARTMENT OF DEVELOPMENT SERVICES**  
**CITY PLANNING DIVISION**

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*P.O. Box 150027*  
*Cape Coral, FL 33915-0027*

5. The site is capable of accommodating all of the allowed uses, whether by right or otherwise, considering existing or planned infrastructure for roads, sanitary and water supply systems, stormwater, parks, etc.; and
  6. Other factors deemed appropriate by the Commission and City Council.
- D. Effective date of approval. The effective date of a future land use map amendment shall be in accordance with Chapter 163, Florida Statutes.



Birdsong Housing Partners, with the permission of the current landowner, The School Board of Lee County Florida, and in cooperation with our co-developer, Lee County Housing Authority, request approval for a Future Land Use (FLU) Map Amendment from Public Facilities (PF) to Multi-Family (MF) allowing multifamily housing with a density of up to 156 units and a clubhouse on the 9.81 acre site located at 1429 NE 15TH Ave, Cape Coral, FL 33909, Strap 06-44-24-C2-02088.0000, Folio ID 10156281.

The current zoning for the undeveloped parcel is RML- Residential Multi-Family Low, which permits multifamily development. The current FLU is PF- Public Facilities, which does not list multi-family residential as a use.

As required in Cape Coral, Florida Code of Ordinances Section 3.5.2.(A.1.), we believe this request meets the goals, objectives, and policies of the Comprehensive Plan, specifically Chapter 3 Housing Element and Chapter 4 Future Land Use Element, as outlined below. Approval of this amendment request will result in compatible land uses between the existing zoning designation and the FLU designation (Section 3.5.2.(A.3.)), is consistent with the City's ability to provide adequate public facilities and services (Section 3.5.2.(A.5.)) and will prepare the City for future growth to accommodate current and planned growth in population (Section 3.5.2.(A.6.)).

#### HOUSING ELEMENT

*GOAL: To provide good quality housing in safe, clean neighborhoods, offering a broad choice of options in both type (single family and multi-family) and tenure (owner and renter occupied) to meet the needs of present and future residents of the City, regardless of age or income status.*

Birdsong Housing Partners develops, builds, and operates high-quality, cash-flow positive, tax credit and mixed-finance affordable housing developments that enhance lives and create value for residents, neighborhoods, communities, and investors. The mission of the Lee County Housing Authority is to assist low-income families with safe, decent, and affordable housing opportunities as they strive to achieve self-sufficiency and improve their lives.

The proposed development, tentatively to be named Peregrine Village, will be a multi-family residential community of up to 156 renter-occupied units with a mix of 1-bedroom, 2-bedroom, and 3-bedroom apartments and a clubhouse with amenities, and would beneficially contribute to the goal specified in Chapter 3 Housing Element, to provide an additional quality housing option of varied tenure regardless of age or income status in a good neighborhood.

Allowing for multifamily development at this location will meet the objectives relevant to new construction on undeveloped land as outlined in Chapter 3.

- Objective 1: Peregrine Village will increase the Housing Availability in an area already served by public utilities, public roads, and public transit, and is in the North 1 West sewer district identified as Phase 1 of the Utilities Extension Project.
- Objective 2: Peregrine Village will provide Housing Affordability as a Low Income Housing Tax Credit financed development with imposed income and rent limits applicable to the year the tax credits are awarded as set by The United States Department of Housing and Urban Development (HUD).



- Objective 3: Peregrine Village will be subject to Equal Opportunity and open to all persons, regardless of age, race, sex, disability, or other legally prohibited designations and will mitigate impediments to affordable housing with the implementation of a Management Plan with the selected property management company and a Fair Housing Tenant Selection Plan as approved by FHFC which will be in compliance with the Rehabilitation Act, the federal Fair Housing Act, the Florida Fair Housing Act, the Civil Rights Act, all applicable provisions of Titles II and III of the Americans with Disabilities Act, and applicable local laws.
- Objective 4: Although not a group home or foster care facility, Special Housing Needs will be met at Peregrine Village with a portion of the units, generally 5% of the total, will be set aside as Link Units for Persons with Special Needs. The development will enter into a Link Memorandum of Understanding (MOU) with a FHFC-approved Special Needs Household Referral Agency. At the time of this request, the agency serving Lee County affordable housing development is Abuse Counseling and Treatment, Inc. serving survivors of domestic violence or survivors with a disabling condition.
- Objective 5: Peregrine Village will meet the Housing Quality desire for high standard of quality. Although affordable housing, this community will be indistinguishable from market rate apartment communities and will offer amenities appropriate to general population and family households, which includes a community room, fitness center, computer center with internet access, open green space, or other amenities as approved by the development team or required by City of Cape Coral codes.
- Objective 6: As a new construction development on undeveloped land, no Displacement requiring relocation of residents or tenants will occur.
- Objective 7: As a new construction development on undeveloped land, no Historic Preservation impacts will occur.
- Objective 8: Peregrine Village will promote Housing Implementation by increasing housing opportunities without sacrificing housing quality, as detailed in Objective 5 above, and affordability, as detailed in Objective 2 above.
- Objective 9: Peregrine Village will not negatively impact the value of individual homes and properties in the surrounding area. Multiple studies have been conducted to assess the effect of affordable housing on surrounding property values and studies show that affordable housing does not decrease property values or increase crime rates.
- Objective 10: The site is in an urban area with existing roadways, public transit routes, and City water lines, and in the sewer expansion area. It is near employment, recreation, education, shopping, worship, and many other community benefits. The development plan is large enough to benefit the City of Cape Coral's affordable housing needs, and small enough not to overburden public facilities. It is an ideal location for affordable housing because of these factors and contributes to the Comprehensive Plan goal to encourage such housing development.

## FUTURE LAND USE ELEMENT

*GOAL: to protect the public investment by encouraging the efficient use of community infrastructure and natural resources; assure the orderly, efficient growth of the city by encouraging development in those areas which are best served by infrastructure and community services; promote new land uses which create the least possible disruption to existing uses; create a strategy which anticipates future community needs by acquiring and assembling platted lands; and protect the rights of individual property ownership, consistent with public needs.*

The surrounding land uses include Single Family Residential, Commercial Professional, Multiple Family Residential, and is approximately one-half mile north of the Pine Island Road District. The Multi-Family (MF) FLU would be compatible with the current FLUs within a one-mile radius and meet the goal for efficient use of infrastructure, efficient growth, and promote new land uses with the least disruption as a

residential development in a residential area in close proximity to community resources beneficial to families.

Furthermore, allowing for multifamily development at this location will also meet the objectives relevant to new construction on undeveloped land as outlined in Chapter 4.

- Objective 1, Policy 1.6: Peregrine Village will provide a diverse housing stock for a balance single-family and multi-family residential options together in an area with access to existing roadways, public transit routes, employment, recreation, education, shopping, worship, and many other community benefits.
- Objective 1, Policy 1.7: Peregrine Village will increase the availability of multi-family residential housing on a property appropriate for multi-family residential development.
  - 1. Proximity to Major Roadways: Del Prado Blvd N is considered a Principal Arterial road according to Figure 7 City Roadway Classifications. Additionally, the site is with ¼ mile of Diplomat Pkwy E, a Minor Arterial road.
  - 2. Proximity to non-residential land uses: Peregrine Village will be in proximity to major employment centers and commercial uses. The site is ½ mile from the Pine Island Road District and less than ¼ mile from the Diplomat Pkwy E Commercial Professional land use.
  - 3. Transitioning from commercial uses to less intense uses: Peregrine Village will serve as a buffer to the single-family neighborhoods from the Commercial Professional of Diplomat Pkwy E.
  - 4. Assemblage opportunities and adjacency to existing multi-family residential: The site is approximately 9.81 acres allowing for a multi-family development of up to 156 units. This density may be achieved with a single-phase or multi-phase development plan for multi-family assemblage opportunity. Additionally, it is close to the Multiple Family Residential land use parcels along Diplomat Pkwy E for a logical extension from existing multi-family residential designated properties.
- Objective 4 Location of Future Development: The site is in the Urban Services Transition Area as identified on the Future Land Use Map.

Birdsong Housing Partners and the Lee County Housing Authority will work with the City to create a development plan that is consistent with the City of Cape Coral Land Development Code, contributes to the overall good of the neighborhood, has appropriate access to roadways and public infrastructure.



FUTURE LAND USE MAP AMENDMENT APPLICATION  
STRAP # 06-44-24-C2-02088.000

The subject property is NOT within 500 feet of any County properties, therefore a typewritten list of all affected property owners is not applicable.

## Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

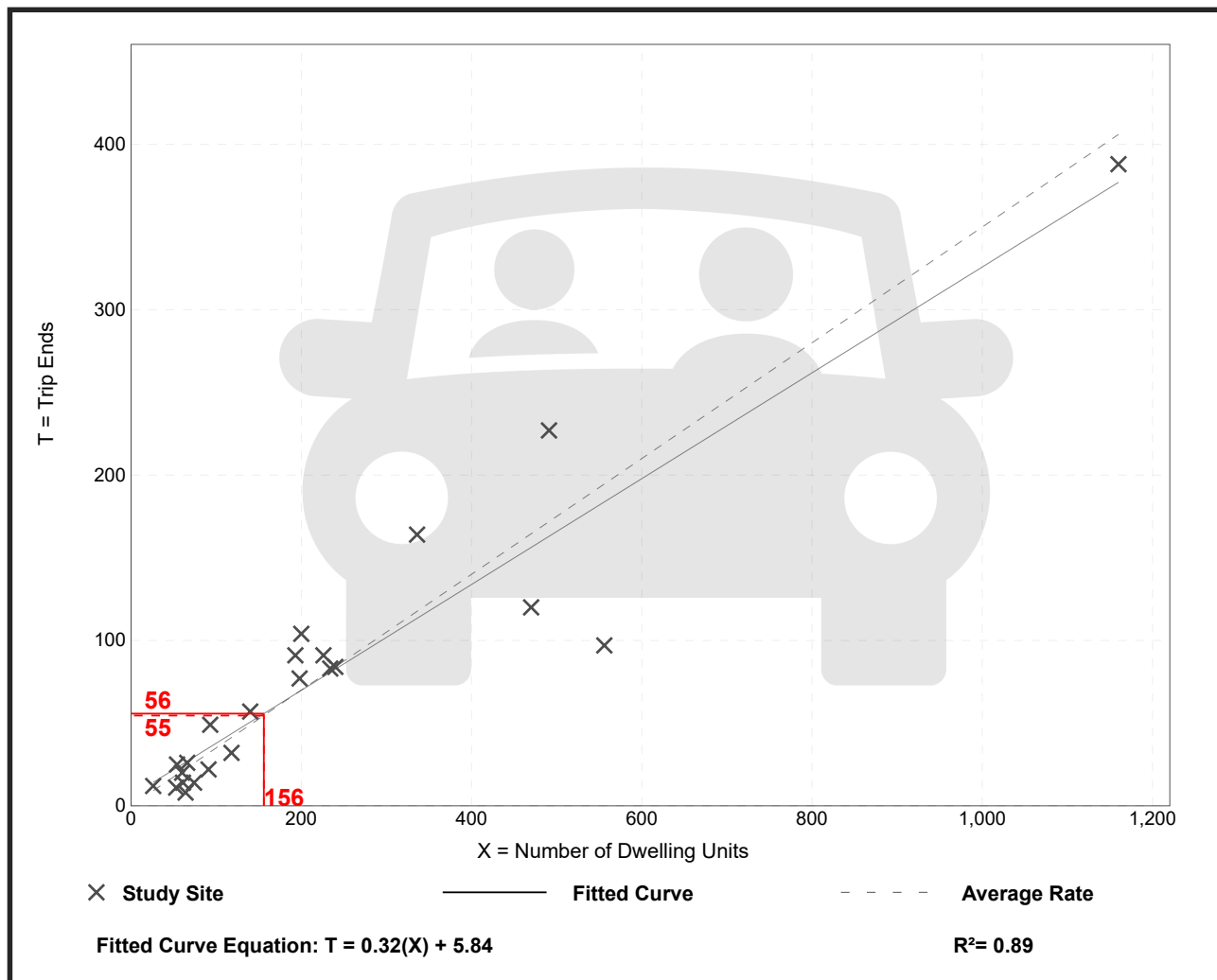
Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday,  
AM Peak Hour of Generator

Setting/Location: General Urban/Suburban  
Number of Studies: 23  
Avg. Num. of Dwelling Units: 226  
Directional Distribution: 26% entering, 74% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.35	0.13 - 0.53	0.11

### Data Plot and Equation



## Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

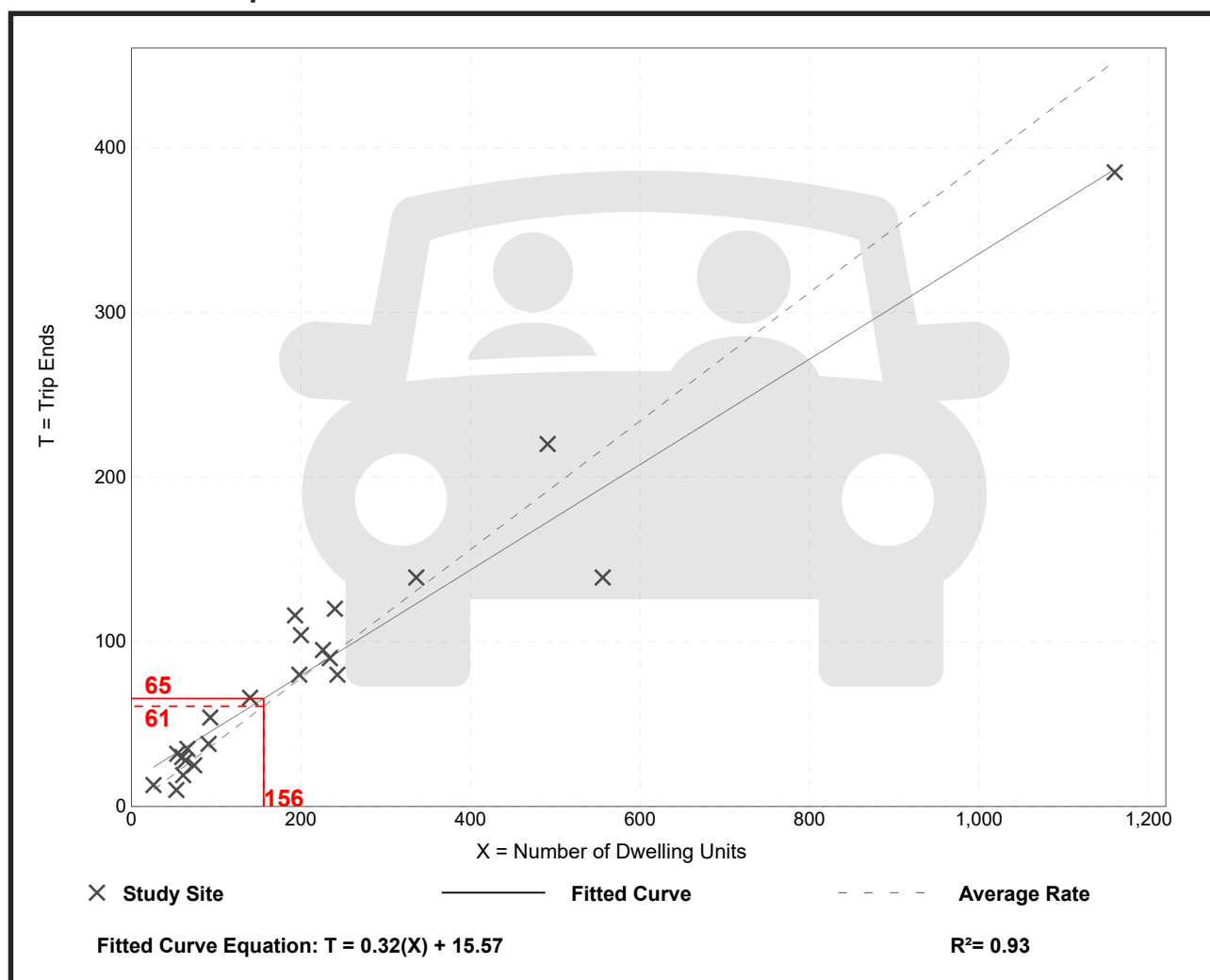
Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday,  
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban  
Number of Studies: 22  
Avg. Num. of Dwelling Units: 221  
Directional Distribution: 60% entering, 40% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.39	0.19 - 0.60	0.10

### Data Plot and Equation



## Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

Vehicle Trip Ends vs: Dwelling Units  
On a: Saturday, Peak Hour of Generator

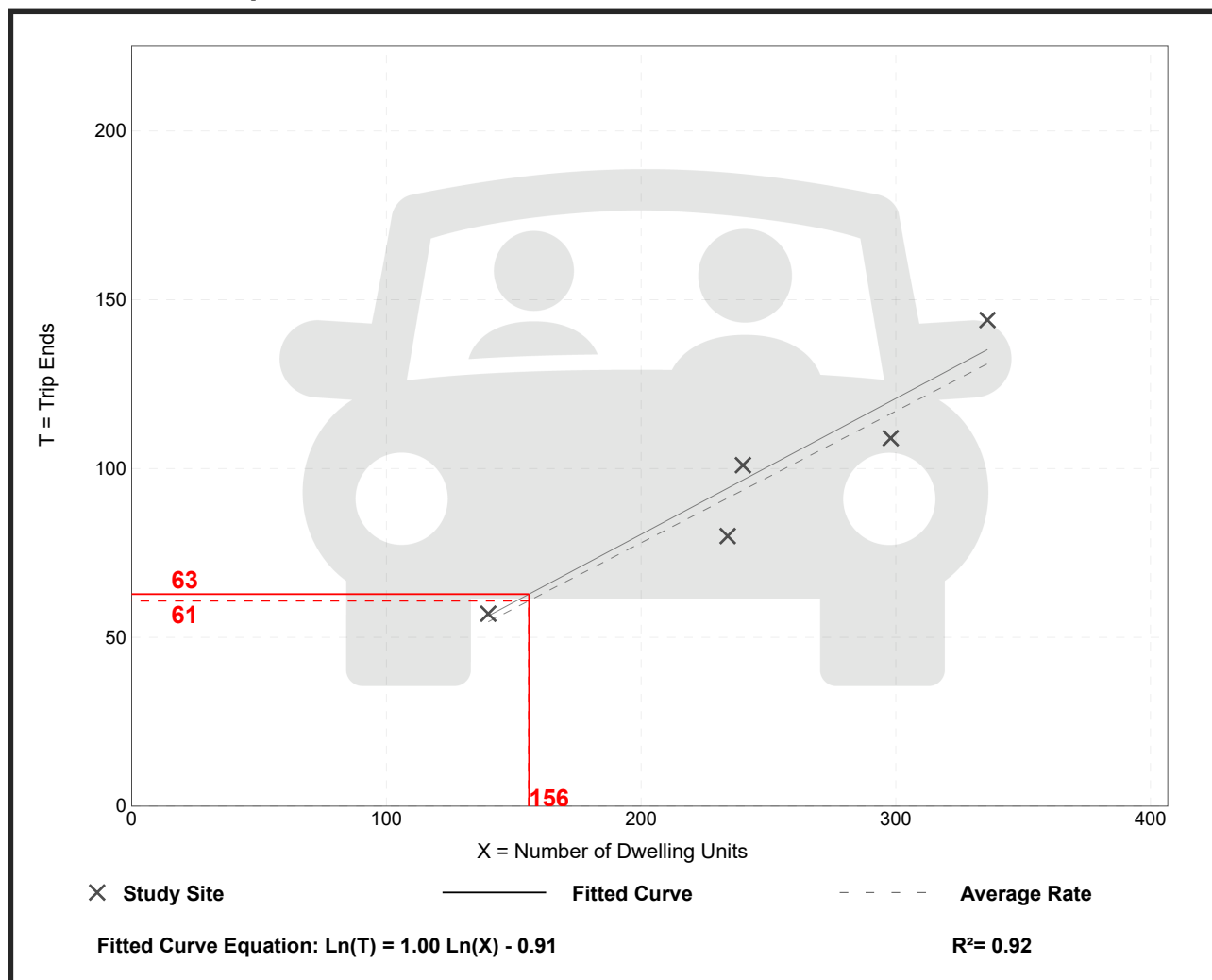
Setting/Location: General Urban/Suburban  
Number of Studies: 5  
Avg. Num. of Dwelling Units: 250  
Directional Distribution: 51% entering, 49% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.39	0.34 - 0.43	0.04

