



AGENDA FOR THE HEARING EXAMINER

Tuesday, June 20, 2017

9:00 AM

Council Chambers

1. HEARINGS CALLED TO ORDER

2. HEARINGS

- A. Case # PDP17-0001*; Address: 3107 Chiquita Blvd S; Applicant: Holiday Builders
- B. Case # VP17-0004*; Address: 2625 Santa Barbara Blvd; Applicant: SB-VETS-LLC
- C. Case # SE17-0006*; Address 2605 Santa Barbara Blvd; Applicant: SB-VETS-LLC

3. DATE AND TIME OF NEXT HEARINGS

- A. Tuesday, July 11, 2017, at 9:00 a.m., in Council Chambers

4. ADJOURNMENT

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

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

PLEDGE OF CIVILITY

We will be respectful of each other even when we disagree.
We will direct all comments to the issues. We will avoid personal attacks.

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

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

Item Number: 2.A.
Meeting Date: 6/20/2017
Item Type: HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case # PDP17-0001*; Address: 3107 Chiquita Blvd S; Applicant: Holiday Builders

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

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

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

Holiday Builders seeks Planned Development Project (PDP) approval for two model homes. The site is in the MR District that allows model homes as a Special Exception Use. The applicant will construct all necessary improvements, including a parking lot, to operate two model homes on the site. Off-site improvements such as constructing lane widening, along with curb, gutter, and sidewalks, will be constructed when the model home is converted to a nonresidential use, as allowed in the MR District.

LEGAL REVIEW:

EXHIBITS:

See attached backup material.

PREPARED BY:

Shawn Baker Division- Planning Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

ATTACHMENTS:

Description

Backup material

Type

Backup Material



PLANNED DEVELOPMENT PROJECT (PDP) APPLICATION

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

Project Name: Holiday Builders Model Home Site

Project Number: _____

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

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

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

ACKNOWLEDGEMENT

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

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

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

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

(Name of Entity)

* Holiday Builders of Florida, Inc.

By: NAME AND TITLE (PLEASE TYPE OR PRINT)

Richard A. Fadil, C.F.O.

SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF Florida, COUNTY OF Brevard

Sworn to (or affirmed) and subscribed before me this 5th day of January, 2017 by

Richard A. Fadil who is personally known or produced
as identification.



REBECCA M. BAUER
MY COMMISSION # FF 205913
EXPIRES: May 3, 2019
Bonded Thru Budget Notary Services

Exp. Date: May 3 2019 Commission Number: FF 205913

Signature of Notary Public:

Printed name of Notary Public:

*Please include additional pages for multiple property owners.

authorized representative
or property owner's initials

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

Please be advised that Richard A. Fadil as CFO of Holiday Builders, Inc.
(Name of Authorized Representative(s) and business entity, if any)

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

Unit 66 Block 3196 Lot 1-6 & 49 Subdivision Cape Coral

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

* Holiday Builders, Inc.

C.F.O.

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

Title of Signatory

Signature

Richard A. Fadil

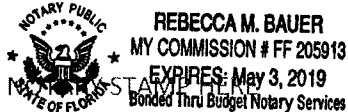
Name (Please print or type)

(SIGNATURE MUST BE NOTARIZED)

STATE OF Florida, COUNTY OF Brevard

Sworn to (or affirmed) and subscribed before me this 5th day of January, 2017 by

Richard A. Fadil who is personally known or produced
as identification.



Exp. Date: May 3 2019 Commission Number: FF 205913

Signature of Notary Public:

Printed name of Notary Public:

Rebecca M. Bauer

*Please include additional pages for multiple property owners.

****Notes:**

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

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

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

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

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

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

PDP Applicant Checklist

Project Name: Holiday Builders Model Home Site


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

Incomplete submittals will not be accepted

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

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

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


authorized representative
or property owner's initials

GENERAL INFORMATION

Project Name: Holiday Builders Model Home Site
Applicant: Richard A. Fadil as CFO of Holiday Builders, Inc.
Address: 2293 W. Eau Gallie Blvd., Melbourne, Florida 32935
Phone: 321.610.5168 Fax: 321.252.1161 E-Mail: rfadil@holidaybuilders.com

*Property Owner: Richard A. Fadil as CFO of Holiday Builders, Inc.
Address 2293 W. Eau Gallie Blvd., Melbourne, Florida 32935
Phone 321.610.5168 Fax 321.252.1161 E-Mail rfadil@holidaybuilders.com

Authorized Representative Steven L. Darby, P.E., Darby Engineering, Inc.
Address 2638 Stonyhill Court, Cape Coral, Florida 33991
Phone 239.945.0551 Fax 239.772.0141 E-Mail steve@dei-fla.com

Location

Unit 66 Block 3196 Lot(S) 1-6 & 49-52

Subdivision Cape Coral Strap Number(s) 34-44-23-C4-03196.0010; .0049; .0051

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

Property Address: 3111 Chiquita Blvd., South, Cape Coral, Florida 33914

Plat Book 23 Page 99 Current Zoning MR Future Land Use CAC

**This application includes the following requests:
(Please check all that apply)**

<input type="checkbox"/> Subdivision	<input checked="" type="checkbox"/> Special Exception	<input type="checkbox"/> Rezoning	<input type="checkbox"/> Variance
<input type="checkbox"/> Deviation to Landscaping	<input type="checkbox"/> Deviation to Non-residential Design Standards	<input type="checkbox"/> Deviation to Engineering Design Standards (EDS)	<input checked="" type="checkbox"/> All Other Deviation Requests
<input type="checkbox"/> Borrow Pit	<input type="checkbox"/> Vacation of Plat		

*Please include additional pages for multiple property owners.

PROPERTY and PROJECT DEVELOPMENT DATA

a.	Zoning District	<u>MR</u>		
b.	Future Land Use Class	<u>CAC</u>		
c.	Area of Subject Property	<u>1.17</u>	acres	
d.	Type of Development	<u>RES</u>		
e.	Estimated Number of Employees	<u>2</u>		
	Number of Seats in Assembly	<u>0</u>		
f.	Parking Spaces Required	<u>8</u>		
g.	Parking Spaces Provided	<u>8</u>		
h.	Parking and Street Area	<u>4171</u>	sq. ft.	<u>25.7</u> % of Site
i.	Ground Floor Building Area	<u>5040</u>	sq. ft.	<u>19.4</u> % of Site
j.	Total Floor Area	<u>5040</u>	sq. ft.	<u>19.4</u> % of Site
k.	Building Heights	<u>10.66</u>	feet	<u>1</u> stories
l.	Total Proposed Impervious Surface Area	sq. ft. <u>1089</u>		% of Site <u>49.1</u>
m.	Permanent Open Space	sq. ft. <u>4014</u>		% of Site <u>50.9</u>
	Landscaped Area	<u>1000</u>	sq. ft.	% of Site <u>32.9</u>
n.	Recreation Area	<u>0</u>	sq. ft.	% of Site <u>0</u>

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

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

LETTER OF INTENT

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

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

DEVIATION REQUEST LETTER(S)

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

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

TRAFFIC GENERATION ESTIMATE

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

ITE Code	<u>715</u>	Is estimate based on locally collected data?	<u>No</u>
Regression equation (if used)		Yes	
Independent Variable		Building sq.ft.	
Daily Two Way Trip Estimate		36	
Peak Hour (of generator) Entering		5 am	
Peak Hour (of generator) Exiting		1 am	
Total Peak Hour (of generator)		6	
Peak Hour Entering and Exiting trips greater than 300 trips		0	

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

GRAPHIC STANDARDS: GENERAL INFORMATION

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

C-1

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

C-1

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

Attac

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

EXISTING PROPERTY CONDITIONS

Sheet # of submitted plans:

C-3

1. Acreage of land within property.

C-3

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

C-3

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

C-3

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

C-2

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

C-2

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

Attac

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

C-2

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

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

DEVELOPMENT PLANS

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

ADDITIONAL INFORMATION

Sheet # of
submitted
plans:

L-1

1. **Landscape Maintenance:**

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

N/A

2. **Maintenance Assurance:**

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

N/A

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

Copies of proposed restriction or protective covenants, if any.

N/A

4. **Economics:**

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

N/A

5. **Vacation of Plat**

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

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

SUBDIVISION, PER FLORIDA STATUTES, CHAPTER 177 – IF APPLICABLE

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

Planned Development Project (PDP) Application Fees *

	Administrative Review	Fees	Your Costs
<input checked="" type="checkbox"/>	PDP - without Subdivision	\$2,525.00	\$ 2,525.00
<input type="checkbox"/>	** Additional charge for PDP's in excess of ten (10) acres: _____ acres x \$55.00 for each acre or portion thereof in excess of 10 acres.	(with maximum cap of \$3,625.00 for additional acres)	\$
<input type="checkbox"/>	PDP - with Subdivision	\$2,815.00	\$
<input type="checkbox"/>	** Additional charge for PDP's in excess of ten (10) acres: _____ acres x \$55.00 for each acre or portion thereof in excess of 10 acres.	(with maximum cap of \$3,915.00 for additional acres)	\$
	Fire Review		
<input checked="" type="checkbox"/>	Fire review (mandatory)	\$104.00	\$ 104.00
Public Hearing			
<input checked="" type="checkbox"/>	PDP - without Subdivision	\$665.00	\$ 665.00
<input type="checkbox"/>	PDP - with Subdivision	\$1,415.00	\$
<input type="checkbox"/>	Zoning Amendment within PDP	\$1,165.00	\$
<input type="checkbox"/>	Vacation of Plat within PDP	\$880.00	\$
<input checked="" type="checkbox"/>	Variance/Deviation within PDP	\$1,250.00	\$ 1,250.00
<input checked="" type="checkbox"/>	Special Exception within PDP	\$1,365.00	\$ 1,365.00
<input type="checkbox"/>	Borrow Pit within PDP	\$1,725.00	\$
		Total	\$ 5,909.00

* Advertising fees will be due at time of advertising.

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

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



DEI

Civil Engineers & Planners

2638 Stonyhill Court, Cape Coral, Florida 33991
Phone: (239) 945-0551 Fax: (239) 772-0141
Email: steve@dei-fla.com Website: www.dei-fla.com

January 10, 2017
Revised March 17, 2017

Mr. Vince Cautero, AICP
Community Development Director
Dept. of Community Development
City of Cape Coral
P.O. Box 150027
Cape Coral, FL 33915-0027

Re: Letter of Intent for PDP with special exception request
Holiday Builders Model Homes
Lots 1 through 6 & 48 through 52, block 3196, unit 66 Part 1
3107 CHIQUITA BLVD SOUTH

Dear Mr. Cautero:

It is the intent of the property owner, Holiday Builders, Inc., to request a PDP with a Special Exception for two model homes for a 5 year period within a MR zoning district. This site comprises of 1.17 acres with proposed access off S.W. 31st Terrace with future widening delayed until the 5 year period is reached and the proposed commercial development permitted. The proposed access within the City right-of-way to meet the Engineering Design Standard of minimum 6" thick concrete. The future land use for this property is Commercial/Professional.

The project will consist of parking area, utility connections for sanitary sewer, potable water and irrigation. The intent of this site plan application is to construct the necessary improvements for a model home site. The off-site improvements such as Chiquita Road widening with curb and sidewalk is not planned to be constructed by the owner at this time and delay until the conversion to commercial use. The project site is covered by existing fire hydrant which are located west of the project on Chiquita Blvd. just on the west side of the roadway and an other fire hydrant east on SW 31st Terrace. A deviation will not be required since model home are requested through this PDP to reduce the required 35 foot minimum height to meet the requirements of the proposed building and not meeting the entire architectural parameters for MR zoning and non-residential standards till the transformation date. A special exception is being requested in this PDP for the use of a model homes for the 5 year period, with transition to commercial after that point with the additional Site Development approval.

The stormwater drainage improvements will include an outfall structure to control stormwater discharge to the City's right-of-way connecting to an existing drainage inlet located at the southwest corner of the project site, a service agreement from Waste Pro and a deviation request will be requested for garbage pick-up during the SDP,

construction of the access driveway within the City's right-of-way, and landscaping meeting the City's landscape regulations.

The trips generated by this project will not exceed the 300 peak driveway volumes therefore, not requiring a traffic impact study. A traffic generation is enclosed with a statement on the site plan sheet C-3.

