

Cape Coral Planning & Zoning Commission/Local Planning

Agency



AGENDA

Wednesday, April 5, 2017

9:00 AM

Council Chambers

1. CALL TO ORDER

A. Chair Read

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. ROLL CALL

A. Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, Schneider,
and Alternate Robinson

5. APPROVAL OF MINUTES

A. March 1, 2017 regular meeting minutes

6. BUSINESS

**7. PLANNING AND ZONING COMMISSION / LOCAL PLANNING
AGENCY PUBLIC HEARING**

A. Ordinance 12-17 (LU 16-0012)

WHAT THE ORDINANCE ACCOMPLISHES:

**An ordinance amending the City of Cape Coral Future Land
Use Map from Single Family and Multi- Family by PDP to
Single Family Residential for properties located in Units 33,
34, 35, 36-1, 37, 38, 41, 48, 49, 50, 54, 58, and 59, Cape Coral
Subdivision, for properties located in the Whispering Pines**

Subdivision, and for properties lying in Section 10, Township 44 South, Range 23 East, Lee County, Florida; from Single Family and Multi-Family by PDP to Multiple Family Residential for properties located in Units 33, 37 and 58, Cape Coral Subdivision, and lying in Sections 29 and 32, Township 43 South, Range 24 East, Lee County, Florida; from Commercial Activity Center to Single Family Residential for properties located in Unit 49, Cape Coral Subdivision; from Commercial Activity Center to Multiple Family Residential for properties located in Unit 49, Cape Coral Subdivision; and from Urban Services Reserve Area to Urban Services Transition Area for properties located in Units 59, 60, 76, and 81, Cape Coral Subdivision, and for properties located in the West Cape Estates Subdivision. This large scale future land use amendment is a follow-up to LU 15-0004 (Ordinance 59-15) which brought over 4,000 acres in northern Cape Coral from the Urban Services Reserve Area into the Urban Services Transition Area.

8. STAFF UPDATES

9. OTHER BUSINESS

10. LPA MEMBER COMMENTS

11. DATE AND TIME OF NEXT HEARING

A. Wednesday, May 3, 2017, at 9:00 a.m. in Council Chambers

12. ADJOURNMENT

In accordance with the Americans with Disabilities Act and Florida Statutes 2.86.26, 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 1-239-574-0530 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.

Item Number:	5.A.
Meeting Date:	4/5/2017
Item Type:	APPROVAL OF MINUTES

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

March 1, 2017 regular meeting minutes

REQUESTED ACTION:

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment?

2. 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?

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

ATTACHMENTS:

Description

Type

☐ March 1, 2017 regular meeting minutes

Backup Material

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

WEDNESDAY, MARCH 1, 2017

COUNCIL CHAMBERS

9:00 A.M.

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

A moment of silence was observed.

Chair Read led the Pledge of Allegiance.

ROLL CALL: Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, Schneider, and Alternate Robinson were present.

Chair Read welcomed the new alternate member, Giovanni Robinson.

ALSO PRESENT: Wyatt Daltry, Planning Team Coordinator
Mike Struve, Planning Team Coordinator
Bob Pederson, Planning Manager
Brian Bartos, Assistant City Attorney
Rana Erbrick, Council Liaison

APPROVAL OF MINUTES

February 1, 2017 Regular Meeting Minutes

Commissioner Peterson moved, seconded by Commissioner Marmo, to approve the minutes of the regular meeting held on February 1, 2017 as presented.

Commission polled as follows: Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, and Schneider voted "aye." All "ayes." Motion carried 7-0.

BUSINESS

Election of Chair and Vice Chair

Chair Read opened the floor for nominations for Chair.

Vice Chair Ranfranz moved, seconded by Commissioner Marmo, to nominate Dan Read as Chair.

There were no other nominations for Chair.

Commission polled as follows: Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, and Schneider voted "aye." All "ayes." Motion carried 7-0.

Chair Read opened the floor for nominations for Vice Chair.

Commissioner Marmo nominated Ryan Peterson.

Commissioner Schneider seconded Ryan Peterson.

Commissioner Kibitlewski nominated Jim Ranfranz.

There were no other nominations.

Commissioner Marmo moved, seconded by Commissioner Schneider, to nominate Ryan Peterson as Vice Chair.

Commission polled as follows: Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, and Schneider voted "aye." All "ayes." Motion carried 7-0.

**Recommend P&Z member to serve as alternate
on the Burnt Store Road Right-of-Way Committee**

Chair Read asked if anyone would volunteer to serve as the alternate on this committee, noting that this was to replace Graham Morris.

Commissioner Marmo stated he would volunteer to serve as the P&Z alternate to the Burnt Store Road Right-of-Way Committee.

There were no other volunteers.

Commission polled as follows: Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, and Schneider voted "aye." All "ayes." 7-0.

Recording Secretary Kerr mentioned that this would be going to Council for a vote.

**PLANNING AND ZONING COMMISSION/LOCAL PLANNING AGENCY
PUBLIC HEARING**

Ordinance 10-17 LU16-0014

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Future Land Use Map from Public Facilities (PF) to Commercial/Professional (CP) land use for property located at 1609 SE 26th Street.

Assistant City Attorney Bartos read the title of the Ordinance.

Planning Team Coordinator Daltry stated the applicant, Church of the Epiphany, was requesting a small-scale future land use map amendment from Public Facilities (PF) to

Commercial/Professional (CP) for a 10,000 square feet (0.22 acre) site. He presented a power point which described the subject property, surrounding area on the proximity map, and displayed aerial photographs. He reviewed staff's analysis and stated staff recommended approval of the proposed small-scale future land use map amendment. No correspondence was received. Introduction at Council will be held on March 20, 2017, and the public hearing at Council will be held on April 3, 2017.

Linda Stewart, Principal Planner/Project Manager, David Douglas Associates, Inc., authorized representative, explained the reason for the request and agreed with staff's recommendation.

Public hearing opened.

No speakers.

Public hearing closed.

Commissioner Hewitt moved, seconded by Commissioner Ranfranz, to recommend approval of Ordinance 10-17.

Discussion held concerning confirmation of the address as SE 26th Street, not SE 29th Street.

Commission polled as follows: Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, and Schneider voted "aye." All "ayes." Motion carried 7-0.

Ordinance 14-17

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.5, Schedule of Land Use Classifications, by adding "Sports Academy" to the schedule of Land Use Classifications; amending Section 2.7, District Regulations, by providing that Private Parks shall be allowed as a permitted use in Single-Family Residential (R-1A and R-1B) and Multi-Family (R-3) districts; and providing that Cultural Facilities; Hotels/Motels-Resorts Only; Recreation, Commercial, Group II; and Schools, Commercial (Sports Academy Only) uses shall be allowed as special exception uses in the Single-Family Residential (R-1A and R-1B) and Multi-Family Residential (R-3) districts under certain identified conditions; amending Article XI, Definitions, by revising the definition of "Resort" and adding a definition for "Sports Academy."

Assistant City Attorney Bartos read the title of the Ordinance.

Planning Team Coordinator Daltry stated this was a request to amend sections 2.7.1 and 2.7.2 of the City Land Use and Development Regulations (LUDRs) to revise the list of permitted and special exception uses. He presented a power point and provided

background, summary of the proposed changes, as well as the analysis/purpose and the consistency with the Comprehensive Plan. He stated staff recommended approval of Ordinance 14-17. No correspondence was received. He stated he was available for questions.

Public hearing opened.

No speakers.

Public hearing closed.