### Data Plot and Equation

Caution – Small Sample Size



## Multifamily Housing (Mid-Rise) Not Close to Rail Transit (221)

**Vehicle Trip Ends vs: Dwelling Units**  
**On a: Sunday, Peak Hour of Generator**

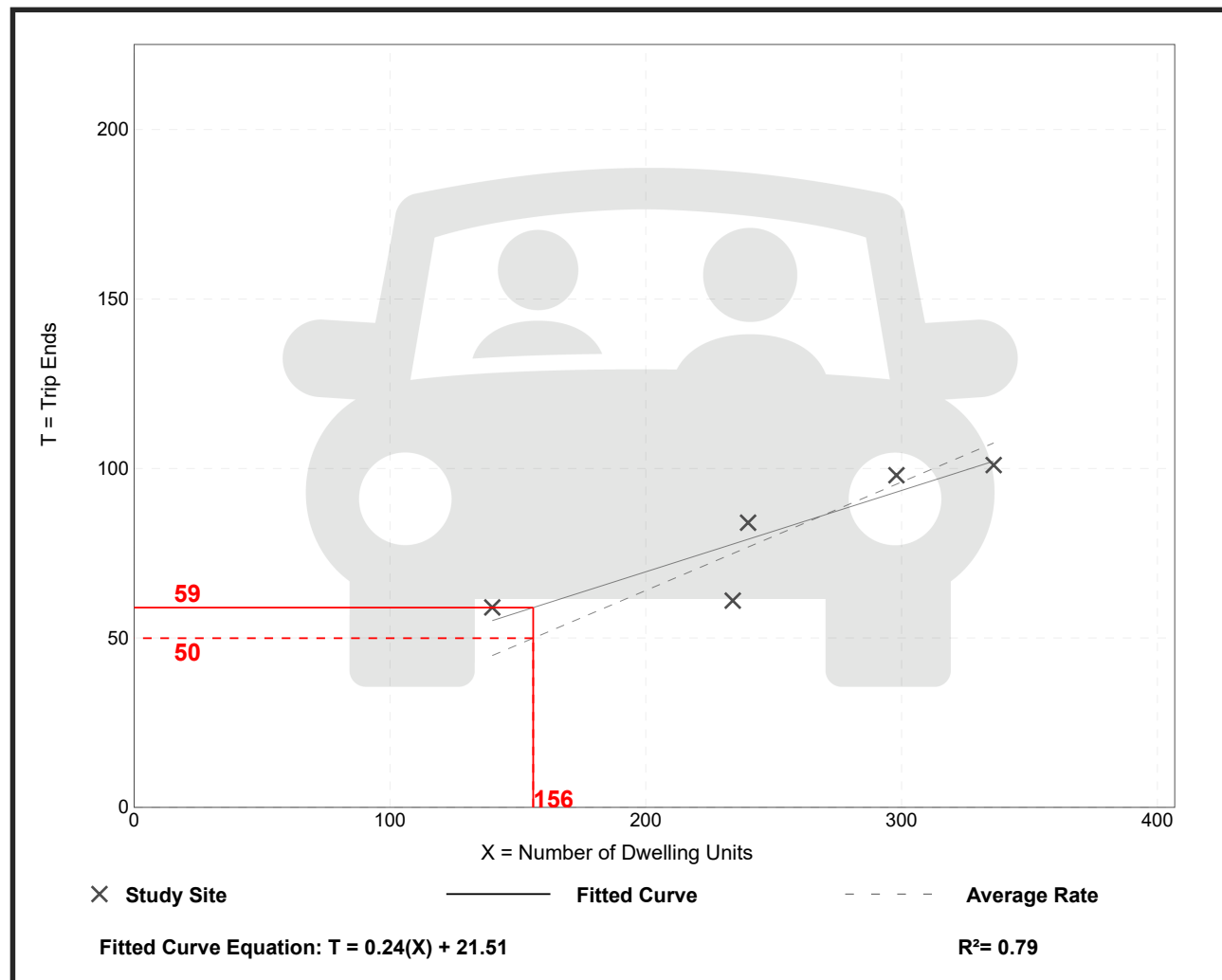
**Setting/Location: General Urban/Suburban**  
Number of Studies: 5  
Avg. Num. of Dwelling Units: 250  
Directional Distribution: 55% entering, 45% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.32	0.26 - 0.42	0.05

### Data Plot and Equation

*Caution – Small Sample Size*



**STAFF REPORT**

FLUM22-000018

Birdsong Housing Partners/Lee County School Board

DOCKET/CASE/APPLICATION NUMBER

Wyatt Daltry, AICP, Planning Team

Coordinator (239) 573-3160,

wdaltry@capecoral.net

APPLICANT/PROPERTY OWNER

1429 NE 15<sup>th</sup> AVE

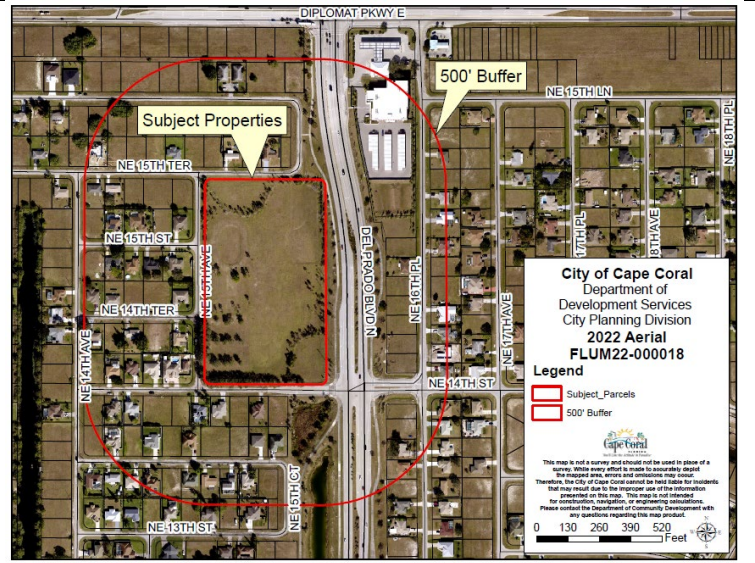
Cape Coral, FL 33909

STAFF PLANNER

PROPERTY ADDRESS/LOCATION

**BRIEF SUMMARY OF REQUEST**

**City-initiated small-scale future land use map amendment from the Public Facilities (PF) Future Land Use Classification to Multi-Family Residential (MF) Future Land Use for 9.78 acres.**



MAP SOURCE

EXISTING ZONING	EXISTING LAND USE	PROPOSED LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
Residential Multi-Family Low (RML)	Public Facilities (PF)	Multi-Family Residential (MF)	Vacant Property, former School Board site for a temporary Alternative Learning Center facility	426,216 square feet 9.78 acres

STAFF RECOMMENDATION: Approval

<b>Background:</b>	<ul style="list-style-type: none"> <li>The Lee County School Board is selling this property, currently vacant, formerly used as an Alternative Learning Center (ALC), to a residential developer</li> <li>The current Public Facilities Future Land Use Map Classification is not compatible with a residential development and the public entity which owns this property will soon sell this property off</li> </ul>
<b>Positive Aspects of Application:</b>	<ul style="list-style-type: none"> <li>Near 10-acre site is large enough to integrate to nearby residential properties, provide buffers</li> <li>Site is close to commercial intersection of Diplomat PKWY and Del Prado BLVD</li> <li>Access off of NE 14<sup>th</sup> ST, which has direct access to Del Prado BLVD, will help prevent traffic generated from site from intruding onto other local roads</li> <li>Will assist in reducing City's multi-family dwelling unit deficiency</li> </ul>
<b>Negative Aspects of Application:</b>	Could be some public outcry due to MF request
<b>Mitigating Factors:</b>	With loss of public entity ownership, PF is no longer appropriate



Additional Site Information

**Street Address:** 1429 NE 15<sup>th</sup> AVE

**Urban Service Area:** Transition

**City Water and Sewer:** Yes.

**Street Access:** NE 14<sup>th</sup> ST and NE 15<sup>th</sup> AVE, which are local roads.

**STRAP Numbers:** 06-44-24-C2-02088.0000

**Cape Coral Unit:** Unit 31

**Block/Lot(s):** Block 2088, (PB 14, PG 155) Cape Coral Subdivision

**Case Planner:** Wyatt Daltry, AICP, Planning Team Coordinator

**Review Approved By:** Amy Yearsley, AICP, Interim Planning Manager

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Zoning and Land Use Information:

<b>Subject Property:</b>	<b>Future Land Use</b>	<b>Zoning</b>
<i>Current:</i>	PF	RML
<i>Proposed:</i>	MF	Not applicable – not a zoning change.
<b>Surrounding Areas</b>	<b>Future Land Use</b>	<b>Zoning</b>
<i>North:</i>	CP	Single-Family Residential (R1)
<i>South:</i>	SF	Commercial (C) and R1
<i>East:</i>	SF	R1
<i>West:</i>	SF	C

**Background**

The subject property is proposed to be amended to Multi-Family Residential future land use. The site is currently owned by the Lee County School Board (since 2005) and is working with the applicant, Birdsong Housing Partners, and the co-developer, Lee County Housing Authority, to develop a multi-family residential development on the site.