This parcel will provide the stormwater treatment for the first one inch of run-off per the requirement for model homes with calculations shown on the site plan sheet C-3.

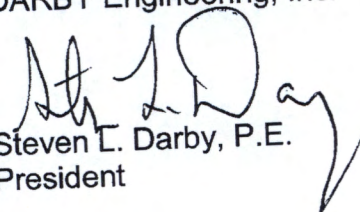
A monument sign will be permitted by the contractor at the building permit submittal. There are no existing borrowing owls and endanger species found on-site. The project will not require a Pollution Prevention Plan and an NOI from the owner and contractor since site disturbance is less than one acre is being disturbed.

Provided with this request is a survey, site plan, floor plan, building elevations of the model homes, proof of ownership and all requested information for the application.

Should you require any additional information, please contact me at 239-945-0551.

Sincerely,

DARBY Engineering, Inc.



Steven L. Darby, P.E.
President

Attachments:



DEPARTMENT OF COMMUNITY DEVELOPMENT

Case # _____

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

PROCEDURE LIST FOR SPECIAL EXCEPTION REQUEST

1. Applicant's portion of request shall be typewritten and signature notarized.
 - a) 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 is not required.
 - b) If there are any deed restrictions on the property, copy of the restrictions will be required.
2. Signature on Acknowledgement Form must be notarized.
3. Letter of intent stating the actual request. This appeal for a Special Exception is for a proposed use. In the case of an existing structure, it is recommended that the applicant request a site-check by the Fire and/or Building Departments for suitability and compliance with codes, prior to filing the appeal.
4. Certified survey done within six (6) months MAY be required.
5. Projected number of peak trip ends. If 300 or less peak hour trip ends are projected, the applicant must provide the source of the projection. If more than 100 peak hour trip ends are projected, a traffic impact study must be completed and submitted as part of the application. (See attachments)
6. **Development plan drawn to scale (not less than 1" = 50') and containing the following:**
 - a) Site layout showing dimensions, boundary lines, North directional arrow and complete legal description of the property.
 - b) The location and dimensions of all existing and/or proposed buildings and structures, including additions and eaves, overhangs, porches and patios.
 - c) The setback distance from all buildings, additions to structure to property lines. Indicate the square footage associated with each existing and proposed use of buildings.
 - d) Location and dimensions of driveways. Show parking areas with layout and number of spaces and traffic flow.
7. Landscaping:
 - a) Parking Area. The setback areas shall contain at least 5' landscape barrier to the adjoining rear and side properties. This plant barrier shall have a minimum height of 2' and a minimum width of 2 ½' at time of planting. List the type of barrier to be used and height at maturity.
 - b) Models. The models shall comply with the single family landscaping requirements as indicated in Section 5.2.3.B.1.
 - c) Identify method of irrigation and location of utility lines and easements.

Please note that any advisory comments provided by staff regarding approval or permits are conceptual only and are subject to change. Official review may result in additional changes not noted in the advisory process prior to submission of application. The final design or project must comply with the Land Use and Development Regulations, Engineering Design Standards, City Code of Ordinances, Comprehensive Plan and other applicable laws and regulations.

In addition to the application fee (\$833.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres), all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising fees will be billed and must be paid prior to hearing.

IT IS REQUIRED THAT APPLICANT AND/OR REPRESENTATIVE ATTEND THE BOARD OF ZONING ADJUSTMENT AND APPEALS MEETING.



DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

Case # _____

REQUEST TO BOARD OF ZONING ADJUSTMENT & APPEAL FOR A SPECIAL EXCEPTION

FEE: \$833.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising fees will be billed and must be paid prior to hearing.

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

OWNER OF PROPERTY

Richard A. Fadi, CFO of Holiday Builders

Email: rfadi@holidaybuilders.com

Address: 2293 W. Eau Gallie Blvd.

City: Melbourne State FL Zip 32935

Phone: 321.610.5168

APPLICANT (if different from Owner)

Email: _____

Address: _____

City: _____ State _____ Zip _____

Phone: _____

AUTHORIZED REPRESENTATIVE

Steven L. Darby, P.E. Darby Engineering

Email: steve@dei-fla.com

Address: 2638 Stonyhill Court

City: Cape Coral State FL Zip 33991

Phone: 239.945.0551

Unit 66 Block 3196 Lot(s) 1-6&49-5 Subdivision _____

Address of Property 3111 Chiquita Blvd., South, Cape Coral, Florida 33914

Plat Book _____ Page _____

Current Zoning MR Strap Number 34-44-23-C4-03196.0010; .0490; .0510

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.

Richard A. Fadi, CFO of Holiday Builders
NAME (PLEASE TYPE OR PRINT)

Holiday Builders, Inc.
CORPORATION/COMPANY NAME
[Signature]
APPLICANT'S SIGNATURE

(SIGNATURE MUST BE NOTARIZED)



DEPARTMENT OF COMMUNITY DEVELOPMENT

Case # _____

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

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

STATE OF Florida, COUNTY OF Brevard

Sworn to (or affirmed) and subscribed before me this 5 day of January, 2017 by
Richard A. Endil who is personally known or produced _____
as identification.

Exp. Date: May 3, 2019 Commission Number: FF 205913

Signature of Notary Public: Rebecca M. Bauer

Printed name of Notary Public: _____



REBECCA M. BAUER
MY COMMISSION # FF 205913
EXPIRES: May 3, 2019
Bonded Thru Budget Notary Services



DEPARTMENT OF COMMUNITY DEVELOPMENT

Case # _____

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

ACKNOWLEDGEMENT FORM

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

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

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

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

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

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

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

I hereby acknowledge that I have read and understood the above affidavit on the

5th day of January, 2017

Richard A. Fadi CFO of Holiday Bl
PRINT APPLICANT'S NAME

[Signature]
APPLICANT'S SIGNATURE

STATE OF Florida, COUNTY OF Brevard

Subscribed and sworn to (or affirmed) before me this 5th day of January, 2017 by
Richard A. Fadi who is personally known or produced
as identification.

Exp. Date: May 3 2019 Commission Number: FF 205913

Signature of Notary Public: Rebecca M. Bauer

Printed name of Notary Public: _____



REBECCA M. BAUER
MY COMMISSION # FF 205913
EXPIRES: May 3, 2019
Bonded Thru Budget Notary Services



DEPARTMENT OF COMMUNITY DEVELOPMENT

Case # _____

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT Steven L. Darby, P.E., Darby Engineering
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST TO THE PLANNING & ZONING COMMISSION/ LOCAL PLANNING AGENCY, BOARD OF ZONING ADJUSTMENTS AND APPEALS AND/OR CITY COUNCIL FOR
PDP and Special Exception

(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT 66 BLOCK 3196 LOT(S) 1-6 & 49-56 SUBDIVISION

OR LEGAL DESCRIPTION _____

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

Richard A. Fadi/ CFO of Holiday Builders
PROPERTY OWNER (Please Print)

R. Fadi
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & Title)

PROPERTY OWNER (Signature & Title)

STATE OF Florida, COUNTY OF Brevard

Subscribed and sworn to (or affirmed) before me this 5th day of January, 2017 by
Richard A. Fadi who is personally known or produced
as identification.

Exp. Date: May 3, 2019 Commission Number: FF205913

Signature of Notary Public: *Rebecca M. Bauer*

Printed name of Notary Public:



REBECCA M. BAUER
MY COMMISSION # FF 205913
EXPIRES: May 3, 2019
Bonded Thru Budget Notary Services

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

Model home-Holiday Builders/ (PDP 17-0001)
City of Cape Coral Planning Division
Project Staff Report

APPLICATION SUMMARY

Owner/Applicant: Holiday Builders, Inc.

Authorized Representative: Darby Engineering

Requests: Approval to operate a model home use in the Marketplace Residential (MR) District.

Location: 3107 Chiquita Boulevard South

Recommendation: Staff recommends **approval** of the PDP request with conditions.

PROJECT DESCRIPTION

Holiday Builders, seeks Planned Development Project (PDP) approval for two model homes. The site is in the MR District that allows model homes as a Special Exception Use. The applicant will construct all necessary improvements, including a parking lot, to operate two model homes on the site.

PROPERTY DESCRIPTION

The 1.17-acre site is in S.W. Cape Coral on Chiquita Boulevard and consists of two parcels; Lots 1-6 and Lots 49-52, in Block 3196. Access is proposed off S.W. 31st Terrace. The site is vacant and surrounded by single-family homes and vacant lots to the north, east, and west. The Shops at Chiquita Shopping Plaza is south of the site.

	Zoning	Future Land Use (FLU)
Subject Parcel	Marketplace Residential (MR)	Commercial Activity Center (CAC)
	Surrounding Zoning	Surrounding FLU
North:	Marketplace Residential (MR)	Commercial Activity Center (CAC)
South:	Pedestrian Commercial (C-1)	Commercial Professional (CP)
East:	Single-Family (R-1B)	Single-Family (SF)
West:	Marketplace Residential (MR)	Commercial Activity Center (CAC)

RATIONALE FOR THE PDP

The City Land Use and Development Regulations (LUDR), Section 2.7.18.D.7, requires every development project in the Marketplace-Residential (MR) District, regardless of size or use area allocation, to be approved through the Planned Development Project (PDP) process.

ANALYSIS

General Standards for PDPs

This project was evaluated for compliance with general standards and requirements found in LUDR, Section 4.2.4, provided below:

- A. **Environmental control standards:** An environmental survey reported no listed species or wetlands on the site. As a result, this project complies with this standard.
- B. **Maintenance of improvements:** All landscaped areas and open space will be maintained in good condition for the life of the project. As a result, this project complies with this standard.
- C. **Consistency with Comprehensive Plan:** This project is consistent with several policies in the Comprehensive Plan which are identified later in this report.
- D. **Financial Responsibility:** A deposit will be required for the model home use prior to permitting. As a result, this project complies with this standard.
- E. **Dimensional requirements:** The project meets all setback requirements for the MR District. As a result, this project complies with this standard.
- F. **Maximum density:** This project does not involve residential units. The model homes will eventually be converted to commercial uses after 5 years from the date of the establishment of these uses. As a result, this standard is not applicable.
- G. **Minimum parcel size:** The project is in the Urban Service Transition Area. Therefore, this standard is not applicable.
- H. **Time limitation:** Special Exceptions granted with a PDP shall be established within six years from the effective date of the order. Construction shall commence within two years from the date of project approval. As a result, this project complies with this standard.
- I. **Ownership requirements:** The applicant seeking the PDP owns the property. As a result, the project complies with this standard.
- J. **Special Exceptions:** One Special Exception is sought within the PDP and is reviewed in greater detail elsewhere in this report.
- K. **Deviations:** No Deviations are sought in this application. Therefore, this standard is not applicable.

- L. **Underground Utilities:** Utilities are available to each lot and will be underground. As a result, the project complies with this standard.

This project involves a request for a Special Exception for a model home use located in the MR district.

Special Exception for a Model Home:

The Planning Division reviewed this application based on the City Land Use and Development Regulations (LDR), Section 2.7.18, the MR District, and the five (5) standards outlined within Section 8.8.5a-e which covers special exceptions and offer the following analysis:

a. Generally:

Model home uses are allowed as a Special Exception Use in the MR District with a minimum area of 15,000 ft² for the first model home site and 10,000 ft² for each additional. The two parcels have an area of about 50,701 ft², thus the minimum land area criterion has been satisfied.

b. Compatibility:

All parcels in Block 3196 have a CAC FLU Classification and MR Zoning. The MR District has special regulations for model homes including hours of operation, lighting, and prohibiting real estate sales. These regulations are intended to enhance the compatibility of this use with neighboring properties.

Except for one model home, about 50% of the subject block is developed with single-family homes. While the block was historically residential, this segment of Chiquita Boulevard is undergoing a transition. In the future, all new development and redevelopment within this block will consist of nonresidential or compound use projects. Stand-alone residential development is prohibited due to project area limitations associated with the MR District (e.g., minimum 20-acre requirement for stand-alone residential development).