Discussion held regarding the following: if 75 acres would not exclude some facilities such as swim centers or gymnastics; this being a good step forward and may bring some development similar to Tampa and Orlando.

Commissioner Kibitlewski moved, seconded by Commissioner Schneider, to recommend approval of Ordinance 14-17.

Commission polled as follows: Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, and Schneider voted "aye." All "ayes." Motion carried 7-0.

Ordinance 15-17

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, by amending the regulations for Neighborhood Storage Facilities in the Pedestrian Commercial (C-1) and Corridor (CORR) districts.

Assistant City Attorney Bartos read the title of the Ordinance.

Planning Team Coordinator Struve stated this was a request to amend sections 2.7.7, 2.7.13, and 11.1 of the City Land Use and Development Regulations (LUDRs) to revise regulations for Neighborhood Storage Facilities. He presented a power point and provided background as well as explained the summary of the proposed changes. He stated staff recommended approval of Ordinance 15-17. No correspondence was received. Introduction at Council will be held on March 20, 2017, and the public hearing at Council will be held on April 3, 2017.

Joe Mazurkiewicz, President, BJM Consulting, stated he was present on behalf of two developers who had originally worked on the ordinance in 2000. He reviewed the problems with the prior ordinance causing an inability to deal with the type of facility that the market demands in Cape Coral. He thanked staff for their willingness to move this change forward because it reflects the conditions that exist in today's marketplace. He noted there were three projects contemplated with a total value of \$20 million waiting for this ordinance change to happen, two are in the process right now. This is something

that is common sense and market driven. He respectfully requested that the Commission recommend approval to the City Council.

Public hearing opened.

No speakers.

Public hearing closed.

Discussion held regarding the following: one of the facilities at Chiquita and Gleason, not being appealing and tight, and screening recommendation.

Commissioner Hewitt moved, seconded by Vice Chair Peterson, to recommend approval of Ordinance 15-17.

Commission polled as follows: Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, and Schneider voted "aye." All "ayes." Motion carried 7-0.

STAFF UPDATES

Planning Manager Pederson stated the City's Consultant Project Manager for the Bimini Basin Project would be in the City to meet with stakeholders and staff. There will be an Open House on Thursday, March 9th, 2017, from 9:30 a.m. to 7:00 p.m. at the Chester Street Resource Center. He invited the Planning and Zoning Commission members to drop in and learn more about the project and meet the people involved.

OTHER BUSINESS

None.

LPA MEMBER COMMENTS

None.

DATE AND TIME OF NEXT MEETING

The next regular meeting was scheduled for Wednesday, April 5, 2017, at 9:00 a.m. in Council Chambers.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:40 a.m.

Submitted by,

Barbara Kerr
Recording Secretary

Item Number:	7.A.
Meeting Date:	4/5/2017
Item Type:	PLANNING AND ZONING COMMISSION / LOCAL PLANNING AGENCY PUBLIC HEARING

**AGENDA
REQUEST
FORM**
CITY OF CAPE
CORAL



TITLE:

Ordinance 12-17 (LU 16-0012)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

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

PRIORITY GOAL #3: INVEST IN COMMUNITY INFRASTRUCTURE INCLUDING UTILITIES EXPANSION IMPROVEMENTS TO ENHANCE THE CITY'S ABILITY TO MEET THE NEEDS OF ITS CURRENT AND FUTURE RESIDENTS.

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral Future Land Use Map from Single Family and Multi-Family by PDP to Single Family Residential for properties located in Units 33, 34, 35, 36-1, 37, 38, 41, 48, 49, 50, 54, 58, and 59, Cape Coral Subdivision, for properties located in the Whispering Pines Subdivision, and for properties lying in Section 10, Township 44 South, Range 23 East, Lee County, Florida; from Single Family and Multi-Family by PDP to Multiple Family Residential for properties located in Units 33, 37 and 58, Cape Coral Subdivision, and lying in Sections 29 and 32, Township 43 South, Range 24 East, Lee County, Florida; from Commercial Activity Center to Single Family Residential for properties located in Unit 49, Cape Coral Subdivision; from Commercial Activity Center to Multiple Family Residential for properties located in Unit 49, Cape Coral Subdivision; and from Urban Services Reserve Area to Urban Services Transition Area for properties located in Units 59, 60, 76, and 81, Cape Coral Subdivision, and for properties located in the West Cape Estates Subdivision. This large scale future land use amendment is a follow-up to LU 15-0004 (Ordinance 59-15) which brought over 4,000 acres in northern Cape Coral from the Urban Services Reserve Area into the Urban Services Transition

Area.

LEGAL REVIEW:

Brian R. Bartos, Assistant City Attorney

EXHIBITS:

Ordinance 12-17 (LU 16-0012)

PREPARED BY:

Division- Department- City
Attorney

SOURCE OF ADDITIONAL INFORMATION:

Wyatt Daltry, Planning Team Coordinator

ATTACHMENTS:

Description	Type
▣ Ordinance 12-17 (LU 16-0012)	Ordinance
▣ Ordinance 12-17 LU 16-0012 powerpoint	Backup Material

ORDINANCE 12 - 17

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP TO SINGLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNITS 33, 34, 35, 36-1, 37, 38, 41, 48, 49, 50, 54, 58, AND 59, CAPE CORAL SUBDIVISION, FOR PROPERTIES LOCATED IN THE WHISPERING PINES SUBDIVISION, AND FOR PROPERTIES LYING IN SECTIONS 10, TOWNSHIP 44 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA; FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP TO MULTIPLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNITS 33, 37 AND 58, CAPE CORAL SUBDIVISION, AND LYING IN SECTIONS 29 AND 32, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; FROM COMMERCIAL ACTIVITY CENTER TO SINGLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNIT 49, CAPE CORAL SUBDIVISION; FROM COMMERCIAL ACTIVITY CENTER TO MULTIPLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNIT 49, CAPE CORAL SUBDIVISION; AND FROM URBAN SERVICES RESERVE AREA TO URBAN SERVICES TRANSITION AREA FOR PROPERTIES LOCATED IN UNITS 59, 60, 76, AND 81, CAPE CORAL SUBDIVISION, AND FOR PROPERTIES LOCATED IN THE WEST CAPE ESTATES SUBDIVISION, ALL AS MORE PARTICULARLY DESCRIBED HEREIN; 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 CITY OF CAPE CORAL 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 SINGLE FAMILY AND MULTI-FAMILY BY PDP TO SINGLE FAMILY
RESIDENTIAL

Cape Coral Subdivision		
Unit	Block	Lots
34-0	2053	44-68
35-0	2053	69-86
34-0	2054	4-28
34-0	2099	31-55
34-0	2100	44-72
36-1	2100	73-106 + Tract A
33-0	2247	1-95
33-0	2248	1-56
33-0	2249	1-21
33-0	2250	1-24
33-0	2251	1-26
33-0	2252	1-26
33-0	2253	1-73
33-0	2254	1-69