Previously, the site was used as an Alternative Learning Center until 2012, at which time the then-portable system of classrooms and hallways was dismantled, resulting in the vacant site currently present. Prior to the School Board's assumption of ownership, the site had a Multi-Family Residential future land use map classification; this was changed to the present designation of Public Facilities through Ordinance 58-06.

The applicant has requested this change with the intention to develop a multi-family residential project. The applicant has asserted that the request is consistent with the Comprehensive Plan and that the site is well-placed, given the utility and transportation structure that is present. Staff will analyze this and the anticipated development impacts further in this case report.

**Additional Site Information**

Protected Species

Burrowing owls have been identified in the vicinity of the amendment. The City requires species surveys prior to issuance of City of Cape Coral permits or development approvals, in accordance with the Conservation and Coastal Management Element of the Comprehensive Plan.

Should additional protected species be identified on the property as part of the development review of the site, the City will abide by Policy 1.2.5 of the Conservation and Coastal Management Element, which states:

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“Policy 1.2.5: The City will assist in the implementation of and compliance with all state and federal regulations concerning species listed as endangered, threatened, species of special concern, or commercially exploited by monitoring development activities, providing information on listed species in building permit packages, and assisting in investigations as requested.”

### Utilities

The subject properties are in the Urban Services Transition area as designated by the City Comprehensive Plan. Utilities are along major roadways in the subject area. As part of the North 1 Utility Expansion Area, utilities will be extended to all properties in this area starting in late 2022.

### Soils and Drainage

The site is located on the Matlacha Urban Complex (Soil Type 69) and Wabasso fine sand (Soil Type 14). This soil has moderate limitations for development, which are typically overcome using various engineering solutions such as importing fill. The soil types should not present an obstacle to future land development although special feasibility studies may be required.

## **REGIONAL PLAN ANALYSIS**

Southwest Florida Regional Planning Council’s (SWFRPC) Strategic Regional Policy Plan (SRPP):

**This amendment is not in conflict with the SRPP.**

Lee County Metropolitan Planning Organization’s (MPO) 2045 Long Range Transportation Plan:

**This amendment has no effect on the MPO’s 2045 LRTP.**

## **COMPREHENSIVE PLAN ANALYSIS**

### Future Land Use Element

#### **Comprehensive Plan Analysis**

Staff analyzed the Comprehensive Plan to determine what policies apply to the proposed future land use map amendment.

Staff has reviewed Policy 1.7 of the Future Land Use Element to determine whether the proposed Multi-Family Residential designation is appropriate for the subject properties. While there is no specific number of guidelines that need to be met, an area which fails to meet most of the guidelines is likely to not be a strong site for multi-family residential development, in which case, an amendment to a different future land use should be considered.

For this policy review, staff will respond to each guideline in ***bold italics***.

“Policy 1.7: The City has identified a shortfall of multi-family residential housing stock in the community. To provide better guidance in identifying properties which are appropriate for multi-family residential development, to reduce this shortfall, locational guidelines have been developed. The following locational guidelines are as follows:

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1.) Proximity to major roadways.

To prevent the establishment of multi-family residential development far in the middle of predominantly single-family neighborhoods, an appropriate location for multi-family residential development is adjacent to or within ¼ mile of major roadways such as arterial and collector roadways, as identified by *Figure 7 City Roadway Classifications*."

***Summary: The subject property is adjacent to Del Prado Boulevard. This guideline is met.***

"2.) Proximity to non-residential land uses.

An important consideration for siting multi-family residential development is the need for multi-family residential uses to be in proximity to major employment centers. Providing housing near commercial uses can result in shorter trips, lessened traffic generation by workers, and providing multiple transportation mode options (walking, bicycling, automobile, bus) for employees.

An appropriate location for multi-family residential development is adjacent to or within ¼ mile of non-residential land uses such as the Commercial/Professional, Light Industrial, Mixed Use, Downtown Mixed, Pine Island Road District, or Commercial Activity Center future land use classifications."

***Summary: The subject property is within 500' of properties designated Commercial/Professional that are located on Diplomat Parkway. Additionally, the property is across the street from Commercial/Professional properties, though those properties are subject to an amendment to Single-Family Residential. Nevertheless, the site is within ¼ mile from commercial uses, and therefore, this guideline is met.***

"3.) Transitioning from commercial uses to less intense uses.

Multi-family residential uses have traditionally provided a role in buffering single-family uses or neighborhoods from nearby commercial development. Multi-family residential development is often self-contained with parking lots which provide a physical barrier visually separating commercial uses, particularly the lighting and loading areas, from single-family residential uses, which is a benefit to the community.

Therefore, an appropriate location for Multi-family residential development is physically between single-family development and non-residential land uses such as the Commercial/Professional, Light Industrial, Mixed Use, Downtown Mixed, Pine Island Road District, or Commercial Activity Center future land use classifications."

***Summary: When the property north of this site is amended to Single-Family Residential, the site will not perform a buffering function between Commercial/Professional and Single-Family Residential. This guideline is not met.***

"4.) Assemblage opportunities and adjacency to existing multi-family residential.

Single, isolated pre-platted parcels provide little opportunity for larger-scale multi-family residential development,

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and contribute to the same ills that strip center commercial developments offer; a proliferation of driveways onto major roadways.

Therefore, an appropriate location for multi-family residential development is a collection of properties of 3-acres or greater which provide multi-family assemblage opportunities, or for properties which alone are 3-acres or greater in size. Furthermore, consideration will be given to logical extensions from existing multi-family residential designated properties.”

***Summary: The subject properties comprise 9.78 acres, greater than the 3-acre preferred by this guideline. AS this is a single, large site, the possibility of a proliferation of driveways is unlikely to occur. This guideline is met.***

***Overall, the proposed amendment meets three of the four guidelines, making the site appropriate in terms of appropriateness. The proposed amendment is consistent with Policy 1.7.***

Staff also analyzed this request in accordance with the Housing Goal of the Housing Element of the Comprehensive Plan.

GOAL: To provide good quality housing in safe, clean neighborhoods, offering a broad choice of options in both type (single family and multi-family) and tenure (owner and renter occupied) to meet the needs of present and future residents of the City, regardless of age or income status.

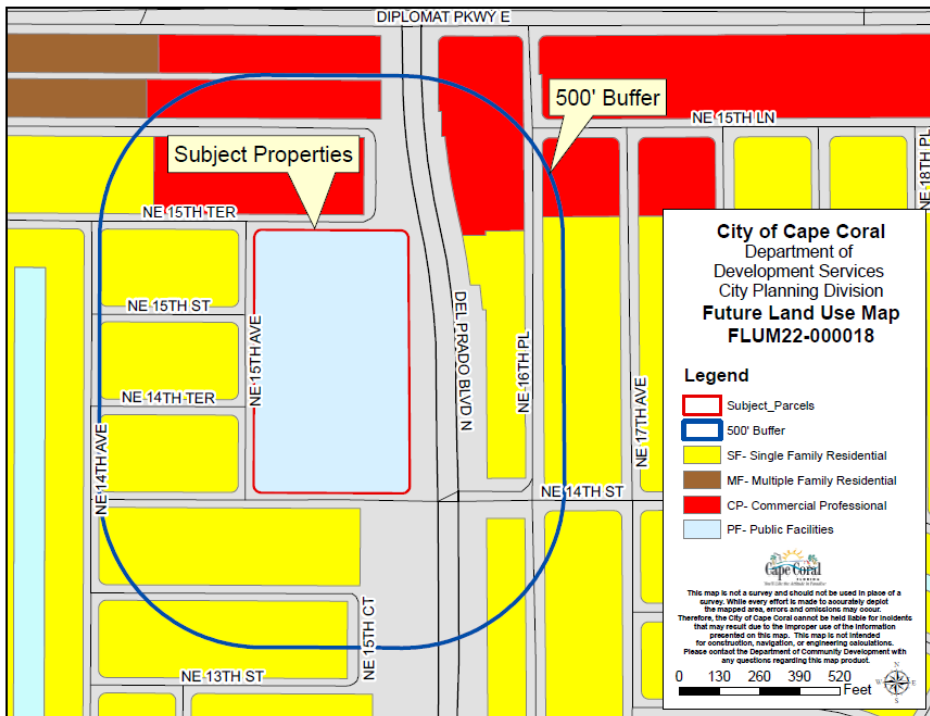
***Summary: An amendment to Multi-Family Residential could provide additional choices of residential options, in an area not intrusive to existing single-family residential neighborhoods.***

With the analysis above, a future land use map classification to Multi-Family Residential is warranted.