At the end of the five-year period covered by the Special Exception, the model homes will be removed from the site or converted to a nonresidential use allowed in the MR District. The Letter of Intent states the owner intends to convert this structure to a nonresidential use at the end of the Special Exception period. Given the characteristics of this building, which favor the general design and scale of surrounding single-family homes, staff finds this use will be compatible with the surrounding area.

c. Minimum Lot Frontage; Access:

The property meets the minimum lot frontage for the MR District. Access will be from S.W. 31st Terrace, which is consistent with the LUDR requirements. Model homes typically do not generate large numbers of trips, with most trips occurring during the daytime. Since model homes cannot open until 9:00 a.m., the hours of operation should not conflict with weekday commuters traveling on S.W. 31st Terrace or Chiquita Boulevard. Because of the low number of trips, along with the timing of these trips, the driveways proposed by the applicant should not have a detrimental effect on the neighborhood.

d. Building Location; Setbacks:

The model homes meet or exceed the setbacks for the MR District.

e. Screening and Buffering:

The site plan shows a continuous row of shrubs screening the west side of the parking lot. Staff recommends additional landscaping to provide a continuous hedge around the parking lot.

Analysis of the requirements per LUDR, Section 2.7.18D.9a-h:

a. Approval of a model home site shall be for a maximum term of five years. Within 60 days of expiration or abandonment of a model home site, the site and structure shall be modified as necessary for conversion of the site and structure to a permitted use or restoration to a safe and stabilized condition to allow for development of a permitted use. ***The special exception use will be for five years. At the end of this term, the model homes will be converted to uses allowed in the MR District.***

b. A model home shall be located within a development project of a size that would allow the dwelling unit type after the model is converted to a permanent dwelling unit. This limitation can be waived if the applicant agrees to remove the structure within 60 days from the expiration of the special exception or if the applicant demonstrates that the structure can be converted to a non-residential use meeting all the requirements of this District. ***The applicant states in their letter of intent that the model homes will be converted into commercial buildings after the Special Exception Use expires. The conversions will be approved through the site plan review process to make sure they meet all the requirements of the MR District.***

c. Parking shall be provided in conformity with the following requirements: (1) Five paved spaces shall be provided for the first model home and two additional paved spaces shall be provided for each additional model. (2) The required parking shall be provided either on the same site or within an approved permanent off-site parking lot. ***Eight parking spaces will be provided onsite for the two model homes.***

d. Deposit or financial instrument. ***This will be required prior to permitting.***

e. Model home sites may be open for business only between 9:00 a.m. and 9:00 p.m. daily. ***This will be monitored by staff.***

f. Outside lighting is permitted for security purposes and to illuminate signage, but shall not cause a glare or nuisance to neighboring properties or impede traffic. Signage shall not be internally illuminated. ***This will be monitored by staff.***

g. Model home sites must be used exclusively for the display and sale of the model homes. No construction office or other real estate uses shall be permitted. ***This will be monitored by staff.***

h. Any structure converted from a model home to another use shall comply with all provisions of this subsection. ***Conversion of the model homes will be approved through the site plan review process.***

Recommendation:

Given that this Special Exception Use is consistent with the standards outlined within LDR, Sections 2.7.18D and 8.8.5a-e discussed above, staff recommends **approval** of the request with the following conditions:

1. The model homes shall be constructed to the standards established in the Florida Building Code, Building, 5th Edition, 2014.
2. In the event the model home is converted to another use allowed in the MR District, the owner shall demonstrate compliance with all applicable LUDR requirements, including minimum building height and architectural requirements. Compliance with these standards shall be demonstrated prior to the issuance of a certificate of use or certificate of occupancy by the City.
3. Prior to the issuance of a development permit for the site, the Developer shall submit to the City payment in lieu of construction for lane-widening improvements on Chiquita Boulevard. The payment shall be 110% of the estimated cost of improvements as prepared by a professional engineer licensed in the state of Florida. The cost estimate shall be approved by the City. The required improvements along SW 15th Place that adjoins the project to the east and SW 31st Terrace that adjoins the project to the south shall be built by the Developer prior to the issuance of a certificate of use by the City for a model home and is not included in the above-referenced payment in lieu of construction.
4. In lieu of meeting the requirements of Conditions #2-#3 above, the Developer may post a cash deposit or other financial instrument deemed acceptable with the City for removing both model homes and associated site improvements upon expiration of this use. This deposit shall be 110% of the estimated cost of removal of the model homes and associated site improvements, including regrading and sodding the site. The estimate shall be prepared by a professional engineer licensed in the state of Florida. The cost estimate shall be approved by the City.
5. The walkway shown on the site plan along the western side of the site shall be designed and constructed to achieve ADA compliance.
6. The developer shall screen the perimeter of the parking lot with a continuous hedge, consisting of shrubs spaced no greater than three feet on center. The prescribed hedge shall be installed at a minimum height of 32 inches and be in at least a seven-gallon container. The shrubs shall be maintained at a minimum height of 42 inches at maturity.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Staff finds this project is consistent with the City's Comprehensive Plan, and in particular, those policies listed below.

Future Land Use Element

Policy 1.5: *"The City will regulate signage to prevent visual blight."*

Policy 1.15.n: "Every development project, regardless of size or use area allocations, is required to be approved through the PDP process."

Policy 1.6: "The City shall develop regulations that establish enhanced landscaping, buffering and signage standards and develop architectural design guidelines for non-residential development."

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

PROJECT RECOMMENDATION

Staff finds that this PDP project, described within this report, is consistent with the City LUDRs and Comprehensive Plan. Staff supports all requests made by the applicant and recommends approval of this PDP subject to the conditions contained within the development order of this project.

CITY OF CAPE CORAL

Burrowing Owl/Gopher Tortoise Affidavit

Contractor or Owner
Holiday Builders, Inc.

Block **3196**

Lot **1-6 & 49-52**

Unit **66**

Strap # **34-44-23-C4-03196.0010**

Site Address **3111 Chiquita Blvd., South, Cape Coral, Florida 33914**

Within the last 30 days, I have inspected the property described above AND any vacant properties near the jobsite where I or my subcontractors may drive vehicles or place construction material.

1. I have found the following number of Burrowing Owl and/or Gopher Tortoise burrow(s) located on or adjacent to the aforementioned property, including those located in abutting City rights-of-way.

☒ None (0) ☐ One (1) ☐ Two (2) ☐ Three (3) ☐ Four (4) ☐ (Other) _____

2. Please select one of the three available options below:

☐ **OPTION 1: STATE AND/OR FEDERAL PERMITS ARE NECESSARY.** I understand that State and/or Federal permits are required prior to the commencement of development activity.

****Please indicate species, in known.** ☐ BURROWING OWL ☐ GOPHER TORTOISE

☒ **OPTION 2: NO STATE PERMITS ARE NECESSARY.** No Burrowing Owl and/or Gopher Tortoise burrows exist on or adjacent to the aforementioned property, including those located in abutting City rights-of-way.

☐ **OPTION 3: NO STATE PERMITS ARE NECESSARY.** Appropriate buffers will be maintained during all phases of construction.

****Please indicate species, in known.** ☐ BURROWING OWL ☐ GOPHER TORTOISE

By accepting local building permits, I hereby assume all responsibility to ensure the protection of Burrowing Owls and/or Gopher Tortoises and their burrow(s) during all phases of construction activity. I will maintain a protection zone during all phases of construction. The protection zone should extend a radius of 10 feet (20-foot diameter) from the Burrowing Owl burrow entrance, and/or 25 feet (50-foot diameter) from the Gopher Tortoise burrow entrance. **All burrows must be staked using the aforementioned dimensions.** Permanent installation of a T-perch is recommended for Burrowing Owls. I understand that molesting, harassing, or injuring Burrowing Owls or Gopher Tortoises or their burrows is a crime. The City is required to notify the law enforcement division of the Florida Fish & Wildlife Conservation Commission if a Wildlife violation is observed.

I fully understand the Federal and State regulations that prohibit the endangerment and/or harassment of Burrowing Owls or Gopher Tortoises and their burrows, and I accept full responsibility for the actions of my employees and subcontractors.

I understand that the City is not liable for an applicant's failure to obtain state and/or federal permits, is not liable for the applicant's failure to fulfill obligations imposed by a state and/or federal agency, and is not liable for any actions taken by the applicant that result in violations to state and/or federal law. Further, I also understand that the City requires that all applicable state and federal permits be obtained **prior** to the commencement of development activities. I am fully aware that the failure to secure such permits will result in a **Stop Work Order** being issued on my site.

Under penalty of perjury, I declare that I have read the foregoing document and that all information contained herein is true and correct to the best of my knowledge and that violation of these Laws is punishable by a fine and/or imprisonment.

BY: **RICHARD A. FADI, CFO OF HOLIDAY BUILDERS**

Print Name & Title of Contractor or Property Owner

Signature of Contractor or Property Owner
(Signature Must be Notarized)

STATE OF Florida, COUNTY OF Broward

Subscribed and sworn to (or affirmed) before me this 5th day of January, 2011, by

Richard A. Fadi who is personally known or produced _____
Printed name of person signing as identification

Exp. May 3 2019

Commission Number: FF 205913

Signature of Notary Public: Rebecca M. Bauer

Printed name of Notary Public: _____



REBECCA M. BAUER

MY COMMISSION # FF 205913

EXPIRES: May 3, 2019

Bonded Thru Budget Notary Services

Parcel Description/*Instrument No. 2013000107070*
Lots 1, 2, 3, 4, 5 and 6, Block 3196, CAPE CORAL, UNIT 66, PART 1,
according to the plat thereof as recorded in Plat Book 23, Pages 98 and 99,
Public Records of Lee County, Florida.

Together with: *(O.R. Book 1089, Page 1889)*
Lots 49 & 50 Block 3196, Unit 66 Part 1 CAPE CORAL, according to plat
thereof recorded in Plat Book 23, Page 98-99 of the Public Records of Lee
County, Florida.

Together with: (O.R. 2241, Page 4175)
LOTS 51-52, BLOCK 3196, UNIT 66, PART 1 CAPE CORAL,
SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED
IN PLAT BOOK 23, PAGES 98-99, INCLUSIVE, IN THE PUBLIC
RECORDS OF LEE COUNTY, FLORIDA.

I hereby certify that, to the best of my knowledge and belief, the survey represented hereon,
made under my direction on **November 15th, 2016** is in accordance with Standards of
Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter
53-17, Florida Administrative Code, pursuant to Section 472.02(7) Florida Statutes.

David Keith Cramer

FLORIDA PROFESSIONAL
SURVEYOR & MAPPER NO. 6655

STOUTENCRAMER
PROFESSIONAL SURVEYORS

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

Boundary and Topographic Survey of
3111 Chiquita Boulevard South,
Lots 1-6 & 49-52, Block 3196, Unit 66 Part 1, Cape Coral
Subdivision, Cape Coral, Florida, According to Plat Book
23, Page 98 Through 99 of the Public Records of Lee
County, Florida.