33-0	2255	1-75
33-0	2256	1-75
33-0	2258	1-46
33-0	2259	1-46
33-0	2260	1-15
33-0	2262	1-6
33-0	2263	1-48
33-0	2264	1-48
33-0	2265	1-54
33-0	2266	1-56
33-0	2267	1-72
33-0	2271	1-37
33-0	2272	1-26
33-0	2273	1-26
33-0	2274	1-26
33-0	2275	1-26
33-0	2276	1-26
33-0	2277	1-56
33-0	2278	1-22
33-0	2279	1-36
33-0	2280	1-48
33-0	2281	1-3
33-0	2282	1-3
33-0	2283	1-64
33-0	2284	1-77
33-0	2285	1-62
33-0	2286	1-24
33-0	2287	1-67
35-0	2361	1-24
35-0	2362	1-25
35-0	2363	1-30
35-0	2364	1-36
35-0	2365	1-44
35-0	2366	1-50
35-0	2367	1-58
35-0	2368	1-64
35-0	2369	1-70
35-0	2370	1-78
35-0	2371	1-25
35-0	2372	1-33
35-0	2375	1-37
35-0	2376	1-23
35-0	2384	1-70
35-0	2385	1-82
35-0	2386	1-46
35-0	2387	1-69
34-0	2388	1-48
34-0	2389	1-48
34-0	2390	1-48
34-0	2392	1-28
35-0	2393	1-45
35-0	2394	1-38
35-0	2397	1-42
35-0	2398	1-38
35-0	2399	1-40

35-0	2400	1-85 + Tract A
35-0	2401	1-42
35-0	2402	1-42
35-0	2403	1-42
35-0	2404	1-42
35-0	2405	1-42
35-0	2406	1-42
35-0	2407	1-32
35-0	2408	1-40
35-0	2409	1-48
35-0	2410	1-70
35-0	2411	1-80
35-0	2412	1-78
35-0	2413	1-96
35-0	2414	1-53
35-0	2415	1-40
34-0	2416	1-60
34-0	2417	1-60
34-0	2418	1-56
34-0	2419	1-74
34-0	2420	Tract A
34-0	2421	1-46
34-0	2422	1-46
34-0	2423	1-46
34-0	2424	1-76
34-0	2425	1-82
34-0	2426	1-60
34-0	2427	1-64
34-0	2428	1-64
34-0	2429	1-60
34-0	2430	1-64
34-0	2431	1-62
34-0	2432	1-78
34-0	2433	1-44
34-0	2434	1-44
34-0	2435	1-44
34-0	2436	1-76
34-0	2437	1-86
34-0	2438	1-70
34-0	2439	1-70
34-0	2440	1-48
34-0	2441	1-48
34-0	2442	1-48
34-0	2443	1-48
34-0	2444	1-62
34-0	2445	1-62
34-0	2446	1-56
34-0	2447	1-90
34-0	2448	1-90
34-0	2450	1-62
34-0	2451	1-60
34-0	2452	1-48
34-0	2453	1-60
34-0	2454	1-60
34-0	2455	1-60

34-0	2456	1-50
34-0	2457	1-50
34-0	2458	1-50
34-0	2459	1-30
34-0	2460	1-78
34-0	2461	1-63 + portion of vacated canal as described in OR Book 4829/Page 1042
34-0	2462	1-42
34-0	2463	1-41
34-0	2464	1-53
34-0	2465	1-100
34-0	2466	1-84
34-0	2467	1-37
34-0	2468	1-49
36-1	2475	25-48
36-1	2476	40-78
36-1	2477	29-56
36-1	2478	32-62
37-0	2550	18-54 + property described in OR Book 2203/Page 395
37-0	2551	1-74
37-0	2552	1-96
37-0	2553A	1-44
37-0	2554	1-56
38-0	2555	1-74
38-0	2556	1-64
37-0	2557	1-64
37-0	2558	1-42
37-0	2559	1-78
37-0	2560	1-78
37-0	2561	1-78
37-0	2562	1-42
37-0	2563	1-42
37-0	2564	1-94
37-0	2565	1-32
37-0	2566	1-32
37-0	2567	1-32
37-0	2568	1-32
37-0	2569	1-32
37-0	2570	1-32
37-0	2571	1-33
37-0	2574	1-2; 20-34
37-0	2575	1-38
37-0	2576	1-58
37-0	2577	1-62
37-0	2578	1-76
37-0	2579	1-64
37-0	2581	1-65
37-0	2582	1-82
37-0	2583	1-49
37-0	2584	1-31
37-0	2585	1-98
37-0	2586	1-34
37-0	2587	1-42

37-0	2588	1-48
37-0	2589	1-56
37-0	2590	1-58
37-0	2591	1-58
37-0	2592	1-62
37-0	2593	1-62
37-0	2594	1-58
37-0	2595	1-58
37-0	2596	1-62
37-0	2597	1-42
37-0	2598	1-76
37-0	2599	1-58
37-0	2600	1-74
37-0	2601	1-46
37-0	2602	1-46
37-0	2603	1-46
37-0	2604	1-105
37-0	2605	1-87
37-0	2606	1-55
37-0	2607	1-33
38-0	2608	1-81
38-0	2609	1-94
37-0	2610	1-86
37-0	2611	1-42
37-0	2612	1-54
37-0	2613	1-54
37-0	2614	1-54
37-0	2615	1-42
37-0	2616	1-48
37-0	2617	1-33
38-0	2618	1-57
38-0	2619	1-2
38-0	2675	22-42
38-0	2676	25-48
38-0	2681	31-60
38-0	2682	29-56
41-0	2840	1-64
41-0	2841	1-62
41-0	2898	1-68
41-0	2899	1-71
49-0	3620	3-40
48-0	3621	1-64
48-0	3622	1-49
49-0	3623	1-40
49-0	3624	1-37
49-0	3625	10-48
49-0	3626	1-46
49-0	3628	1-53
49-0	3636	1-70
48-0	3637	1-44
48-0	3638	1-46
48-0	3639	1-54
48-0	3640	1-28
48-0	3641	1-54
48-0	3642	1-46

48-0	3643	1-44
48-0	3644	1-54
48-0	3645	1-62
48-0	3646	1-76
48-0	3647	1-76
48-0	3648	3-35
48-0	3649	1-44
48-0	3650	1-66
48-0	3651	1-66
48-0	3652	1-73
48-0	3653	1-9 + Tract A
48-0	3654	1-66
48-0	3655	1-54
48-0	3656	1-54
48-0	3657	1-60
48-0	3658	1-68
48-0	3659	1-53
49-0	3663	30-78
49-0	3664	1-53
49-0	3665	1-48
48-0	3666	1-28
49-0	3666	29-53
48-0	3667	1-70
48-0	3668	1-52
48-0	3669	1-46
48-0	3670	1-78
48-0	3671	1-47
48-0	3672	1-67
48-0	3673	1-83
48-0	3674	1-47
48-0	3675	1-29
50-0	3680	1-64
50-0	3681	1-35
50-0	3684	1-60
50-0	3686	1-89
50-0	3687	1-62
50-0	3688	1-54
50-0	All of Block 3689	
50-0	3690	1-77
50-0	3691	1-60
50-0	3692	1-70
50-0	3693	1-70
50-0	3694	1-60
50-0	3695	1-60
50-0	3696	1-70
50-0	3697	1-48
50-0	3698	1-68
50-0	3699	1-61
54-0	3917	1-58
54-0	3918	1-16
54-0	3919	1-81
54-0	3920	1-47
54-0	3921	1-41
54-0	3922	1-61
54-0	3923	1-43