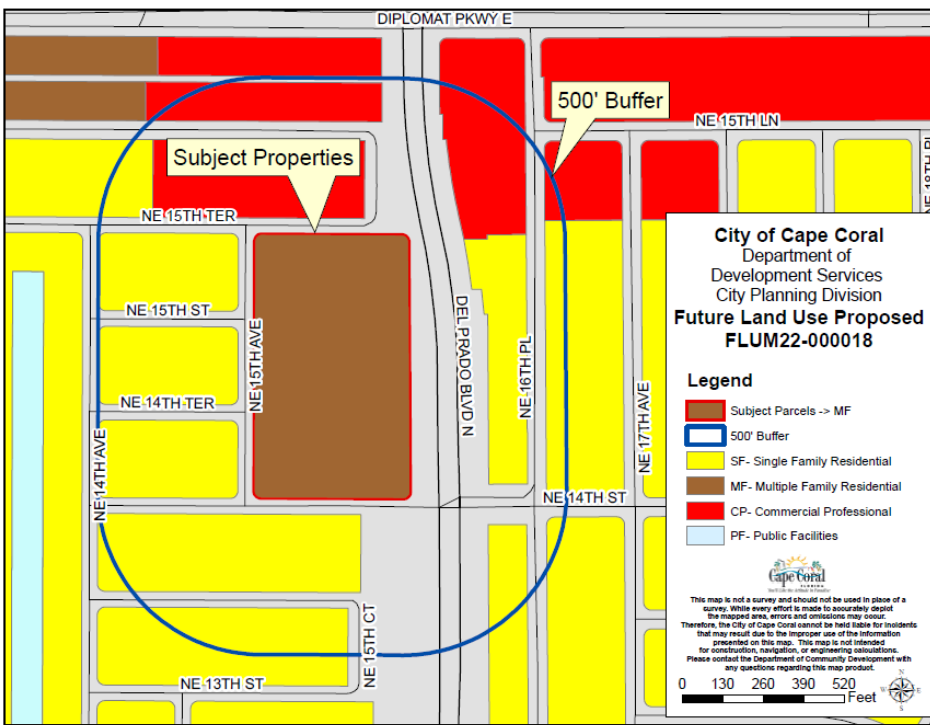
**Overall, the FLUMA is consistent with the Comprehensive Plan.**

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### Future Land Use Map – Current



### Future Land use Map – Proposed



## Impact Assessment Summary

The following calculations summarize approximate conditions for each municipal service analyzed. To determine the impact assessment, staff utilized the adopted future land use and zoning designations to determine the existing impacts at buildout. Therefore, the “existing impacts” discussed in this assessment do not necessarily reflect the actual number of dwelling units, population, etc. present within the subject area, but reflect what those impacts would be if the area was developed in accordance with the existing future land use and zoning.

Existing impacts from Public Facilities assume that the site would have been used for as a school (at 0.25 FAR; 106,000 sq. ft.).

### Dwelling Units

Existing:	0
Proposed:	156
Net Change:	+156 dwelling units

### Population\*

Existing:	0
Proposed:	438
Net Change:	+438

\* 2.81 persons/household = avg. household size; 2019 American Communities Survey, U.S. Census

### Water Use

Existing:	<u>10,600 gal/day total</u> (106,000 sq. ft. at 0.1/gal/sq. ft.)
Proposed:	<u>31,200 gal/day total</u> (156 dwelling units x 200 gal/unit/day)
Net Change:	+20,600 gal/day
Facility Capacity:	30.1 MGD
Avg. Daily Usage:	12.8 MGD

### Sewage

Existing:	<u>10,600 gal/day total</u> (106,000 sq. ft. at 0.1/gal/sq. ft.)
Proposed:	<u>31,200 gal/day total</u> (156 dwelling units x 200 gal/unit/day)
Net Change:	+20,600 gal/day
Facility Capacity:	28.4 MGD
Avg. Daily Usage:	15.3 MGD

### Solid Waste

Existing Generation:	<u>14,416 lbs. total/day</u> (106,000 sq. ft. x 0.136 lbs/sq. ft./day)
Proposed:	<u>2,076 lbs. total/day</u> (438 residents x 4.74 lbs/person/day)
Net Change:	-12,340 lbs./day

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Facility Capacity: 1,836 tons/day  
Existing Demand: 1,384 tons/day  
Capacity Available: Yes

### **Traffic/Daily Trips**

Existing Generation: 461 AM peak trips/hour and 267 PM peak trips/hour (during school season)  
Proposed: 68 AM peak trips/hour and 81 PM peak trips/hour  
Net Change: -393 AM peak hour trips and -166 PM peak hour trips  
Facility Capacity: Local roads with a LOS of "D".  
Capacity Available: Yes

## **Development Impact Analysis**

### **Hurricane Evacuation**

The subject areas are in Evacuation Zone D. Based on the summation of the amendment impacts above, particularly daily trips, there may be a reduction in hurricane evacuation times.

### **Park Lands**

The levels of service standard (LOS) for parkland and facilities are based on permanent population. The proposed amendment would result in an increase in park demand (1.75 acres) due to the residential development proposed.

### **Protected Species**

The City requires an environmental survey prior to the issuance of any land clearing, site clearing, or development permits. Any future land alteration activities will be preceded by the completion of an environmental survey identifying the presence of protected flora and fauna. Based on the results of the environmental survey, City, state, or federal protective or mitigation measures may be required by the developer to proceed.

### **Police and Fire Impacts**

Property is served by Fire Station 5. Proposed development is expected to generate 30 calls annually. Minor impact.

For Police services, the subject properties are served by police beat NZ1. Minor impact to service demands anticipated. Less than 10% increase to recorded calls for service in Zone 1, North. 2% or less citywide.

### **School Impacts**

There will be some impact on schools, due to the residential component in the proposed amendment. Due to the increase in residential units, some increase is expected

Existing dwelling units: 0 dwelling units (commercial)  
Existing students: 0

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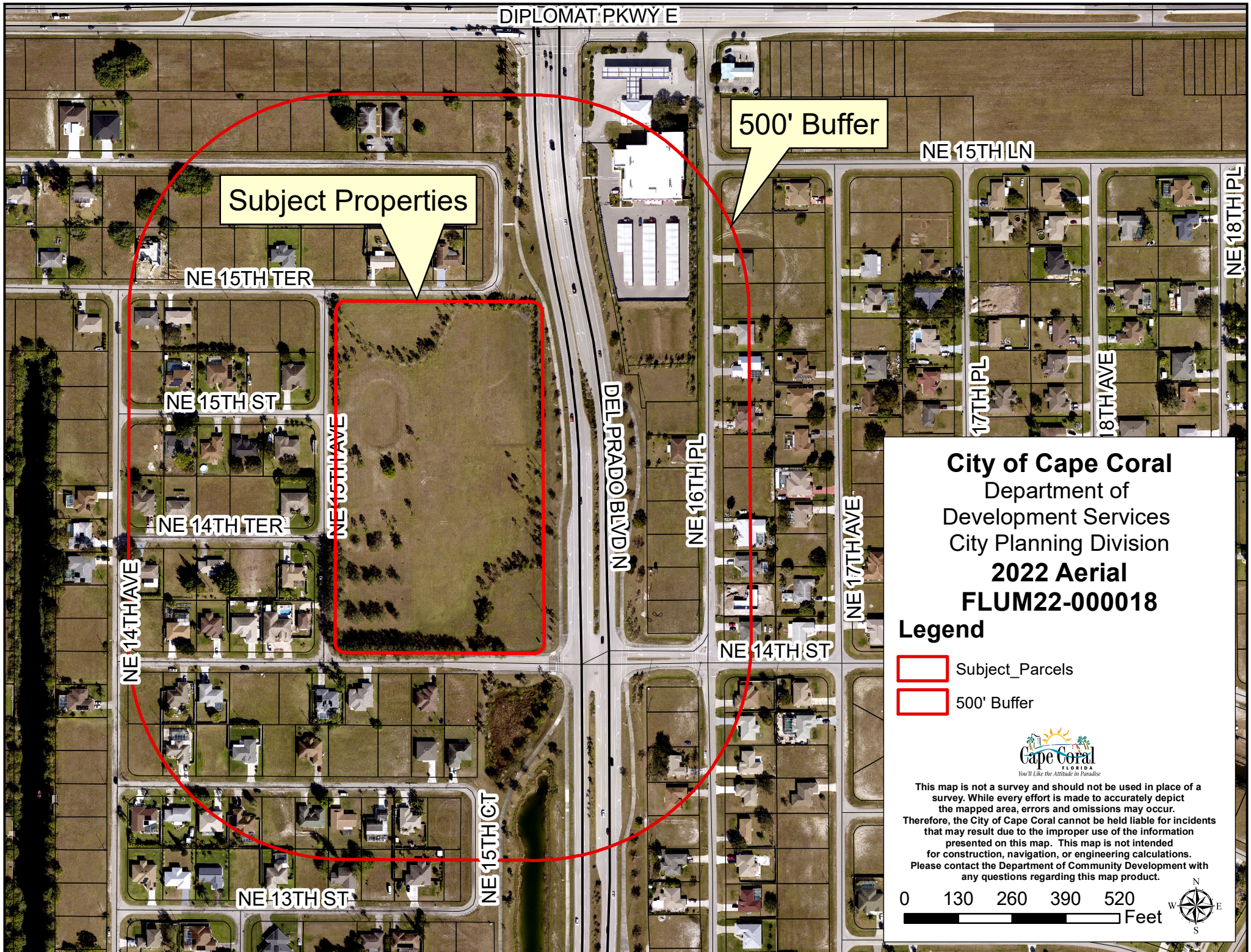


Proposed dwelling units: 156 dwelling units (multi-family)  
Proposed students: 14  
Change: +14 students

**Recommendation:** Planning Division staff recommends approval of the proposed small-scale future land use map amendment request.