SECTION 34, TOWNSHIP 44S, RANGE 23E Prepared for: Holiday Builder

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	39.24'	35.33'	N 48°20'59" W	89°55'18"
C2	25.00'	39.30'	35.38'	N 48°39'01" E	90°04'42"

SURVEY NOTES:

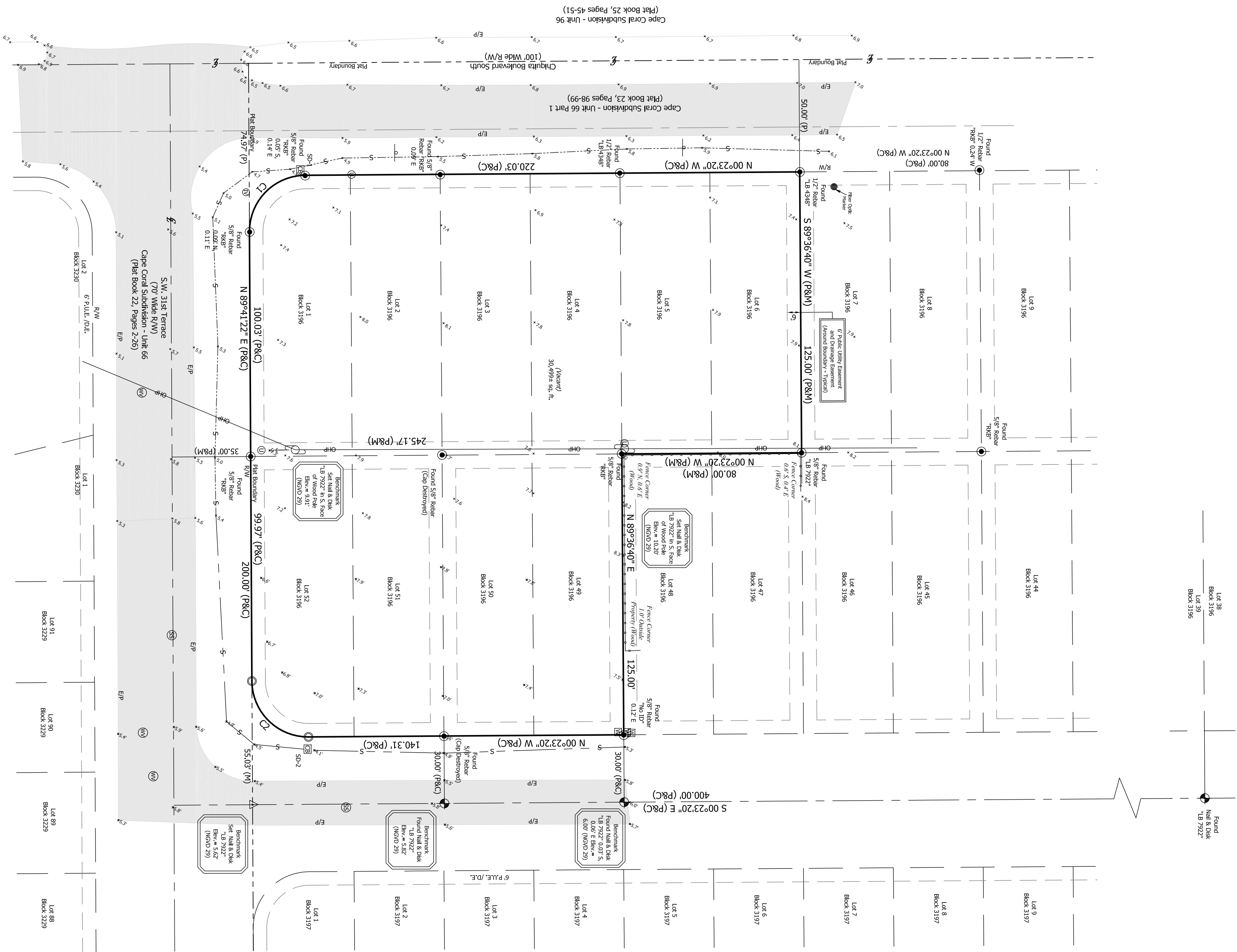
1. MEASUREMENTS SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. SURVEYED AND SHOWN ARE THE EXISTING CONDITIONS, INCLUDING, BUT NOT LIMITED TO, ALL ELEVATIONS, ELEVATION DATUM, AND ELEVATION POINTS.
3. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT SHOWN.
4. LICENSED SURVEYOR AND MAPPER (S.M.)
5. ELEVATIONS SHOWN HEREON ARE IN REFERENCE TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D. 29) AND THE NATIONAL FLOOD INSURANCE INFORMATION.
6. CONCOMITANT NUMBER: 129685
7. SURVEY DATE: 08/28/2008
8. ELEVATION DATUM: NAVD83
9. ELEVATION POINT: 12971 C 6385
10. DATE OF LAST FIELD WORK: NOVEMBER 15th, 2016
11. THIS SURVEY WAS COMPLETED WITHOUT BENEFIT OF ANY PREVIOUS TITLE COMMITMENT.
12. THIS SURVEY WAS PREPARED ONLY FOR THE CLIENTS AS NAMED EXPRESSED OR IMPLIED.

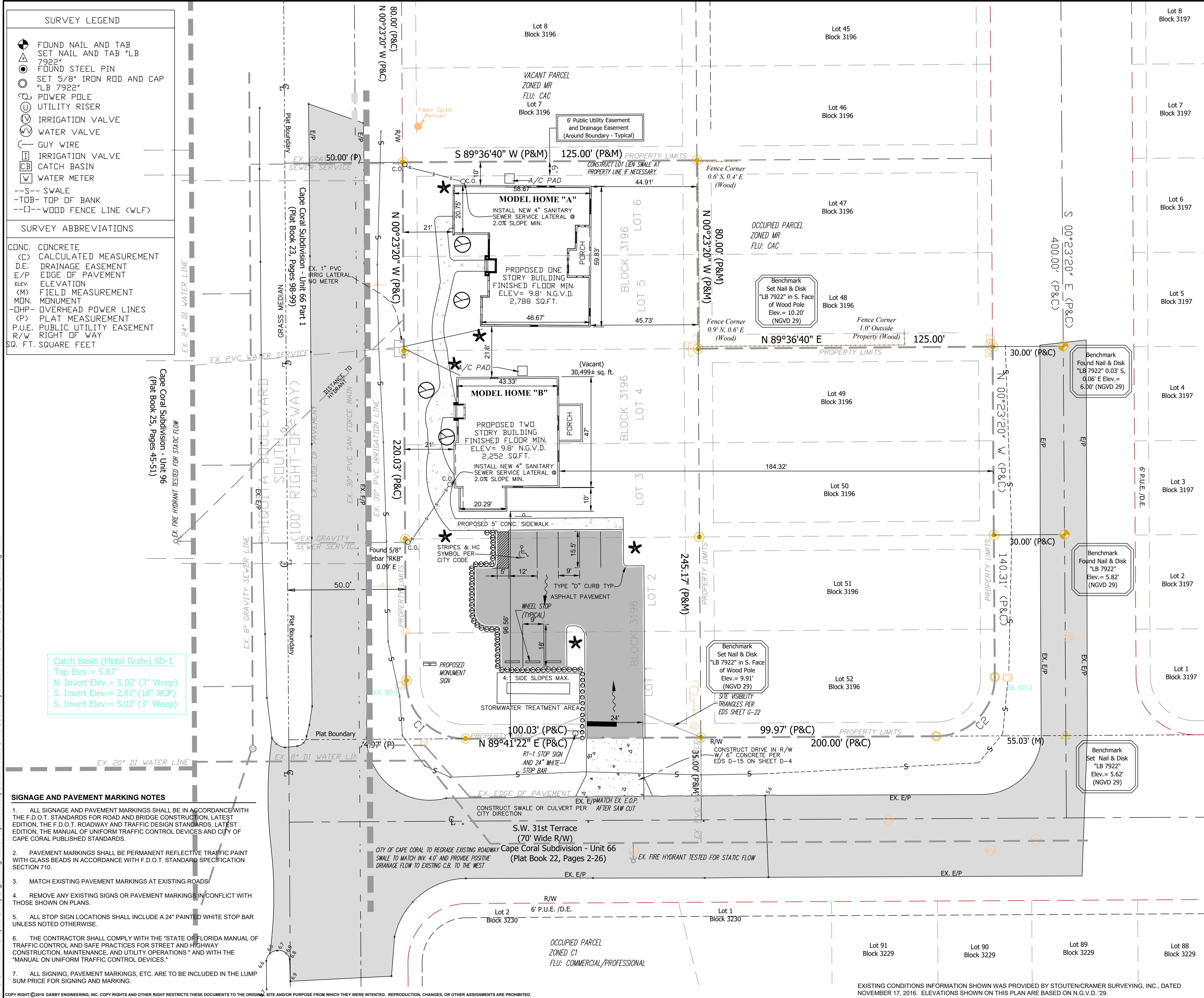
Certified To:

Holiday Builders

Field Book 62 - Page(s) 65, 86-83.

SURVEY ABBREVIATIONS	
FOUND NAIL AND TAB	CONC. CONCRETE
SET NAIL AND TAB "LB 7922"	EDGE OF PAVEMENT
FOUND STEEL PIN	BLK. ELEVATION
SET SURV. IRON ROD AND CAP	MON. MONUMENT
POWER POLE	OH-P. OVERHEAD POWER LINES
UTILITY RISER	P. PLAT MEASUREMENT
IRRIGATION VALVE	R/W. RIGHT OF WAY
WATER VALVE	SC. FT. SQUARE FEET
GRAY WIRE	
IRRIGATION VALVE	
CATCH BASIN	
WATER METER	
SWALE	
TOP OF BANK	
WOOD FENCE LINE (W.F.)	





SITE INFORMATION

ZONING: MR (MARKET RESIDENTIAL)
FUTURE LANDUSE: CAC (Commercial Activity Center)
TOTAL ACREAGE: 1.17 ACRES

MINIMUM SETBACKS
FRONT = 7 FEET
SIDE = 10 FEET (0' BUT UP TO 10')
REAR = 20 FEET

BUILDING INFORMATION

NUMBER OF BUILDINGS = 2
NUMBER OF STORIES = 1
MIN. BUILDING HEIGHT = 35 FEET REQUIRED BY ZONING
MIN. FIN. FLOOR ELEVATION = 9.8 FEET N.G.V.D

PARKING REQUIREMENTS

MODEL HOMES	=	2 MODEL HOMES	=	8 REQUIRED SPACES
		5 SP PLUS 3 SP 2ND MODEL		8 SPACES PROVIDED
REQUIRED PARKING	=	8 SPACES INCLUDING 1 H.C.		1 H.C. SPACES INCLUDED
PROVIDED PARKING	=	8 SPACES INCLUDING 1 H.C.		

BASED ON THE 9TH EDITION OF THE ITE TRIP GENERATION FOR SINGLE FAMILY HOME ITE CODE 210 USING 2 DWELLING UNITS RESULTS IN A PEAK TRIP GENERATION OF 19 AVERAGE DAILY TRIPS, 1 AM ENTERING 1 EXITING AND 1 PM ENTERING 1 EXITING PEAK HOUR WHICH IS LESS THAN THE 300 PEAK TRIPS, THEREFORE NOT REQUIRING A MAJOR TIS.

1. CONTRACTOR TO SUPPLY TRAFFIC CONTROL PLAN FOR ALL WORK WITHIN THE RIGHT-OF-WAY TO OBTAIN A PUBLIC WORKS DEPT. RIGHT-OF-WAY USAGE PERMIT.

2. EROSION & SILT FENCE LOCATED AROUND ENTIRE PROPERTY AT PROPERTY LIMITS SEE DETAIL. EROSION CONTROL ALSO TO BE INSTALLED AROUND LIMITS OF WORK WITHIN CITY RIGHT-OF-WAY.

3. NO EXTERIOR LIGHTING, EXCEPT BUILDING MOUNTED.

4. CONTRACTOR TO OBTAIN PERMIT FOR SIGNAGE FROM THE CITY OF CAPE CORAL BUILDING DEPARTMENT.

5. GARAGE COLLECTION WILL BE PROVIDED BY WASTE PRO AT CURB SIDE PICK-UP USING A 96 GALLON TONER BASED ON SERVICE AGREEMENT.

SITE DEVELOPMENT DATA

BUILDING	=	5040 SF	0.12 AC	9.9 %
PAVEMENT	=	4171 SF	0.10 AC	8.2 %
WALKS AND PATIOS	=	1683 SF	0.04 AC	3.3 %
PERVIOUS	=	40128.00 SF	0.92 AC	78.6 %
TOTAL SITE	=	51022 SF	1.17 AC	100.0 %

TREE LIST

Quan.	credit values	Credits	Sym.	Type	Tree Type	Canopy Subst.	Common Name	Botanical Name	Spec
6	X1	6	RP	Native	Palm	1C	Royal Palm	Roystonea spp.	7" CAL.
4	X1	4	M	Native	Canopy	1C	Live Oak	Quercus virginiana	2" CAL.
10		10							

TREE MIX PER LDR, 5.2.10.C.4 FOR 3 TOTAL TREES = 1

SHRUB LIST

		Common name	Botanical Name	Type	
52	PL	Weeping Lantana	Lantana depressa	Native	3 GAL
85	CP	Cocoplum	Chrysobalanus icaco	Native	3 GAL
PROVIDED	REQUIRED				
137	40	TOTAL SHRUBS			

PLANT BARRIER ADJACENT TO PARKING MIN. HEIGHT 2' AT TIME OF PLANTING

PARCEL DESCRIPTION:

(Instrument No. 2015000107076)
Lots 1, 2, 3, 4, 5 and 6, Block 3196, CAPE CORAL UNIT 66, PART 1, according to the plat thereof as recorded in Plat Book 23, Page(s) 98 and 99, Public Records of Lee County, Florida.