54-0	3924	1-37
54-0	3925	1-31
54-0	3926	1-83
54-0	3927	1-52
54-0	3928	1-52
54-0	3929	1-52
54-0	3930	1-62
54-0	3931	1-62
54-0	3932	1-60
54-0	3933	1-60
54-0	3935	1-18 + Tract A + vacated right-of-way as described in INST #2006000394539
54-0	3936	1-59
54-0	3937	1-78
54-0	3938	1-70
54-0	3939	1-60
54-0	3940	1-60
54-0	3941	1-70
54-0	3942	1-70
54-0	3943	1-60
54-0	3944	1-56
54-0	3945	1-75
54-0	3946	1-78
54-0	3947	1-64
54-0	3948	1-83
54-0	3949	1-72
59-0	4127	1-6, 67-72
59-0	4130	1-2
59-0	4150	1-49
59-0	4151	1-35
59-0	4152	1-46
59-0	4153	1-43
59-0	4154	1-36
59-0	4155	1-42
59-0	4156	1-36
59-0	4157	1-31
59-0	4158	1-45
59-0	4159	1-48
59-0	4160	1-50
59-0	4161	1-36
59-0	4162	1-36
59-0	4163	1-37
59-0	4164	1-35
59-0	4165	1-54
59-0	4166	1-54
59-0	4167	1-54
59-0	4168	1-54
59-0	4169	1-48
59-0	4170	1-48
59-0	4171	1-48
59-0	4172	1-48
59-0	4173	1-44
59-0	4174	1-44
59-0	4175	1-44
59-0	4176	1-44

59-0	4177	1-64
59-0	4178	1-34
58-0	5300	1-14
58-0	All of Block 5300A	
58-0	5301	1-50
58-0	5302	1-56
58-0	5303	1-56
58-0	5304	1-58
58-0	5305	1-58
58-0	5306	1-58
58-0	5307	1-49
58-0	5308	1-58
58-0	5309	1-60
58-0	5310	1-60
58-0	5311	1-42
58-0	5312	1-42
58-0	5313	1-42
58-0	5314	1-60
58-0	5315	1-40
58-0	5316	1-46
58-0	5317	1-39
58-0	5318	1-33, 36-48
58-0	5319	1-20
58-0	5320	1-34
58-0	5321	1-56
58-0	5322	1-42
58-0	5323	1-46
58-0	5324	1-67
58-0	5325	1-91
58-0	5326	1-57
58-0	5327	1-36
58-0	5330	1-50
58-0	5331	1-34
58-0	5332	1-39
58-0	5333	1-77
58-0	5334	1-50
58-0	5335	1-84
58-0	5336	1-38
58-0	5338	1-48
58-0	5339	1-46
58-0	5340	1-24
58-0	5341	1-30
58-0	5342	1-22
58-0	5343	1-60
58-0	5344	1-33
58-0	5347	1-47
58-0	5348	1-52
58-0	5349	1-36
58-0	5350	1-49
58-0	5351	1-55
58-0	5352	1-54
58-0	5353	1-54
58-0	5354	1-54
58-0	5355	1-54
58-0	5356	1-50

AND

Lots 15 and 16, Block 3649, Unit 48, Cape Coral Subdivision, according to the plat thereof, as recorded in Plat Book 17, Pages 135 through 144, inclusive, in the Public Records of Lee County, Florida, and

Lots 17 and 18, Block 3649, Unit 48, Cape Coral Subdivision, according to the plat thereof, as recorded in Plat Book 17, Pages 135 through 144, inclusive, in the Public Records of Lee County, Florida, and

The North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Section 10, Township 44 South, Range 23 East, less right-of-way for roads.

ALSO, Part of the SE $\frac{1}{4}$ of Section 10, Township 44 South, Range 23 East, City of Cape Coral, Florida, more particularly described as follows:

Commencing at the Southeast corner of Section 10: Thence N89°50'40"W along the South line of said SE $\frac{1}{4}$, 1,343.75 feet to the Southeast corner of the West $\frac{1}{2}$ of said SE $\frac{1}{4}$ and the Place of Beginning of this description; thence continue N89°50'40"W, 671.875 feet; thence N00°00'44"W, 2,689.05 feet to a point on the North line of said SE $\frac{1}{4}$, which point is 672.26 feet S89°55'52"E from the center post of Section 10; thence S89°55'52"E, 672.26 feet to the Northeast corner, of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence S00°00'15"E, 840.35 feet along the East line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence N89°53'16"W, 16.39 feet; thence S19°53'16"E 187 feet; thence S08°09'54"W, 332.24 feet to the Northeast corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence S00°00'15"E along the East line said fractional section 1,345.03 feet to the Place of Beginning.

ALSO, the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 10, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida, more particularly described as follows:

Commencing at the SE corner of Section 10; thence N89°50'40"W along the South line of said SE $\frac{1}{4}$ 2,015.63 feet to the Point of Beginning of this description; thence continue N89°50'40"W 671.875 feet to the South $\frac{1}{4}$ corner of Section 10; thence N00°01'14"W along the West line of said SE $\frac{1}{4}$ 2,688.04 feet to the center post of Section 10; thence S89°55'52"E along the North line of said SE $\frac{1}{4}$ 672.26 feet; thence S00°00'44"E 2,689.05 feet to the Place of Beginning. Bearing derived from recorded Plat of Cape Coral Unit 48, Plat Book 17, Pages 135 through 144 in the Public Records of Lee County, Florida.

AND Lots 1 and 2, Block 3648, Unit 48, Cape Coral Subdivision, according to the plat thereof, as recorded in Plat Book 17, Pages 135 through 144 in the Public Records of Lee County, Florida.

AND Lot 19, Block 3648, Unit 48, Cape Coral Subdivision, according to the plat thereof, as recorded in Plat Book 17, Pages 135 through 144 in the Public Records of Lee County, Florida.

AND

Lots 1, 7-10, 12-18, and 43-46, Block A, of an unrecorded plat of Whispering Pines Subdivision, Lee County, Florida.

AND

A tract or parcel of land located in the South $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 44 South, Range 23 East, City of Cape Coral as described in Official Records Book 1760, Page 3532 of the Public Records of Lee County, Florida.

AND

The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the South $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 10, Township 44 South, Range 23 East.

LESS and except Lot 9, Block A of an unrecorded plat of Whispering Pines Subdivision, Public Records of Lee County, Florida.

FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP TO MULTIPLE FAMILY
RESIDENTIAL

Cape Coral Subdivision	
Unit	Block
37-0	All of Block 2580
58-0	All of Block 5345

AND

A tract of land consisting of a portion of Block 2257, Cape Coral Unit 33 according to Plat Book 16, Pages 40 through 61 of the Public Records of Lee County, Florida, and lying in Sections 29 and 32, Township 43 South, Range 24 East, City of Cape Coral, Lee County, Florida being more particularly described as follows:

Beginning at the Northwestern corner of said Block 2257, being also the southwesterly corner of Lot 1, Block 2260 of said Cape Coral Unit 33, a point on the easterly line of Section 30, Township 43 South, Range 24 East and a point on the westerly line of said Section 29; thence run N89°59'11"E along the northerly line of said Block 2257 and the southerly line of said Lot 1 for 150 feet to the southeasterly corner of said Lot 1, being also the southwesterly corner of NE 26th Street right-of-way; thence continue running N89°59'11"E along said northerly line of said Block 2257 and the southerly right-of-way line of NE 26th Street for 974.84 feet to the point of curvature of a curve concave to the Southwest; thence run along the northeasterly line of said Block 2257 and southwesterly right-of-way line of NE 26th Street along said curve having a radius of 25 feet and a central angle of 90°00'16" (Chord - S45°00'41"E, 35.36 feet) for 39.27 feet to the point of tangency, being also a point on the easterly line of said Block 2257 and a point on the westerly right-of-way line of NE 19th Avenue; thence run along said easterly line of said Block 2257 and said westerly right-of-way line the following three (3) courses: S00°00'33"E for 192.73 feet to the point of curvature of a curve concave to the Northeast, then run along said curve having a radius of 3,110 feet and a central angle of 17°58'17" (Chord - S08°59'42"E, 971.50 feet) for 975.48 feet to the point of reverse curvature with a curve concave to the Northwest, then run along said curve having a radius of 50 feet and a central angle of 107°58'17" (Chord - S36°00'18"W, 80.89 feet) for 94.22 feet to the point of tangency, being also a point on the southerly line of said Block 2257 and a point on the northerly right-of-way line of Kismet Parkway (NE 24th Street); thence run S89°59'27"W along said southerly right-of-way line of said Block 2257 and said northerly right-of-way line for 936.22 feet; thence run N00°21'00"W, leaving said common line, for 695.01 feet; thence run S89°59'27"W for 310.62 feet to an intersection with the westerly line of said Block 2257, being also the easterly line of said Section 30 and the westerly line of Section 29; thence run N00°19'41"W along said westerly line of said Block 2257, said easterly line of said Section 30 and said westerly line of said Section 29 for 547.65 feet to the point of beginning.

Said tract of land contains 1,266,076 square feet (29.065 acres), more or less, and Buildings 1-34 and common area of Concordia Cape Coral.

FROM COMMERCIAL ACTIVITY CENTER TO SINGLE FAMILY RESIDENTIAL

Cape Coral Subdivision		
Unit	Block	Lots
49-0	3629	1-68
49-0	3630	1-31
49-0	3635	1-54
49-0	3660	9-65
49-0	3661	1-36

FROM COMMERCIAL ACTIVITY CENTER TO MULTIPLE FAMILY RESIDENTIAL

Cape Coral Subdivision		
Unit	Block	Lots
49-0	All of Block 3631	
49-0	All of Block 3634	
49-0	3661	37-52

FROM URBAN SERVICES RESERVE AREA TO URBAN SERVICES TRANSITION AREA

Cape Coral Subdivision		
Unit	Block	Lots
59-0	4148	4-39
59-0	4149	1-34
60-0	4224	1-24
81-0	5219	Tract A
76-0	6405	1-2 + Tract C
76-0	6406	1-7 + Tract B
76-0	6407	1-8 + Tract A
76-0	6408	1-4 + Tracts I, J, K
West Cape Estates Subdivision		
	7010	1-28 + Tracts A-E

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 plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, or if timely challenged, the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184(3)(c)4., F.S., whichever is applicable.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:


SAWICKI _____
BURCH _____
CARIOSCIA _____
STOUT _____

LEON _____
ERBRICK _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS
ASSISTANT CITY ATTORNEY
ord/LU16-0012

Cape Coral Planning and Zoning Commission

April 5, 2017

ORDINANCE 12-17

LU16-0012

Ordinance 12-17

- **Applicant: City of Cape Coral**
- **Location: Approximately 2,900 acres of Northern Cape Coral**
- **Urban Services Area: Transition and Reserve**

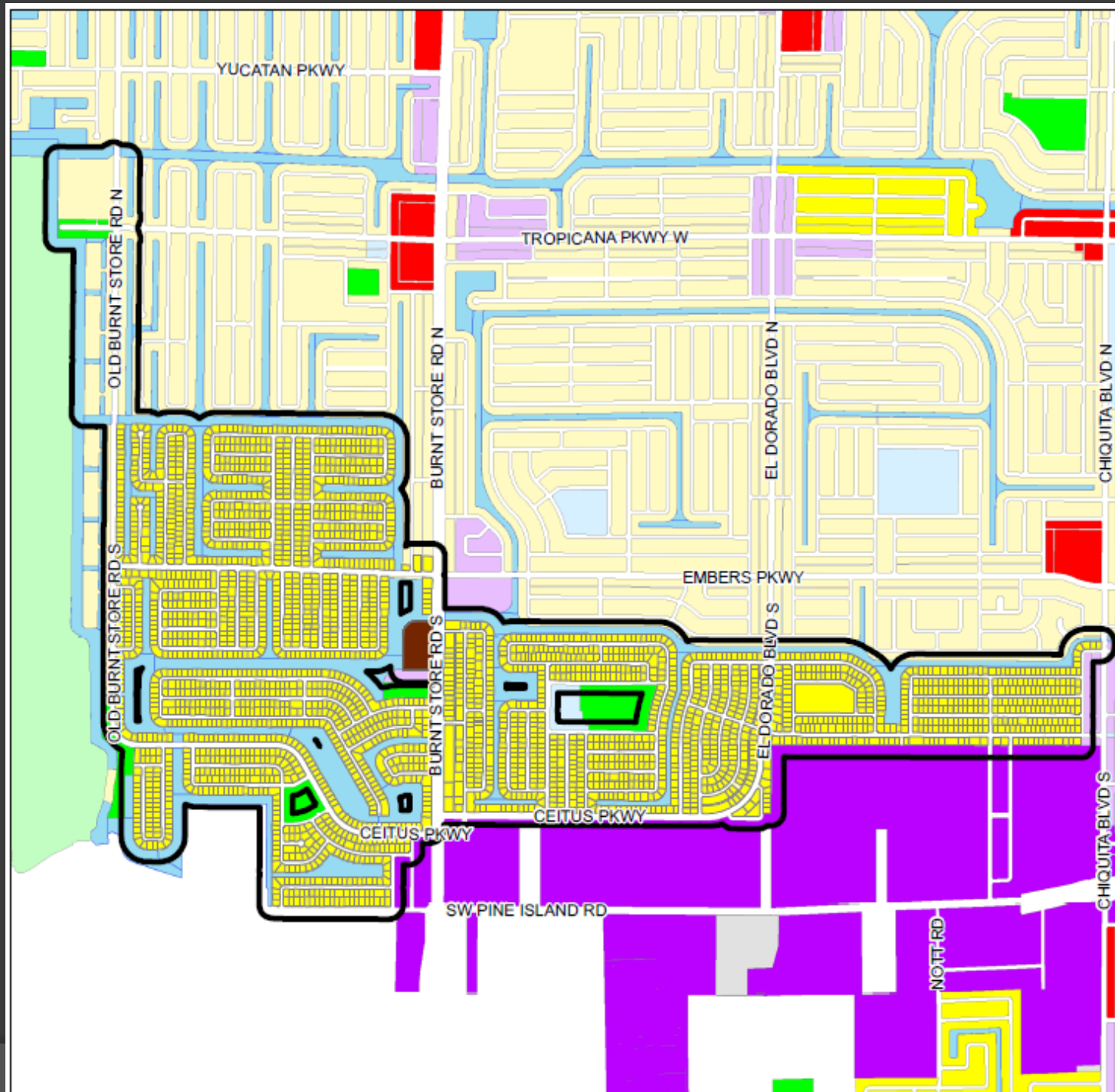
Ordinance 12-17

- Request:

Current FLU	Proposed FLU	Acreage
Single Family/Multi-Family by PDP (SM)	Single-Family Residential (SF)	2,686.04
SM	Multi-Family Residential (MF)	63.16
Commercial Activity Center (CAC)	SF	29.39
CAC	MF	29.66
No FLUMA: Reserve Area	No FLUMA: Transition Area	57.13

Area





CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division
NORTH 2 WEST
LU16-0012