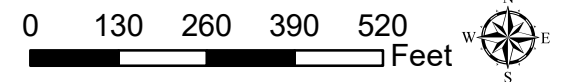
**City of Cape Coral**  
Department of  
Development Services  
City Planning Division  
**2022 Aerial**  
**FLUM22-000018**

**Legend**

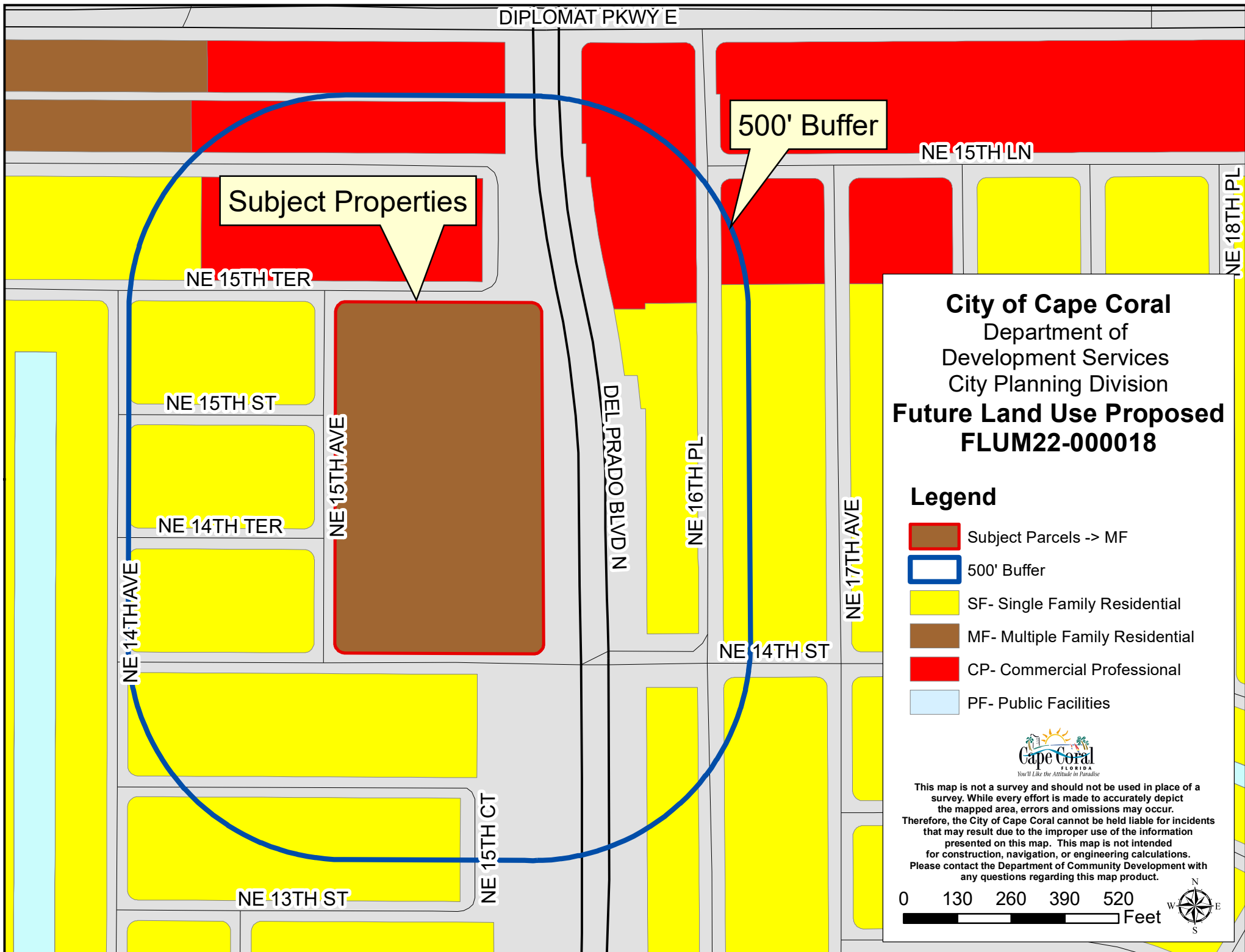
-  Subject\_Parcel
-  500' Buffer

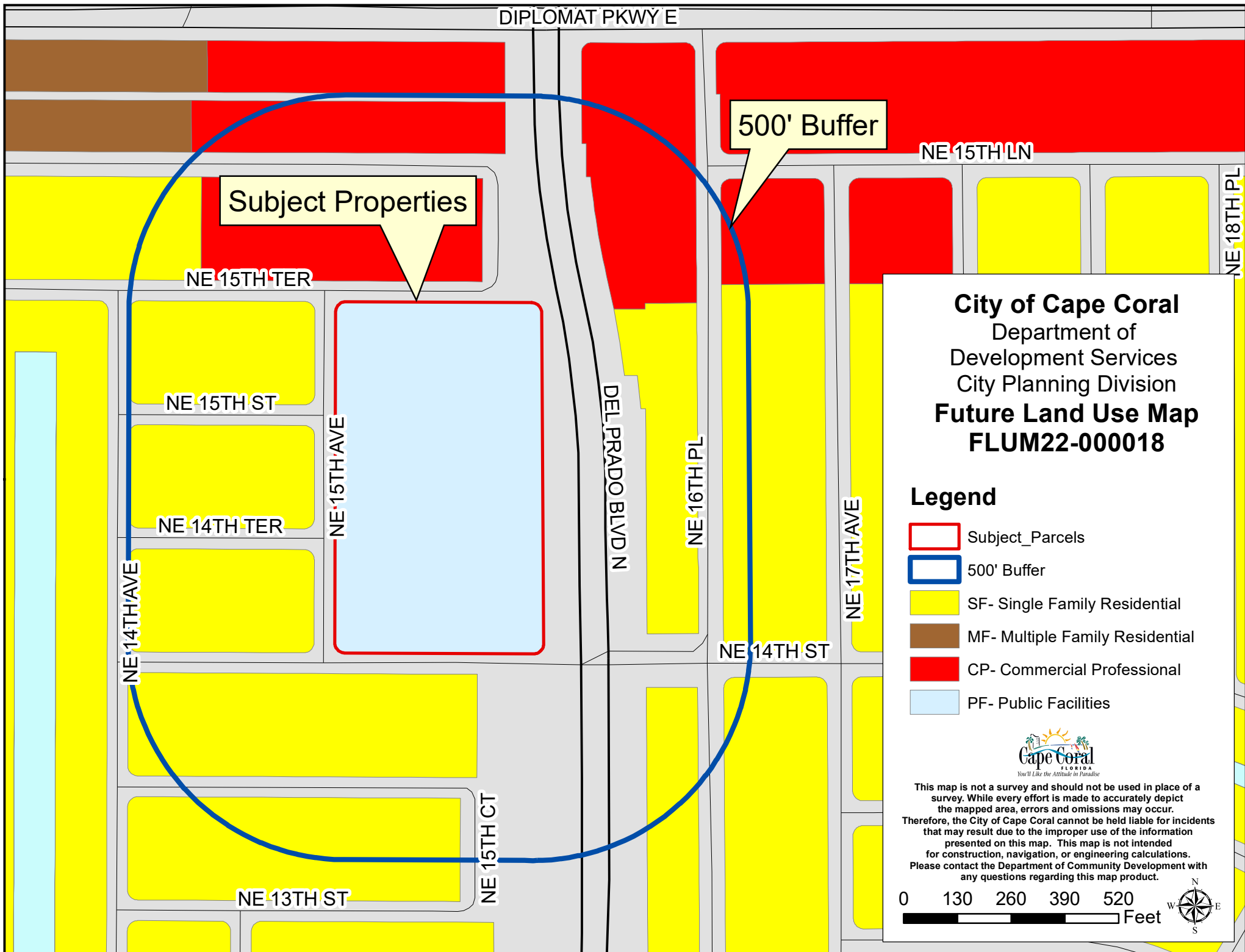


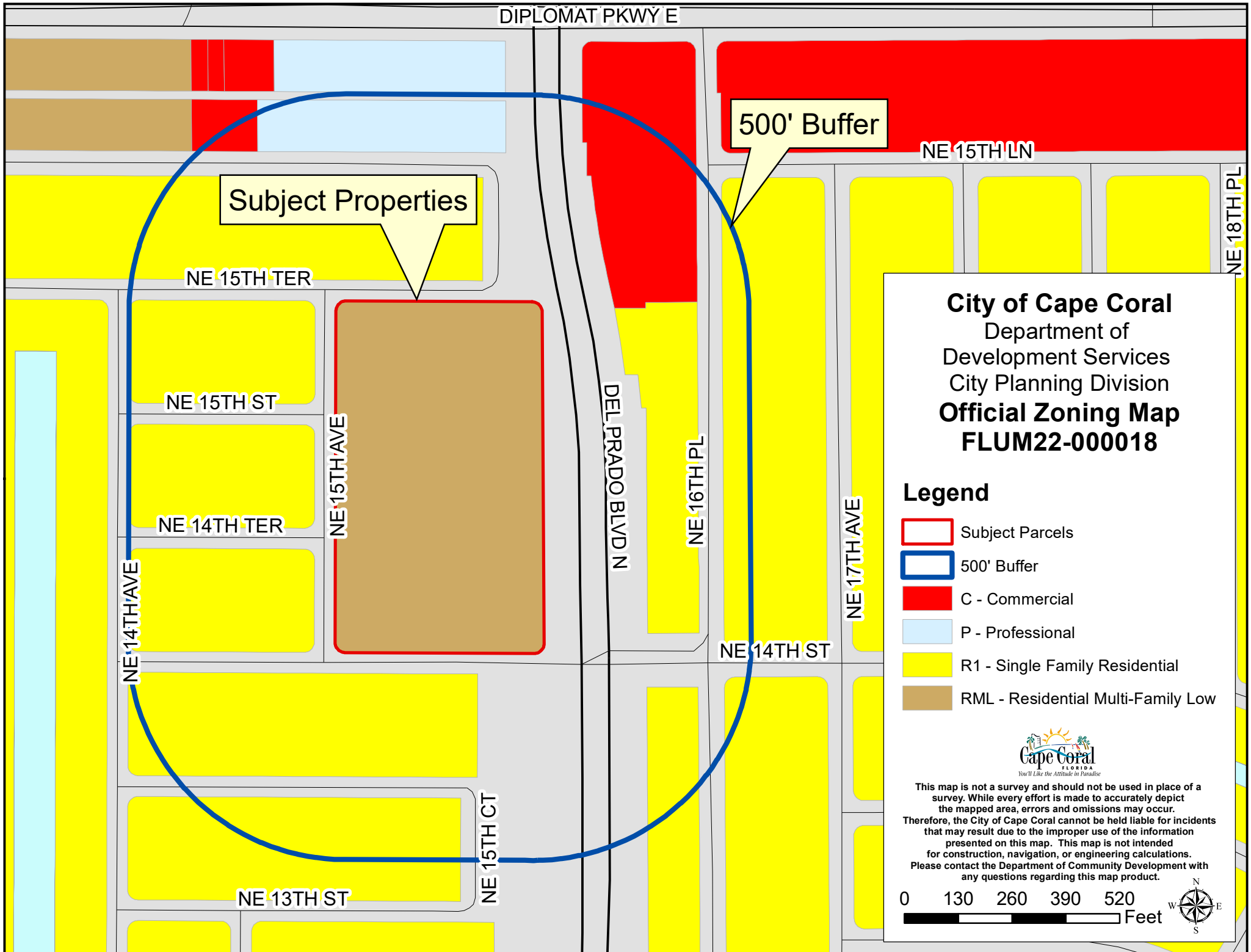
This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented 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.











DIPLOMAT PKWY E

500' Buffer

NE 15TH LN

Subject Properties

NE 15TH TER

NE 15TH ST

NE 14TH TER

NE 14TH AVE

NE 15TH AVE

DEL PRADO BLVD N

NE 16TH PL

NE 17TH AVE

NE 18TH PL







NE 14TH ST

NE 15TH CT

NE 13TH ST

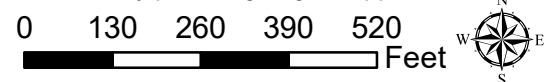
**City of Cape Coral**  
Department of  
Development Services  