Together with: (O.R. Book 1089, Page 1898)
Lots 49 & 50 Block 3196 Unit 66 Part 1 CAPE CORAL according to plat thereof recorded in Plat Book 23, Page 98=99 of the Public Records of Lee County, Florida.

Together with: (O.R. 2241, Page 4175)
LOTS 51-52 BLOCK 3196 UNIT 66, PART 1 CAPE CORAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGES 98-99, INCLUSIVE, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

FLOOD PLAIN INFORMATION:

THE NATIONAL FLOOD INSURANCE INFORMATION:

COMMUNITY NUMBER: 125095

PANEL NUMBER: 12071 C 0385

SUFFIX: F

EFFECTIVE DATE: 08/28/2008

FIRM ZONE: X

BASE FLOOD ELEVATION: N/A

STORMWATER CALCULATIONS:

REQUIRED ONE INCH OF TREATMENT STORAGE FOR PARKING AND DRIVE IMPERVIOUS SURFACE:

4,406 SQ.FT. X 1"12 = 367 CU.FT. OF TREATMENT STORAGE REQUIRED.

438 CU.FT. OF TREATMENT STORAGE PROVIDED.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	39.24'	35.33'	N 45°20'59" W	89°55'18"
C2	25.00'	39.30'	35.38'	N 44°39'01" E	90°04'42"

HOLIDAY BUILDERS MODELS

SITE PLAN

DEI PROJECT NO.: 15-135-01

SHEET NO.:

C-3

SIGNAGE AND PAVEMENT MARKING NOTES

- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE F.D.O.T. STANDARDS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION, THE F.D.O.T. ROADWAY AND TRAFFIC DESIGN STANDARDS, LATEST EDITION, THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND CITY OF CAPE CORAL PUBLISHED STANDARDS.
- PAVEMENT MARKINGS SHALL BE PERMANENT REFLECTIVE TRAFFIC PAINT WITH GLASS BEADS IN ACCORDANCE WITH F.D.O.T. STANDARD SPECIFICATION SECTION 710.
- MATCH EXISTING PAVEMENT MARKINGS AT EXISTING ROADS.
- REMOVE ANY EXISTING SIGNS OR PAVEMENT MARKINGS IN CONFLICT WITH THOSE SHOWN ON PLANS.
- ALL STOP SIGN LOCATIONS SHALL INCLUDE A 24" PAINTED WHITE STOP BAR UNLESS NOTED OTHERWISE.
- THE CONTRACTOR SHALL COMPLY WITH THE "STATE OF FLORIDA MANUAL OF TRAFFIC CONTROL AND SAFE PRACTICES FOR STREET AND HIGHWAY CONSTRUCTION, MAINTENANCE, AND UTILITY OPERATIONS" AND WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."
- ALL SIGNING, PAVEMENT MARKINGS, ETC. ARE TO BE INCLUDED IN THE LUMP SUM PRICE FOR SIGNING AND MARKING.

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DESIGN BY: SLD	SCALE: 1" = 20'	REVISIONS
DRAWN BY: SLD		
CHECK BY: SLD		

HOLIDAY BUILDERS, INC.
2293 W. EAU GALIE BLVD.
MELBOURNE, FLORIDA 32935
321.610.5230

STEVEN L. DARBY, P.E.
FL. REG. # 45190

NOT VALID UNLESS
SIGNED & EMBOSSED SEALED



Civil Engineers & Planners

CERTIFICATE OF AUTHORIZATION NO. 26460
2638 STONYHILL COURT, CAPE CORAL, FLORIDA 33991
(239) 945-0551 FAX: (239) 772-0141 WEBSITE: WWW.DEI-FLA.COM



NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: PDP17-0001

REQUEST: Approval to operate a model home use in the Marketplace Residential (MR) District.

LOCATION: 3107 Chiquita Boulevard South

CAPE CORAL STAFF CONTACT: Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

PROPERTY OWNER(S): Holiday Builders, Inc

AUTHORIZED REPRESENTATIVE: Darby Engineering

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 AM on Tuesday, June 20, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

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

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

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

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

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

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

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Customer: CITY OF CAPE CORAL_DEPT OF COM

Ad No.: 0002166273

Address: 1015 CULTURAL PARK BLVD
CAPE CORAL FL 33990
USA

Net Amt:

Run Times: 1

No. of Affidavits: 1

Run Dates: 05/27/17

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: PDP17-0001

REQUEST: Approval to operate a model home use in the Marketplace Residential (MR) District.

LOCATION: 3107 Chiquita Boulevard South

CAPE CORAL STAFF CONTACT: Justin Heller, Planner, 239-574-0587, jheller@capecoral.net

PROPERTY OWNER(S): Holiday Builders, Inc

AUTHORIZED REPRESENTATIVE: Darby Engineering

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 AM on Tuesday, June 6, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

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

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by order of
Rebecca van Deutekom, MMC
City Clerk
REF # PDP17-0001
AD# 2166273 May 27, 2017

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Stanley S. Teague

APPLICATION NO: VP17-0004

STATE OF FLORIDA)
) §
COUNTY OF LEE)

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

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

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

DATED this 12th day of June, 2017.

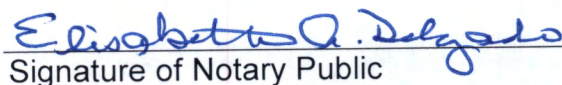
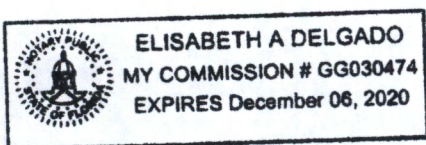


Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12th day of June, 2017, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 12/6/20 Commission # 66030474



Signature of Notary Public

Elisabeth A. Delgado
Print Name of Notary Public

**City of Cape Coral
Department of
Community Development**









Case No. PDP17-0001

CURRENT ZONING MAP

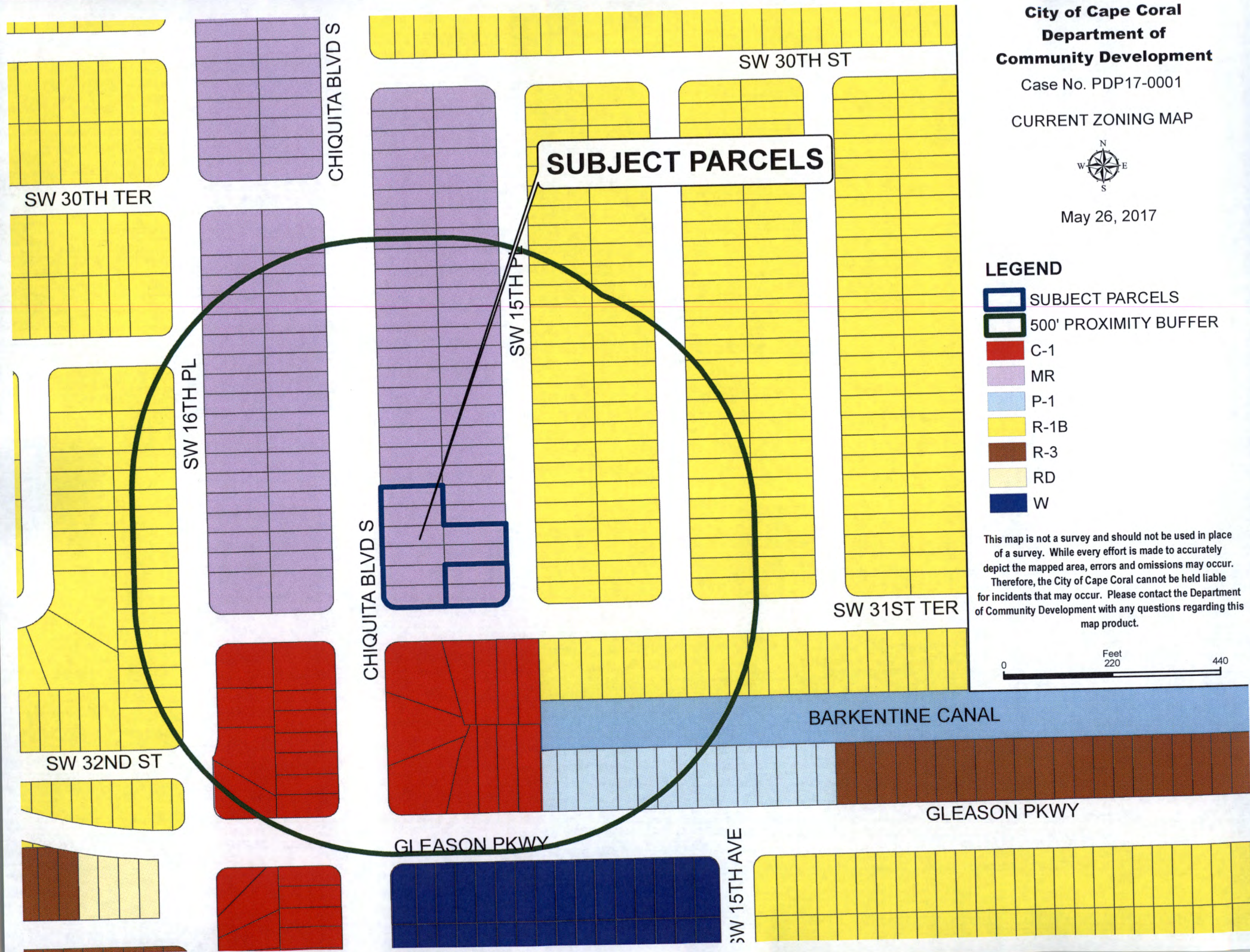


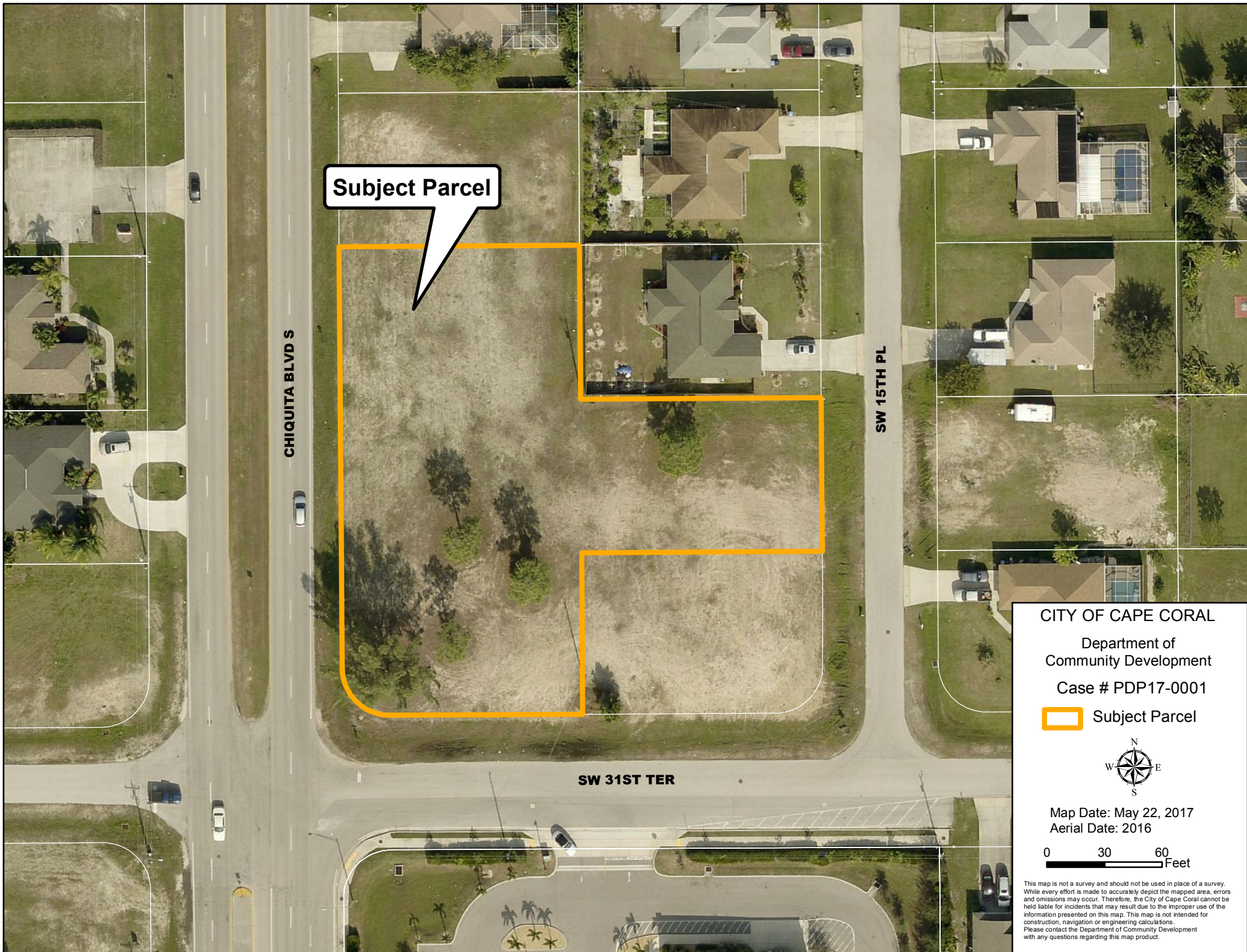
May 26, 2017

LEGEND

-  SUBJECT PARCELS
-  500' PROXIMITY BUFFER
-  C-1
-  MR
-  P-1
-  R-1B
-  R-3
-  RD
-  W

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 occur. Please contact the Department of Community Development with any questions regarding this map product.