Legend

Subject Properties

SM to MF

SM to SF

Future Land Use

FLU

NA

SF

SM

CAC

PIRD

CP

PF

PK

PR

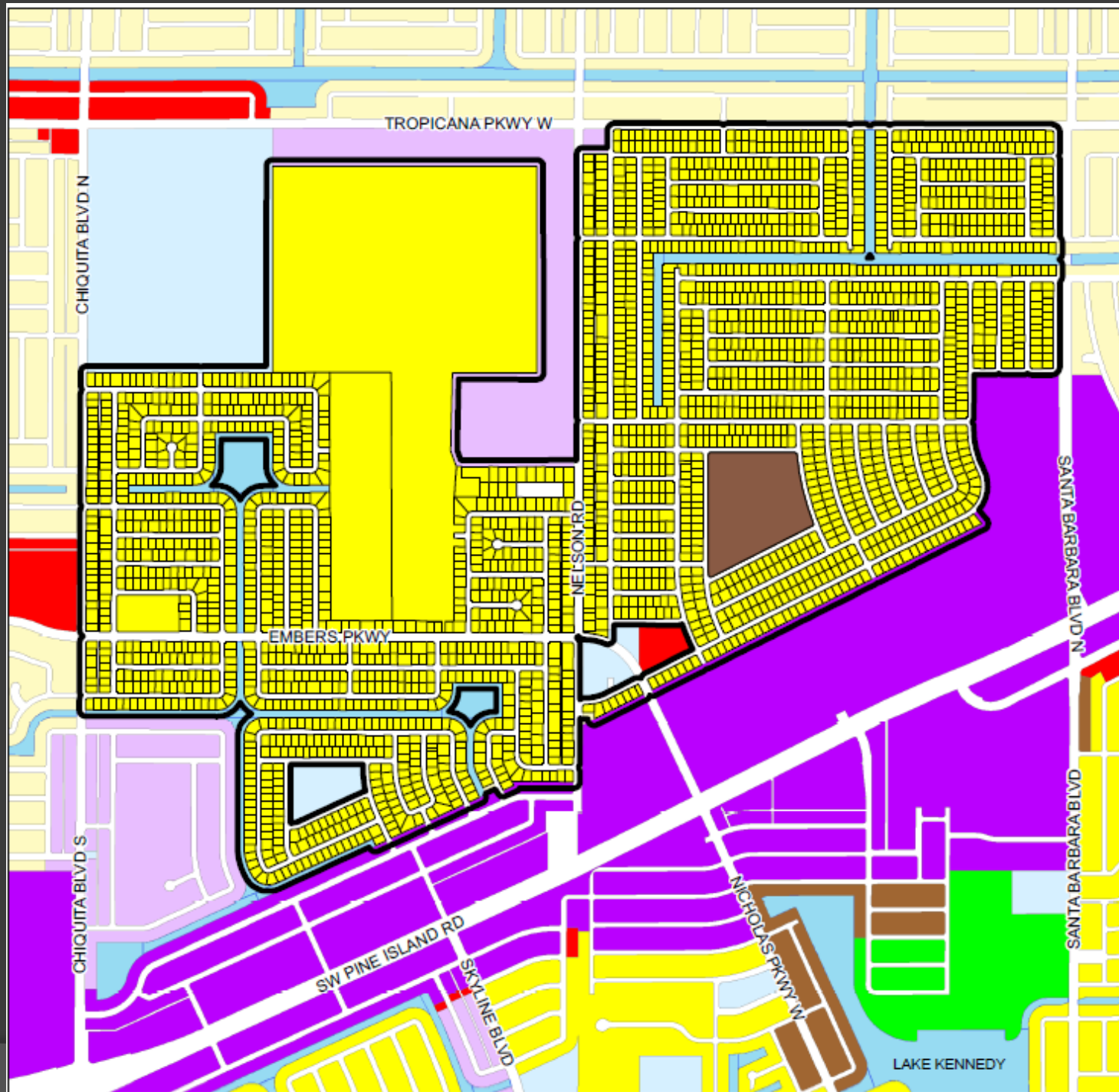
Canals/Lakes



April 27, 2016



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

NORTH 2 CENTRAL
LU16-0012

LEGEND

Subject Properties

SM to MF

SM to SF

Future Land Use

SF

SM

MF

CAC

PIRD

CP

PF

PK

Canals/Lakes

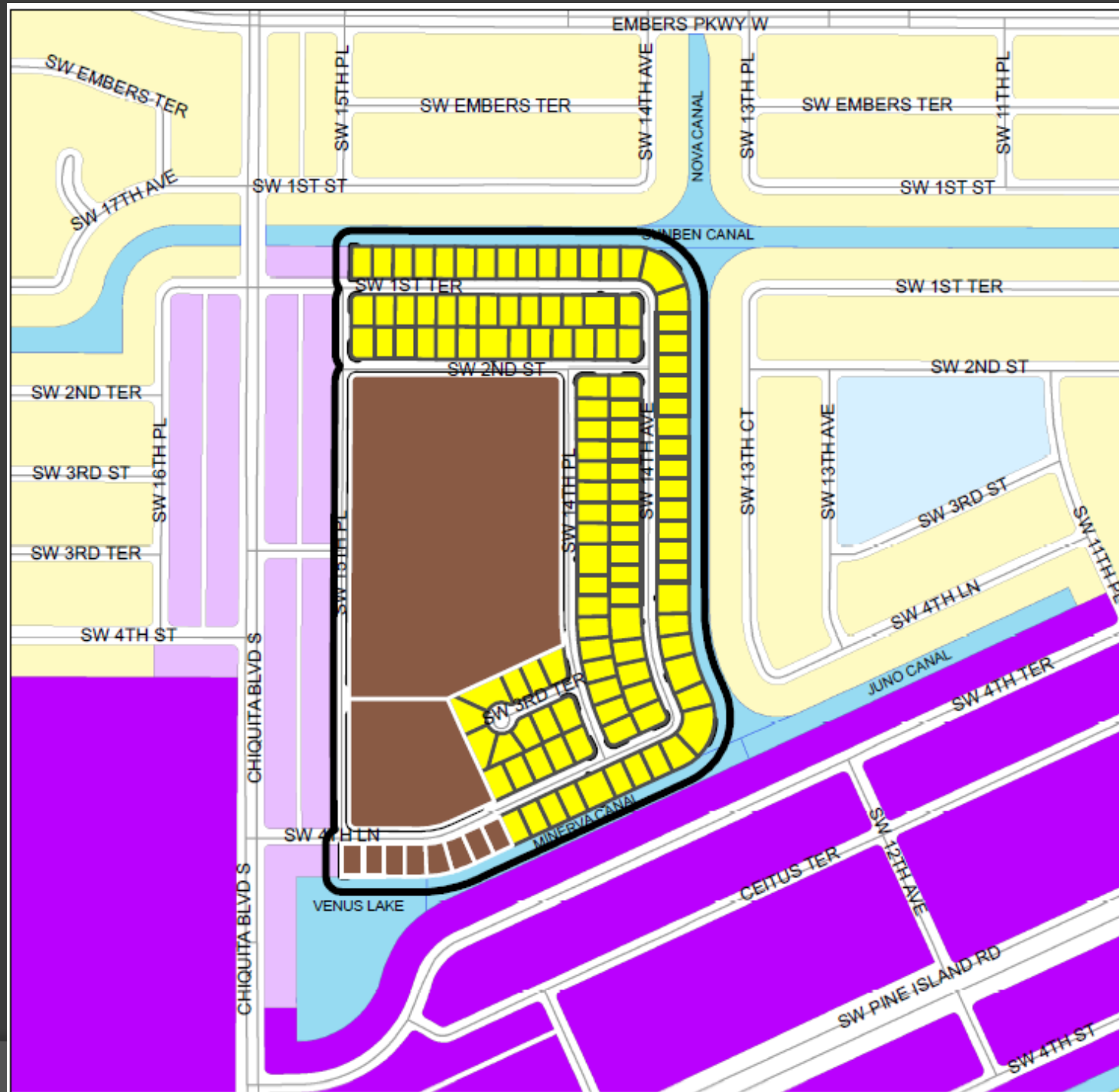


October 3, 2016

0 560 1,120 1,740 2,320 Feet