City Planning Division  
**Official Zoning Map**  
**FLUM22-000018**

**Legend**

-  Subject Parcels
-  500' Buffer
-  C - Commercial
-  P - Professional
-  R1 - Single Family Residential
-  RML - Residential Multi-Family Low



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.







# Ordinance 83-22/FLUM22-000018 Future Land Use Map Amendment to Multi-Family Residential (MF)

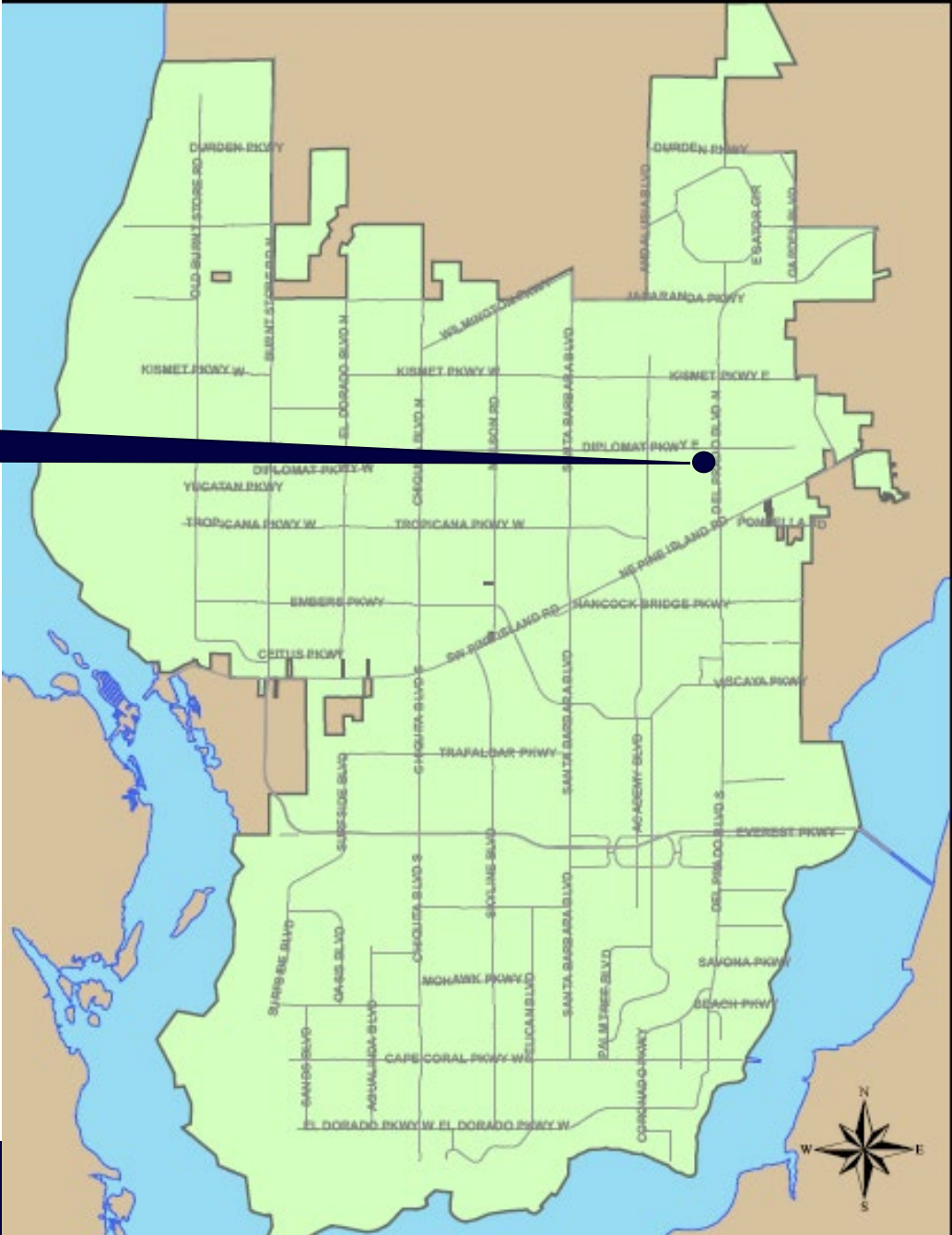




# Background

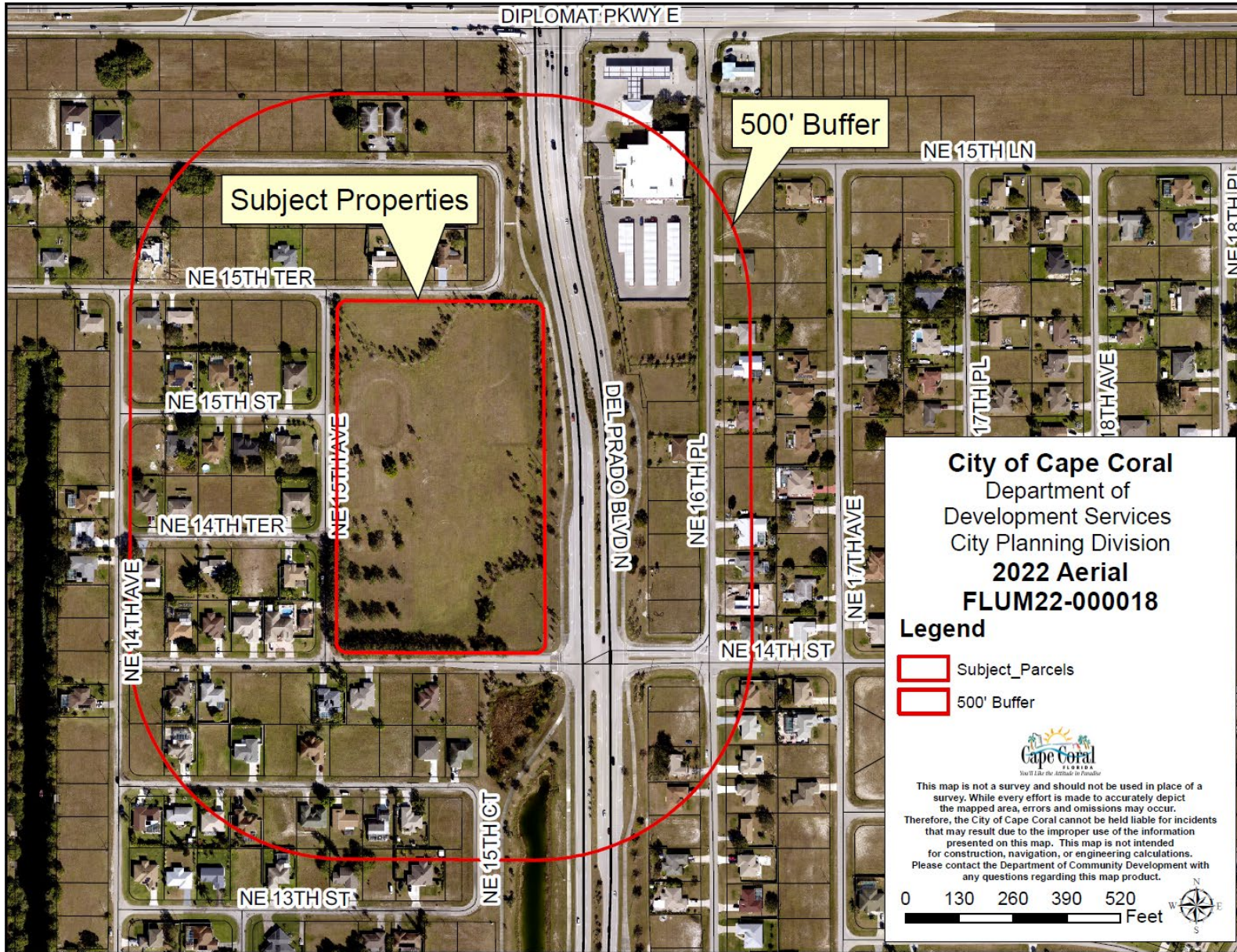
- **A privately-initiated future land use amendment involving 9.78 acres for Block 2088, Unit 31 Cape Coral Subdivision**
- **Request is to amend the future land use from Public Facilities (PF) to Multi-Family Residential (MF) future land use**
- **Property address is 1429 NE 15<sup>th</sup> AVE**