Subject Parcel

CHIQUITA BLVD S

SW 15TH PL

SW 31ST TER

CITY OF CAPE CORAL

Department of
Community Development

Case # PDP17-0001



Subject Parcel



Map Date: May 22, 2017
Aerial Date: 2016

0 30 60
Feet

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

Owner_Name	Mailing_Ad	Mailing_Ci	Mailing_Zi
DUTINE THOMAS L	JM TAUBHOUS 17	63322 ROEDERMAK	GERMANY
RAMDASS RAMNARINE + JEAN TARA	4 GASTON ST LANGE PARK	CHAGUANAS	TRINIDAD A
3-D PROPERTIES OF SW FL LLC	3521 SE 17TH PL	CAPE CORAL	FL 33904
AEDER MICHAEL T	5445 HIBISCUS RD	SAINT CLOUD	FL 34773
AH & AS CORPORATION INC	1314 LAFAYETTE ST	CAPE CORAL	FL 33904
ALEGIAN GROUP INC	1925 NE 10TH TER STE 101	CAPE CORAL	FL 33909
ANGOTTI NICOLE + PORTER KEVIN T/C	3027 SW 15TH PL	CAPE CORAL	FL 33914
AVENDANO HERNAN G & AVENDANO VICTORIA E	3031 SW 15TH PL	CAPE CORAL	FL 33914
BASKIN JACK TR 50% + MILLBURN EUGENE A TR + KEITH JANICE A TR 50% FOR JACK BASKIN TRUST FOR MILLBURN-KEITH FAMILY TRUST SAR ASSET MGNT INC	PO BOX 350	APTOS	CA 95001
BOSTWICK WILLIAM M + BOSTWICK ELIZABETH J TR FOR WILLIAM M BOSTWICK + ELIZABETH J BOSTWICK FAMILY TRUST	3116 SW 16TH PL	CAPE CORAL	FL 33914
BOTH JAMES W + BOTH KATHLEEN G T/C	2318 E 1550 NORTH RD	WATSEKA	IL 60970
BURROUGHS CRAIG T + GENESIS D	3118 CHIQUITA BLVD S	CAPE CORAL	FL 33914
CARVELLI ROSARIO	3015 CHIQUITA BLVD S	CAPE CORAL	FL 33914
CHERY HERBERT + MICHELINE	99-04 57TH AVE APT 1-C	CORONA	NY 11368
COHN JUDITH E	40 HIGH PASTURES CT	RIDGEFIELD	CT 06877
COONS CLINT TR FOR 1514 SW 31ST TERRACE TRUST	3225 MCLEOD DR STE 777	LAS VEGAS	NV 89121
DEDEK PETR JANA LABASH	2823 NW 43RD PL	CAPE CORAL	FL 33993
DEPETRIS WILMA CLAUDINE L/E	3107 SW 15TH AVE	CAPE CORAL	FL 33914
DR HORTON INC	10541 BEN C PRATT SIX MILE		
FRANZOI ERIC A + CHARLENE M	CYPRESS PKWY # 100	FORT MYERS	FL 33966
GIUSTINO MARIA	2020 POPLAR RIDGE RD	PASADENA	MD 21122
GLUZMAN SVETLANA TR FOR GLUZMAN TRUST	3027 SW 15TH AVE	CAPE CORAL	FL 33914
GONAZLEZ RAFAEL	1830 E 31ST ST	BROOKLYN	NY 11234
HADAD SHIMON	213-19 102ND AV	QUEENS VILLAGE	NY 11429
HARNEY RITA	8932 WATER TUPELO RD	FORT MYERS	FL 33912
HEXOL INC	3111 SW 16TH PL	CAPE CORAL	FL 33914
HOLIDAY BUILDERS INC	1106 4TH AVE	NAPA	CA 94559
HONC ALEXANDRA	2293 W EAU GALLIE BLVD	MELBOURNE	FL 32935
JAMISON PHILLIP N + JACKIE L	3106 SW 15TH AVE	CAPE CORAL	FL 33914
JIMENEZ OSCAR E + PATRICIA TR FOR OSCAR + PATRICIA JIMEMEZ TRUST	178 BACHMANN DR	WHEELING	WV 26003
JOHNSON ALVIN E + JEAN L	3105 SE 5TH CT	CAPE CORAL	FL 33904
JOHNSON WM J JR + ROSE MARIE	364 4TH AVE	HOLLAND	MI 49424
KRAJACK KRYSTAL L	3034 SW 15TH PL	CAPE CORAL	FL 33914
KURZMANN BRIAN MARIANNE KURZMANN	3102 SW 14TH CT	CAPE CORAL	FL 33914
LEE ANNE M	4428 SW 19TH PL	CAPE CORAL	FL 33914
LETSCH PATRICIA + CHRISTOPHER	3035 CHIQUITA BLVD S	CAPE CORAL	FL 33914
LIBRETTO CATHERINE JEAN L/E	97 MONMOUTH AVE	FREEHOLD	NJ 07728
LYPKA LINDALEE	3105 SW 16TH PL	CAPE CORAL	FL 33914
MAESEL SHAWN R + MARITIME PROPERTIES INC	3023 SW 16TH PL	CAPE CORAL	FL 33914
MATELSKI LOUIS R	112 SW 59TH TER	CAPE CORAL	FL 33914
MAZUR LEE J	3035 SW 15TH PL	CAPE CORAL	FL 33914
MORALI COMPANIES LLC	4525 NEW TEXAS RD	PITTSBURGH	PA 15239
NEUHAUSEL COURTNEY 25% + EQUITY TRUST COMPANY CUSTODIAN FBO COURTNEY NEUHAUSEL IRA 50% + FBO ROBERT EKDAHL IRA 10% + FBO ELIZABETH EKDAHL 8% + EQUITY TRUST COMPANY	12200 NW 5TH ST	PLANTATION	FL 33325
NEWCOM REAL PROPERTIES LLC + GRAVES RONALD W T/C	225 BURNS RD	ELYRIA	OH 44035
NGUYEN OANH THI KIM	5707 S CASS AVE STE 1070	WESTMONT	IL 60559
NRZ REO VI CORP QUINTAIROS PRIETO WOOD & BOYER	1225 NE 19TH CT	CAPE CORAL	FL 33909
OREJUELA ROXANNA	255 S ORANGE AVE STE 900	ORLANDO	FL 32801
ORVIS SKIP + MELISSA	59-27 MASPETH AV	MASPETH	NY 11378
PANJABI HARISH P + KAVITA H	PO BOX 545	MURPHYS	CA 95247
	7 CLEARWATER DR	ALLEN TOWN	NJ 08501

PELONERO ROBERT & MARIE	3026 SW 15TH AVE	CAPE CORAL	FL	33914
PERALTA ALTAGRACIA	3075 HEATH AV #3C	BRONX	NY	10463
PHAM RINH	3102 SW 15TH PL	CAPE CORAL	FL	33914
PORZIO FERDINANDO	50 BUCK HILL RD	EASTON	CT	06612
QGP LLC	12601 NEW BRITTANY BLVD	FORT MYERS	FL	33907
ROMAN RAUL F	PO BOX 152772	CAPE CORAL	FL	33915
SANCHEZ JUVENAL + LIDOVINA	3102 SW 15TH AV	CAPE CORAL	FL	33914
SANCHEZ LUIS E + SANCHEZ OSCAR A T/C	3605 E ANAHEIM ST #421	LONG BEACH	CA	90804
SANDCASTLE VACATION RENTALS LLC	610 SW 22ND TER	CAPE CORAL	FL	33991
SANTOS AUGUSTO B EST	621 SE 4TH PL	CAPE CORAL	FL	33990
SAUTERNES V LLC	18305 BISCAYNE BLVD STE 400	AVENTURA	FL	33160
SCARLATO FRANK M + MAZANEK LORRAINE ANGELA J/T	3035 SW 15TH AVE	CAPE CORAL	FL	33914
SCHMIDT RONALD T & SCHMIDT BARBARA A	3132 SW 16TH PL	CAPE CORAL	FL	33914
SHARP DANIELLE F + DUNSWORTH ALLEN BENJAMIN W/H	3022 SW 15TH AVE	CAPE CORAL	FL	33914
SINCLAIR PROPERTIES OF SW FL LLC	221 SE 21ST LN	CAPE CORAL	FL	33990
STONE DALE K + STONE LYUDMILA T/C	19 WILLIAMS RD	LYNNFIELD	MA	01940
SW KMMS LLC	6724 FAIRVIEW ST	FORT MYERS	FL	33966
TILLET JOHN W + PATRICIA H	154 CHADWICK ST	BAYVILLE	NJ	08721
TRAN NGOAN + SON LINH T H/W	3019 SW 16TH PL	CAPE CORAL	FL	33914
UGALDE BERNAARDO O + UGALDE LUCIA	2208 BERGENLINE AV APT 2	UNION CITY	NJ	07087
VU TUNG SON + NGUYEN THANHTHAO H/W	3038 SW 15TH PL	CAPE CORAL	FL	33914
WEBER LINDA S	3829 S 83RD ST	MILWAUKEE	WI	53220
WHITEHEAD NEIL + DONNA C	3136 SW 16TH PL	CAPE CORAL	FL	33914
WILKEN ANDREW W	4026 NE 22ND AVE	CAPE CORAL	FL	33909
WOLFE THELMA + TRAYLOR GARY L + HASSELBACH ELAINE J/T	4002 CORONADO PKWY APT 102	CAPE CORAL	FL	33904

Item Number: 2.B.
Meeting Date: 6/20/2017
Item Type: HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case # VP17-0004*; Address: 2625 Santa Barbara Blvd; Applicant: SB-VETS-LLC

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

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

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

The applicant requests the following:

1. Vacate a 15-foot wide platted alley and all underlying public utility and drainage easements;
2. Vacate a 25-foot wide platted walkway and all underlying public utility and drainage easements;
3. Vacate all lot lines, public utility and drainage easements in Block 553C, Block 553B, and Block 553D.

LEGAL REVIEW:

EXHIBITS:

See attached backup material.

PREPARED BY:

Shawn Baker Division- Planning Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Kathy Eastley, Senior Planner, 239-574-0605, keastley@capecoral.net

ATTACHMENTS:

Description	Type
📎 Backup material	Backup Material



DEPARTMENT OF COMMUNITY DEVELOPMENT

VACATION OF PLAT APPLICATION

Questions: 239-574-0553

Case # VP 17-0004

REQUEST TO PLANNING & ZONING COMMISSION AND COUNCIL FOR A VACATION OF PLAT

FEE: \$843.00 – In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising costs must be paid prior to public hearing otherwise case will be pulled from public hearing.

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

OWNER OF PROPERTY

SB-Vets-1, LLC

Address: 900 SW Pine Island Road, Suite 202

City: Cape Coral State: FL Zip: 33991

Phone: 239-210-0455

APPLICANT

Address: _____

EMAIL _____

City: _____ State: _____ Zip: _____

Phone: _____

AUTHORIZED REPRESENTATIVE

Banks Engineering

Address: 10511 Six Mile Cypress Parkway, Suite 101

EMAIL nkoukos@bankseng.com

City: Fort Myers State: FL Zip: 33966

Phone: 239-939-5490

Unit 26 Block 553B/553C/553D Lot(s) 1-18/5-22 Subdivision Cape Coral

Address of Property 2605/2625 Santa Barbara Blvd, 119 SE 27th ST & 2614 SE 1st Ave

Current Zoning C1 Plat Book 14, Page 133 & 135

Strap Number 36-44-23-C1-00553.C010; .C030; .B050 & .D000

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.