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/wd



CITY OF CAPE CORAL
Department of
Community Development
Planning Division

CAC AREA
LU16-0012

Legend

- CAC to MF
- CAC to SF
- Subject Area

Future Land Use

FLU

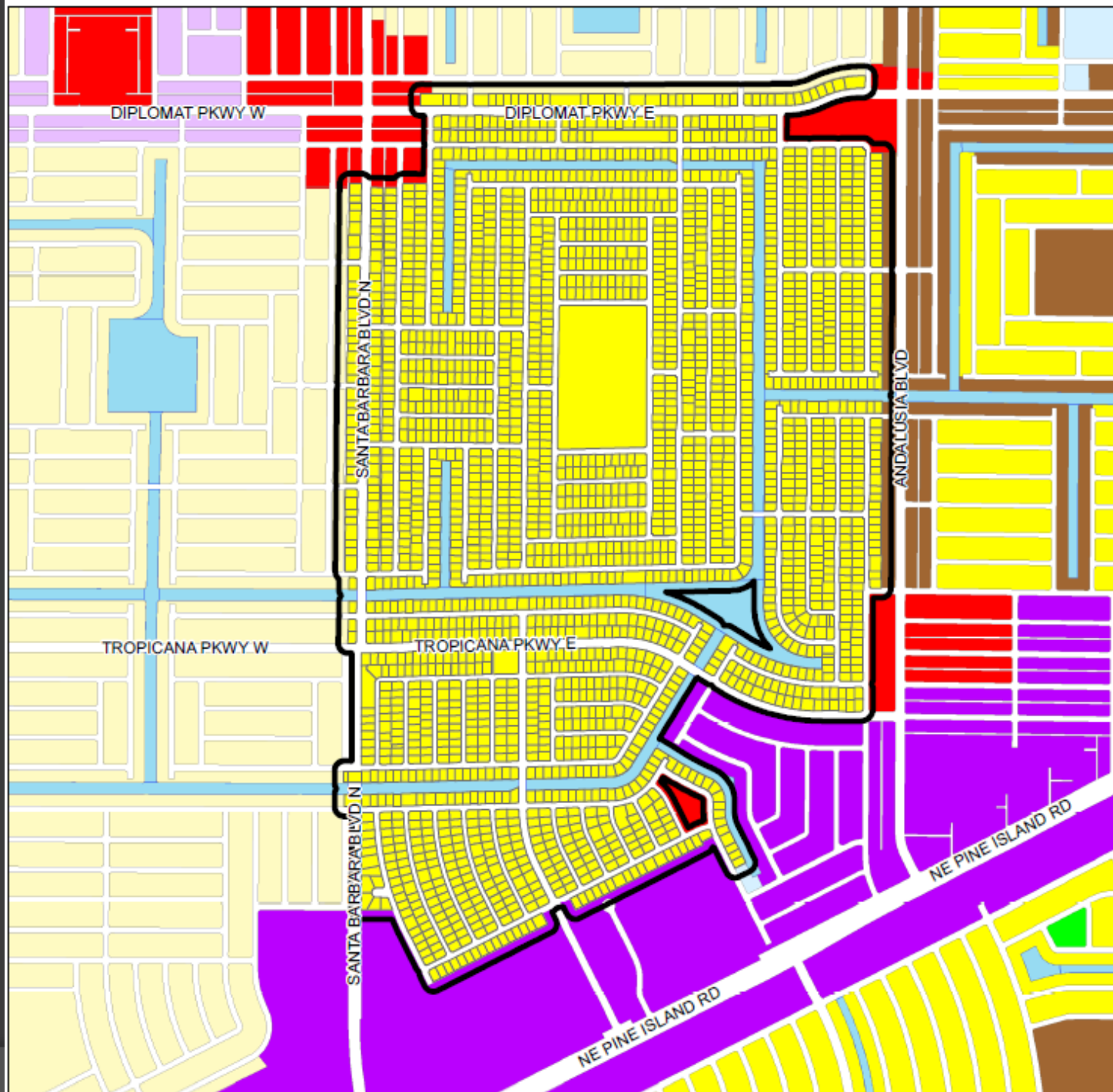
- SF
- SM
- CAC
- PIRD
- PF
- Canals/Lakes



October 5, 2016



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CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division
NORTH 2 EAST CENTRAL
LU16-0012