## Site

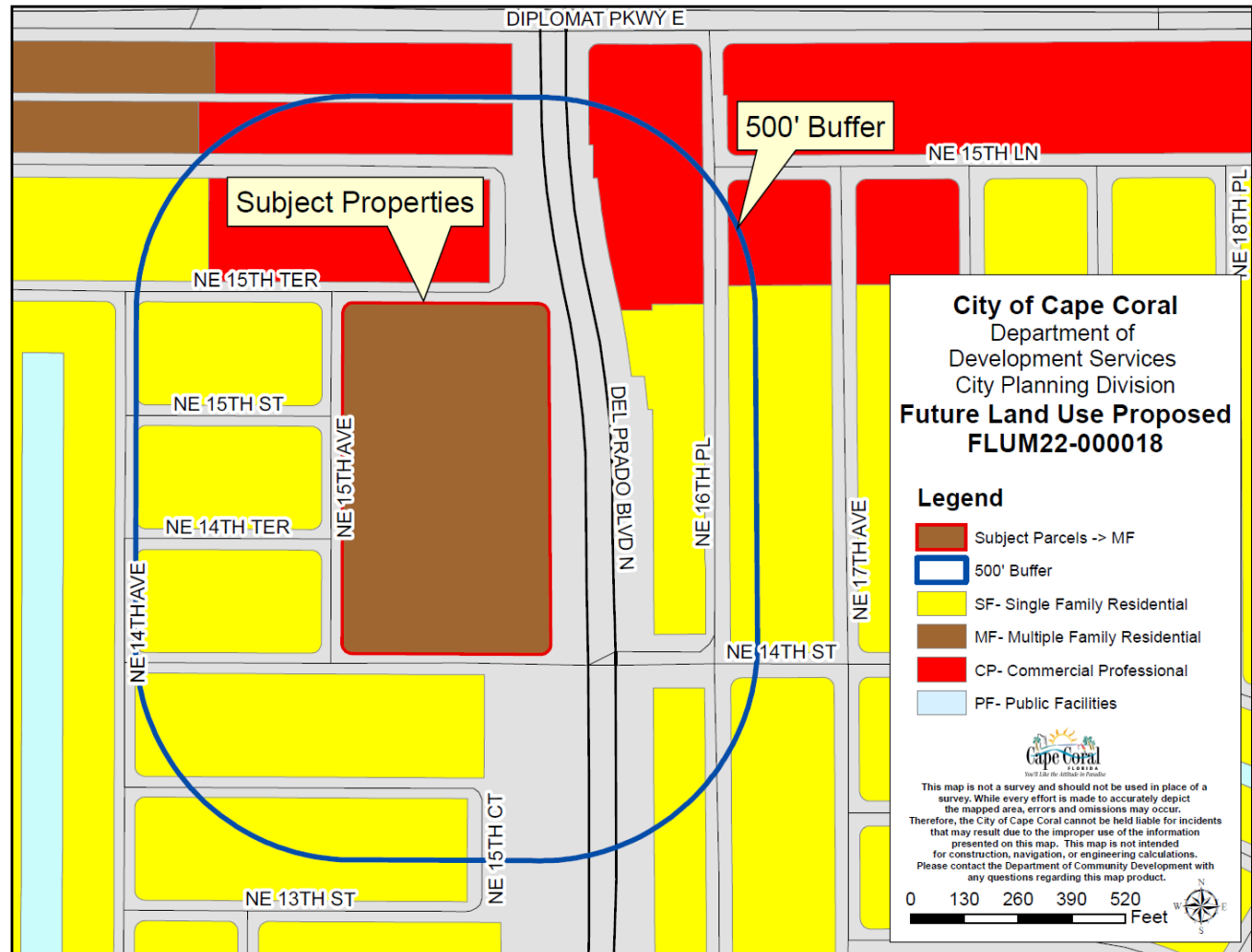
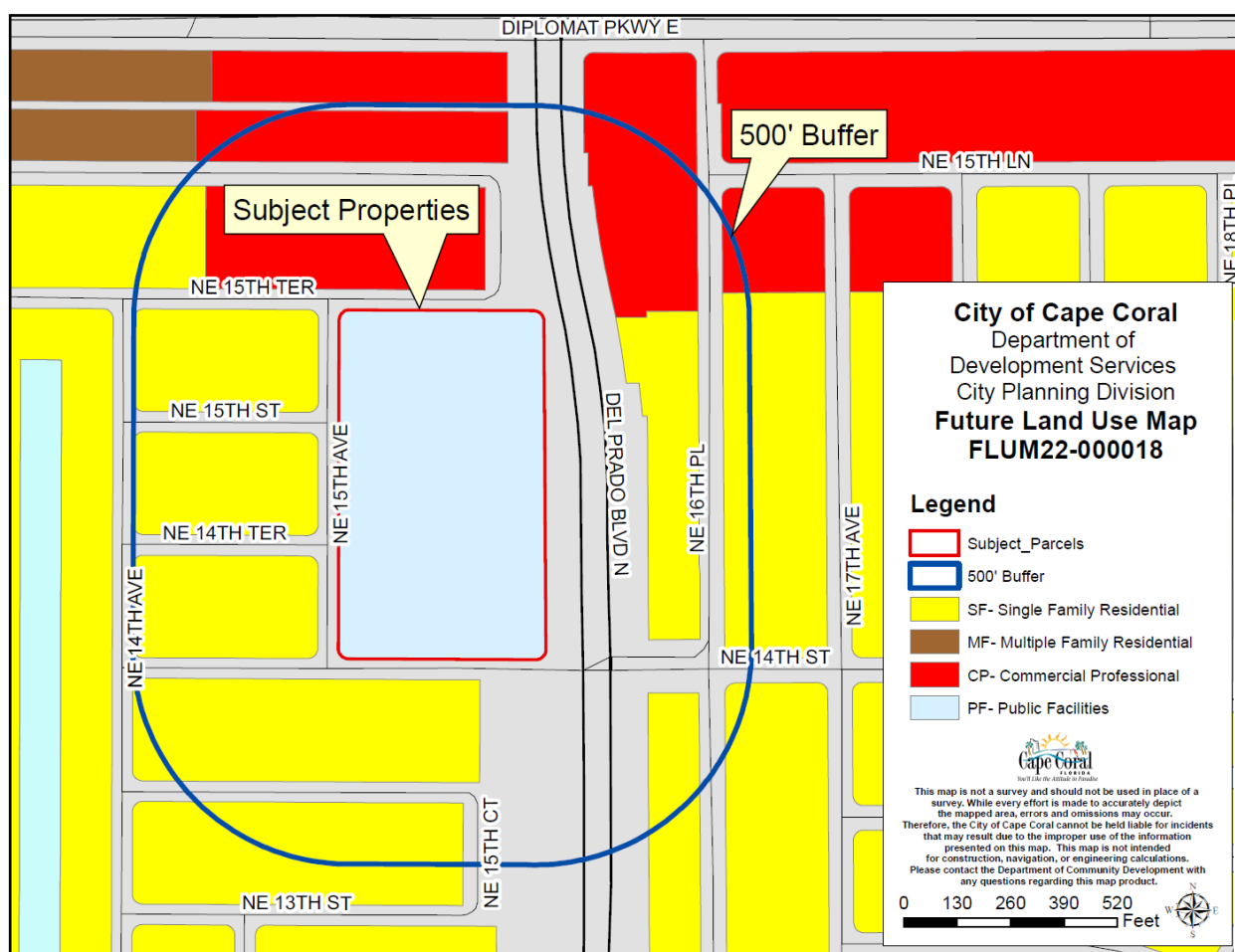




# Aerial



# Current and Proposed and Land Use





# Background/History

**Site is owned by Lee County School Board, formerly site of Alternative Learning Center in late 2000's/early 2010's**

**School Board is looking to sell to residential developer, site already has Multi-Family (RML) zoning**

**Existing Public Facilities FLU is incompatible with multi-family development**

# Comp Plan Analysis

**Staff reviewed Policy 1.7 of the Future Land Use Element and found that the request fully met 3 of 4 multi-family residential siting criteria**

**Request meets the Housing Goal of the Comprehensive Plan by providing additional housing options for residents**

**Proposed amendment is inconsistent with Comprehensive Plan**

**Staff recommends Approval**