(SIGNATURE MUST BE NOTARIZED)

G. Brent Evans - Manager

APPLICANT NAME (PLEASE TYPE OR PRINT)

(APPLICANT'S SIGNATURE)

STATE OF FL COUNTY OF Lee

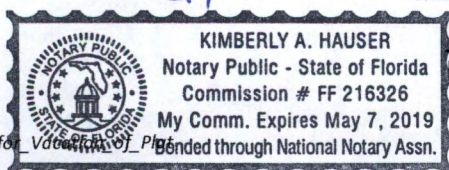
Sworn to (or affirmed) and subscribed before me on this 10th day of May, 2017 by G. Brent Evans who is personally known or who has produced _____ as identification.

Exp. Date 5/7/2019

Commission # FF216326

Signature of Notary Public

Print Name of Notary Public





DEPARTMENT OF COMMUNITY DEVELOPMENT

VACATION OF PLAT APPLICATION

Questions: 239-574-0553

Case # _____

ACKNOWLEDGEMENT FORM

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

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

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

I understand that I am responsible for recording the approved Resolution/Ordinance with the Lee County Clerk of Circuit Courts and providing a copy of the recorded Resolution/Ordinance to the City of Cape Coral Planning and Growth Management Division.

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

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

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

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

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

SB-Vets-1, LLC

CORPORATION/COMPANY NAME

G. Brent Evans - Manager

PROPERTY OWNER (PLEASE TYPE OR PRINT)

[Signature]
PROPERTY OWNER'S SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

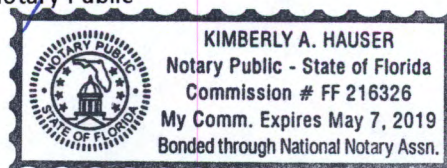
STATE OF FL COUNTY OF Lee

Sworn to (or affirmed) and subscribed before me on this 10th day of May, 2017 by G. Brent Evans who is personally known or who has produced _____ as identification.

Exp. Date 5/7/2019
Commission # FF216326

[Signature]
Signature of Notary Public

Kimberly A. Hauser
Print Name of Notary Public





DEPARTMENT OF COMMUNITY DEVELOPMENT

VACATION OF PLAT APPLICATION

Questions: 239-574-0553

Case # _____

AUTHORIZATION TO REPRESENT PROPERTY OWNER(s)

PLEASE BE ADVISED THAT

Banks Engineering

(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST TO THE PLANNING & ZONING COMMISSION/ LOCAL PLANNING AGENCY, BOARD OF ZONING ADJUSTMENTS AND APPEALS AND/OR CITY COUNCIL FOR
ROW Vacation

UNIT 26 BLOCK 553B/553C/ LOT(S) 1-18/5-22 SUBDIVISION Cape Coral
553D

OR LEGAL DESCRIPTION

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

G. Brent Evans - Manager

PROPERTY OWNER (Please Print)

[Signature]
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & Title)

PROPERTY OWNER (Signature & Title)

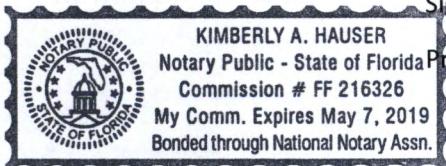
STATE OF FL, COUNTY OF Lee

Subscribed and sworn to (or affirmed) before me this 10th day of May, 2017 by
G. Brent Evans who is personally known or produced
as identification.

Exp. Date: 5/7/2019 Commission Number: FF 216326

Signature of Notary Public:

Printed name of Notary Public:



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



Professional Engineers, Planners & Land Surveyors

Wednesday 10, 2017

City of Cape Coral
Department of Community Development
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

Reference: **SANTA BARBARA & VETERANS (REVISED LETTER OF INTENT)
RIGHT-OF-WAY PETITION TO VACATE**

To Whom it May Concern:

The property owner, SB-Vets-1, LLC, is seeking to vacate ***ALL*** of the following rights-of-way and easements within the subject property including but not limited to those recorded in the Plat Book 14, Pages 133 & 135, Unit 26:

1. The 15' alley between Lots 1 & 2/3 in Block 553C and all underlying public utility and drainage easements.
2. The 25' walkway between Lots 15-18 in Block 553C and Lot 22 in Block 553B and all underlying public utility and drainage easements.
3. All lot lines, public utility and drainage easements associated with Block 553C, Lots 1 & 2 and Lots 3-18.
4. All lot lines, public utility and drainage easements associated with Block 553B, Lots 5-22.
5. All lot lines, public utility and drainage easements associated with Block 553D.

It is proposed to retain a 6' PUE & Drainage Easement around the perimeter of the property as described in the attached Sketch & Description.

Please find attached one original and two copies of the following items:

1. Completed Application for Right-of-Way Vacation
2. Check in the amount of \$843.00 for the Application Fee
3. Letters of Approval
4. Legal Description & Sketch of Area to be Vacated
5. Boundary Survey
6. Sketch & Description showing final property configuration depicting 6' perimeter PUE & Drainage Easement.

If you have any questions or I may be of further assistance, please feel free to contact me at our Fort Myers office.

Sincerely,
BANKS ENGINEERING

Jennifer M. Sheppard
Permitting Coordinator

S:\Jobs\81xx\8100\Documents\ROW Vacation\8100_Ltr-VacationSubmittal-Revised.doc

• SERVING THE STATE OF FLORIDA •

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

Planning Division Case Report

VP 17-0004

Review Date: May 23, 2017

**Property Owner/
Applicant:** SB-Vets-1, LLC

**Authorized
Representative:** Banks Engineering

Request: The applicant requests the following:

1. Vacate a 15-foot wide platted alley and all underlying public utility and drainage easements;
2. Vacate a 25-foot wide platted walkway and all underlying public utility and drainage easements;
3. Vacate all lot lines, public utility and drainage easements in Block 553C, Block 553B, and Block 553D.

Location: Southeast corner of Santa Barbara Boulevard and Veterans Memorial Highway

Prepared By: Kathy Eastley, AICP, Senior Planner

Reviewed By: Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator

Approved By: Robert H. Pederson, AICP, Planning Manager

Urban Services: Transition

Site Visit: TBD

Recommendation: **Approval with conditions**

I. **PROPERTY DESCRIPTION**

SB-Vets-1, LLC owns a recently assembled ±8-acre site bounded on four sides by public rights-of-way including Santa Barbara Boulevard, Veterans Memorial Parkway, SE 1st Avenue, and SE 27th Street. The site has Pedestrian Commercial (C-1) Zoning and a Future Land Use of Commercial Professional (CP). A vacant Fire Station is on the western side of the site.



Figure 1 - Aerial view of site

The applicant requests to vacate the following:

1. A 15-foot wide platted alley and all underlying public utility and drainage easements. This alley is between Lot 1, Block 553C, and Lots 1 and 10, Block 553C. The alley is improved and provides access to the former City Fire Station on the adjacent parcel;
2. A 25-foot wide platted walkway and all underlying public utility and drainage easements between Lot 10, Block 553C and Lot 10, Block 553B. This walkway is unimproved and extends from the southeast corner of Block 553 eastward to SE 1st Avenue;
3. All lots lines, public utility and drainage easements associated with Lots 1-2 and 3-18, Block 553C.
4. All lots lines, public utility and drainage easements associated with Lots 5-22, Block 553B.
5. All lots lines, public utility and drainage easements associated with Block 553D.

The applicant proposes to deed to the City a six-foot wide utility and drainage easement around the perimeter of the site.

The platted lots and easements are described in Exhibit "A" and the platted alley and walkway subject to the vacation request are legally described in Exhibits "B" and "C", respectively.

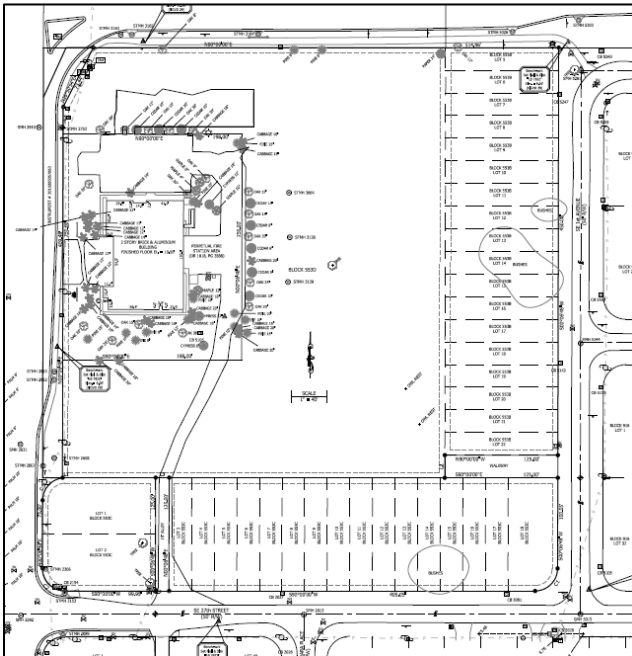


Figure 1 - Existing Site

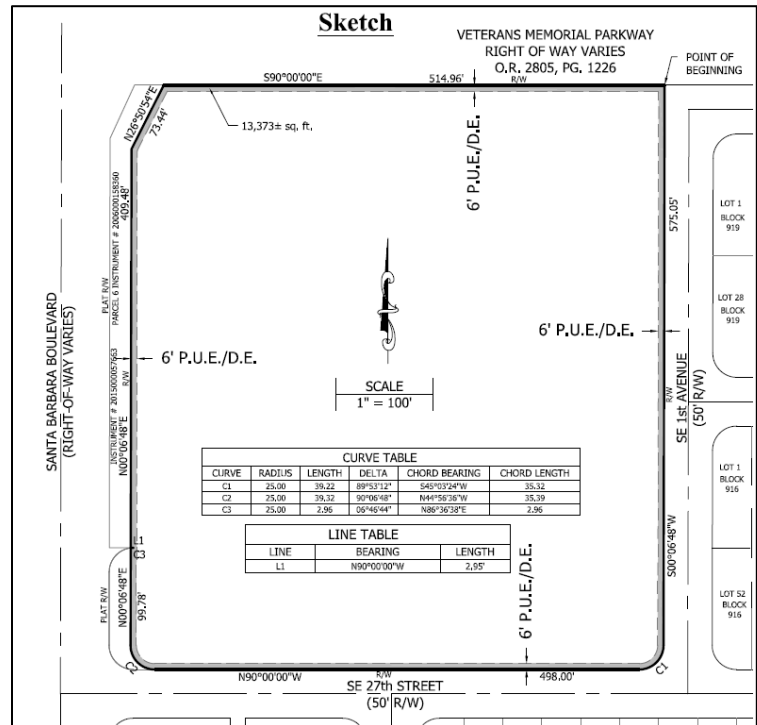


Figure 2 – Proposed Site

II. ANALYSIS

Staff has analyzed this request pursuant to the City Land Use and Development Regulations (LUDR), Section 8.11, "Vacation of plats, rights-of-way and other property".

The assembly of several parcels by SB-Vets-1, LLC results in a ±eight-acre size that will allow for greater design flexibility in the planning and development of the site. The request to vacate existing rights-of-way, utility and drainage easements, and lots lines will facilitate the development of the site. Since the area is under common ownership, these ROWs serve no purpose in providing public access to a site as four City streets provide access to this large site. The vacation of all easements and lot lines will provide a site free of encumbrances and facilitate redevelopment of the area. The deed of a perimeter easement will be sufficient to serve the new enlarged, project area.

The vacation of the alley and walkway rights-of-way will add a small amount of land to the site. While the land gained by the owner may not be substantial, it is important in providing flexibility in redeveloping this site.

CenturyLink, Comcast, and LCEC have provided letters of no objection regarding this request. The SB-Vet-1, LLC parcel will contain a continuous perimeter easement that is six feet wide which satisfies the utility companies.