Legend

Subject Properties

SM to SF

Future Land Use

FLU

SF

SM

MF

CAC

PIRD

CP

PF

PK

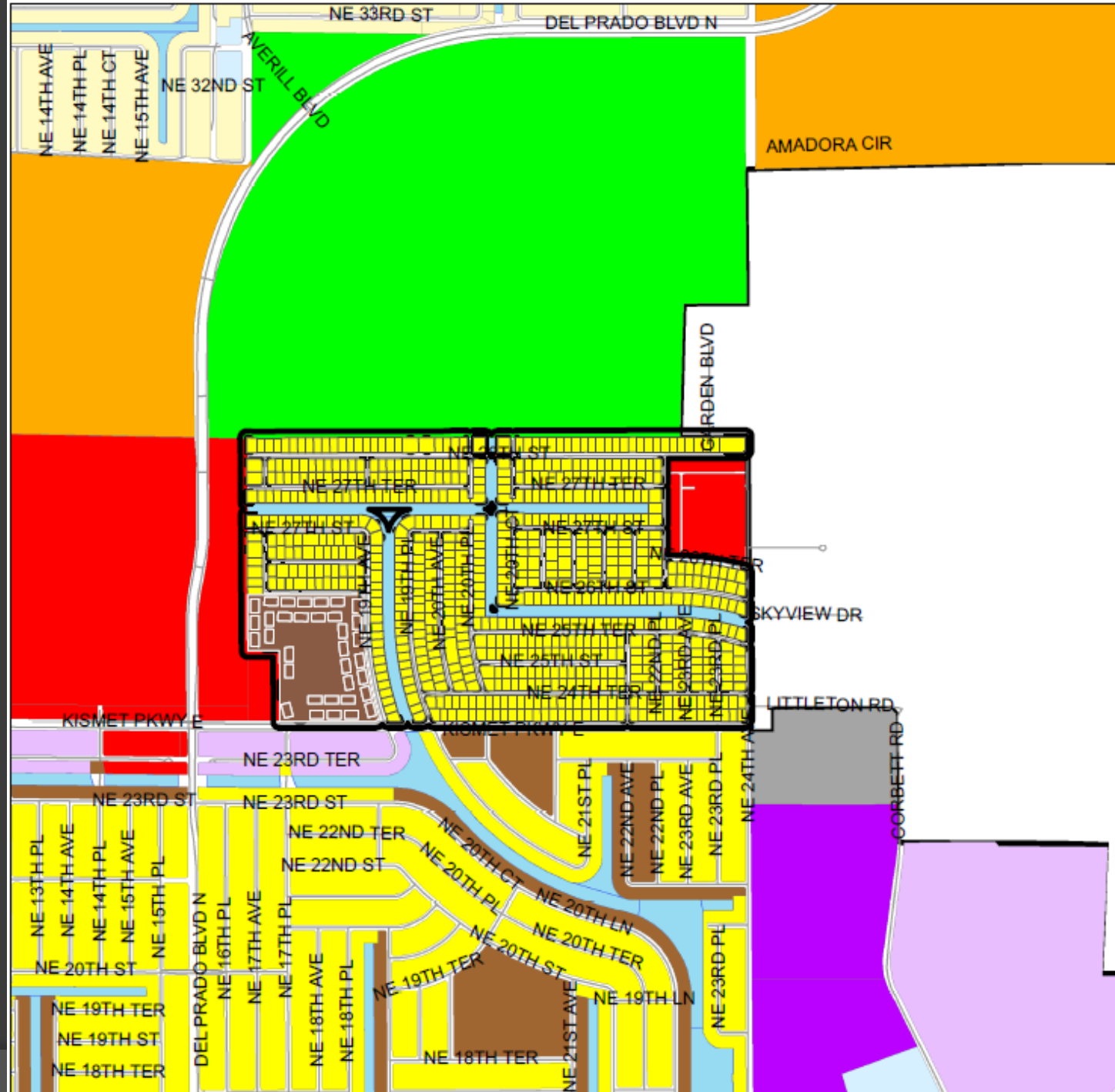
Canals/Lakes



April 27, 2016



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CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division
NORTH 2 EAST AREA
LU16-0012

Legend

- SM to MF
- SM to SF
- SM to SF
- Subject Area

Future Land Use

FLU

- SF
- SM
- MF
- MX
- CAC
- PIRD
- CP
- I
- PF
- PK
- Canals/Lakes



October 5, 2016



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/wd

Background

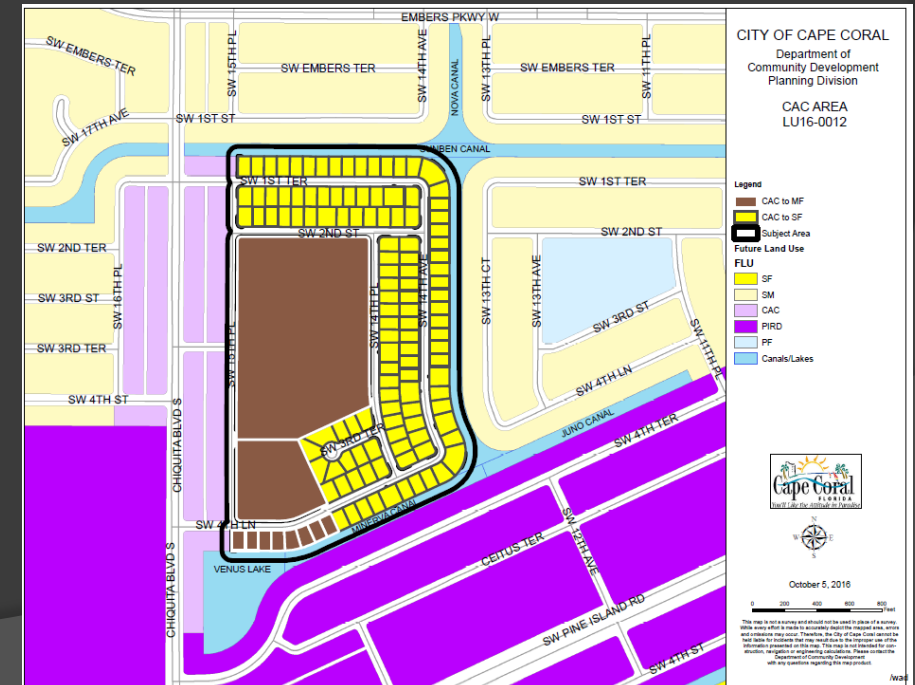
- **Roughly the same area identified in Ordinance 59-15, which brought the area to the Transition.**
- **Affects approximately 9,600 properties**
- **Will remove the possibility for multi-family residential development for the majority of properties**
- **96% of area to be changed to Single Family Residential**

Background

- **38% of properties are developed; City policy is to consider extension of utilities after area is 30% developed**
- **First substantial area north of Pine Island Road to receive central utilities**
- **Prepares area for development after utilities are provided.**

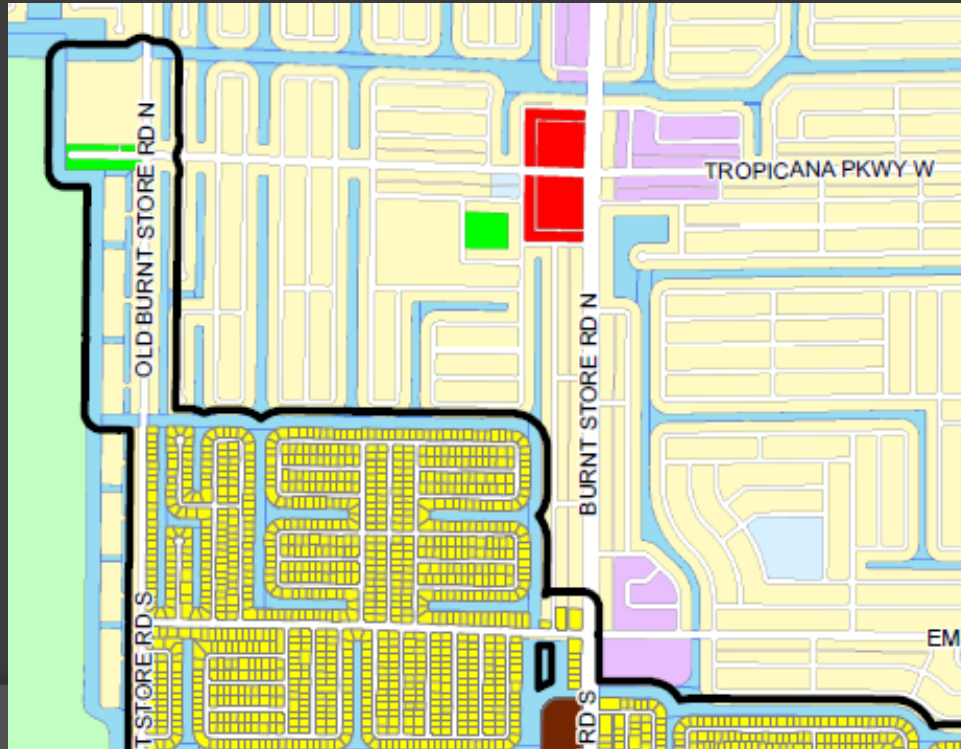
Background

- Four areas of MF are proposed; two of which are existing MF developments
- CA proposed to be amended to SF and MF in one area; 60 acres



Background

- Finally, one area proposed to be amended without FLUMA change
- Area is to be changed from Urban Services Reserve Area to Transition



Considerations – Comprehensive Plan

- **Proposed amendment is consistent with multiple policies in Infrastructure Element; Policies 1.1.6, 2.1.1, and 2.2.1.**
- **These policies indicate the need for the city to continue its dual water Utility Expansion project to unserved areas that met criterion set forth in the Utility Master Plan update.**

Recommendation

Planning Division staff recommends approval for the following reasons:

- The request is consistent with the Comprehensive Plan**
- The need to provide centralized water and sewer facilities to relax the strain on the environment**

Planning Division has received no correspondence