This request is consistent with Policy 5.5 of the Future Land Use Element that states: "The City of Cape Coral may consider vacation of rights-of-way to facilitate land assembly and the development of a unified, contiguous commercial project."

In summary, staff finds that the requested vacations will provide for a more regular configuration of the property and will enlarge the area of this parcel. Staff finds that the requested ROWs to be vacated are not needed to fulfill any current or foreseeable public use. The deeding of a six-foot wide perimeter easement will provide the means serve this parcel with utilities. As such, the approval of this request will not be harmful to the community, is consistent with promoting the public interest by providing the applicant with greater flexibility in developing the commercial property, potentially eliminates future maintenance obligations of the City, and adds a small amount of property to the *ad valorem* tax rolls.

III. RECOMMENDATION

Based upon the above analysis, staff recommends **approval** of the requested vacations with the following conditions:

1. The requested vacations shall be consistent with that shown in the sketches and accompanying legal descriptions prepared by Stouten-Cramer, as depicted in Exhibits "A", "B", and "C".
2. Within 60 days from the date of adoption of this vacation, the owner shall provide to the City an easement deed for a six-foot wide easement consistent with that shown in the sketch and accompanying legal description dated May 12, 2017, prepared by Stouten Cramer, as depicted in Exhibit "D." This deed shall be approved by the City Property Broker prior to execution.
3. This resolution shall be recorded with the Office of the Lee County Clerk of Court by the City of Cape Coral. This resolution shall not be recorded and therefore become effective until the applicant reimburses DCD for all recording fees associated with this resolution.

Staff Contact Information

Kathy Eastley, AICP, Senior Planner

PH: 239-574-0605

Email: keastley@capecoral.net

Boundary and Topographic Survey
2005 Santa Barbara Boulevard
a Portion of Section 36, Township 44 South,
Range 23 East, Cape Corral, Lee County, Florida

DATE: 01/11/05
BY: J. L. Cramer
FOR: J. L. Cramer

LEGEND:

SYMBOL	DESCRIPTION
1	PROPERTY LINE
2	EXISTING ROAD
3	EXISTING EASEMENT
4	EXISTING UTILITY
5	EXISTING STRUCTURE
6	EXISTING FENCE
7	EXISTING CURB
8	EXISTING DRIVEWAY
9	EXISTING SIDEWALK
10	EXISTING PAVEMENT
11	EXISTING GRAVEL
12	EXISTING DIRT
13	EXISTING SAND
14	EXISTING ROCK
15	EXISTING VEGETATION
16	EXISTING WATER
17	EXISTING AIR
18	EXISTING SOIL
19	EXISTING CLIMATE
20	EXISTING HISTORY
21	EXISTING CULTURE
22	EXISTING ECONOMY
23	EXISTING SOCIETY
24	EXISTING POLITICS
25	EXISTING RELIGION
26	EXISTING ARTS
27	EXISTING SCIENCE
28	EXISTING TECHNOLOGY
29	EXISTING ENVIRONMENT
30	EXISTING ECOSYSTEM
31	EXISTING BIODIVERSITY
32	EXISTING GENETICS
33	EXISTING EVOLUTION
34	EXISTING SPECIES
35	EXISTING HABITAT
36	EXISTING NICHES
37	EXISTING INTERACTIONS
38	EXISTING ECOSYSTEM SERVICES
39	EXISTING ECOSYSTEM RESILIENCE
40	EXISTING ECOSYSTEM HEALTH
41	EXISTING ECOSYSTEM INTEGRITY
42	EXISTING ECOSYSTEM SUSTAINABILITY
43	EXISTING ECOSYSTEM RESILIENCE
44	EXISTING ECOSYSTEM HEALTH
45	EXISTING ECOSYSTEM INTEGRITY
46	EXISTING ECOSYSTEM SUSTAINABILITY
47	EXISTING ECOSYSTEM RESILIENCE
48	EXISTING ECOSYSTEM HEALTH
49	EXISTING ECOSYSTEM INTEGRITY
50	EXISTING ECOSYSTEM SUSTAINABILITY

NOTES:

- ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- ALL ANGLES ARE IN DEGREES AND MINUTES.
- ALL CURVES ARE CIRCULAR UNLESS OTHERWISE NOTED.
- ALL ELEVATIONS ARE IN FEET ABOVE MEAN SEA LEVEL.
- ALL UTILITY LOCATIONS ARE APPROXIMATE.
- ALL STRUCTURE LOCATIONS ARE APPROXIMATE.
- ALL FENCE LOCATIONS ARE APPROXIMATE.
- ALL CURB LOCATIONS ARE APPROXIMATE.
- ALL DRIVEWAY LOCATIONS ARE APPROXIMATE.
- ALL SIDEWALK LOCATIONS ARE APPROXIMATE.
- ALL PAVEMENT LOCATIONS ARE APPROXIMATE.
- ALL GRAVEL LOCATIONS ARE APPROXIMATE.
- ALL DIRT LOCATIONS ARE APPROXIMATE.
- ALL SAND LOCATIONS ARE APPROXIMATE.
- ALL ROCK LOCATIONS ARE APPROXIMATE.
- ALL VEGETATION LOCATIONS ARE APPROXIMATE.
- ALL WATER LOCATIONS ARE APPROXIMATE.
- ALL AIR LOCATIONS ARE APPROXIMATE.
- ALL SOIL LOCATIONS ARE APPROXIMATE.
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- ALL HISTORY LOCATIONS ARE APPROXIMATE.
- ALL CULTURE LOCATIONS ARE APPROXIMATE.
- ALL ECONOMY LOCATIONS ARE APPROXIMATE.
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- ALL ECOSYSTEM RESILIENCE LOCATIONS ARE APPROXIMATE.
- ALL ECOSYSTEM HEALTH LOCATIONS ARE APPROXIMATE.
- ALL ECOSYSTEM INTEGRITY LOCATIONS ARE APPROXIMATE.
- ALL ECOSYSTEM SUSTAINABILITY LOCATIONS ARE APPROXIMATE.

EXHIBIT "B"

Description**Alley Vacation Description:**

A parcel of land lying in Section 36, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida being more particularly described as follows:

Beginning at the Northeast corner of Lot 1, Block 553C, Cape Coral Unit 26 as recorded in Plat Book 14, Pages 117 through 148 of the Public Records of Lee County, Florida, being a point on the South line of Block 553D of said Cape Coral Unit 26, thence run North 90°00'00" East, along said South line, a distance of 15.00 feet to the Northwest corner of Lot 3, Block 553C of said Cape Coral Unit 26; thence run South 00°06'48" West, along the West line of said Lot 3, a distance of 125.00 feet to the Southwest corner of said Lot 3, being a point on the North right-of-way line of SE 27th Street (Lullaby Street on the Plat); thence run South 90°00'00" West, along said North right-of-way line, a distance of 15.00 feet to the Southeast corner of Lot 2, Block 553C, Cape Coral Unit 26; thence run North 00°06'48" East, along the East line of said Lots 1 and 2, a distance of 125.00 feet to the Point of Beginning.

Said Parcel Contains 1,875 sq ft. (more or less)

Bearings are based on the plat of Cape Coral Unit 26 (Plat Book 14, Pages 117 through 148) wherein the South line of SE 27th Street (Lullaby Street on the Plat) bears South 90°00'00" West.

<p>THIS IS NOT A SURVEY</p>	<p>Description to Accompany Sketch Alley Vacation <i>A Tract of land lying in Cape Coral Unit 26 (P.B. 14, Pg. 117) lying in Section 36, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida</i></p>	<p><i>Not Valid without Sheet 1 of 2</i></p>
<p><i>Sheet 2 of 2</i></p>	<p>STOUTENCRAMER PROFESSIONAL SURVEYORS</p> <p>CERTIFICATE OF AUTHORIZATION: LB7922 324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991 Phone: (239) 673-9541 Fax: (239) 424-8181 www.scisurvey.com</p>	<p>I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 2, 2017 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes.</p> <p><i>See Sheet 1 of 2 for Signature and Seal</i></p> <p>JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER</p>
<p>JOB # 16-4264</p>	<p>PREPARED FOR: Creighton Companies, LLC</p>	
<p>SECTIONS 36, TOWNSHIP 44S, RANGE 23E</p>		

Description

Alley Vacation Description:

A parcel of land lying in Section 36, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida being more particularly described as follows:

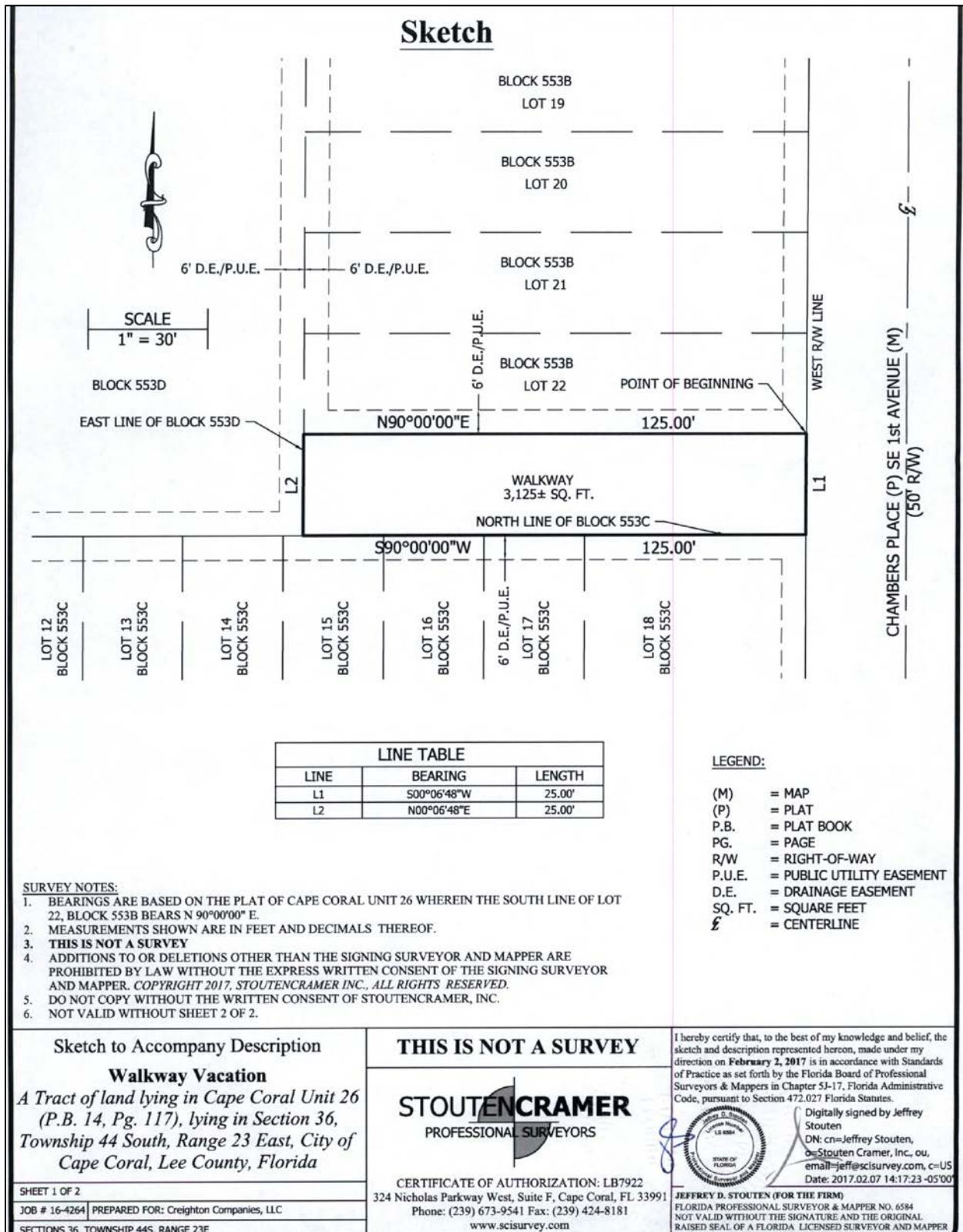
Beginning at the Northeast corner of Lot 1, Block 553C, Cape Coral Unit 26 as recorded in Plat Book 14, Pages 117 through 148 of the Public Records of Lee County, Florida, being a point on the South line of Block 553D of said Cape Coral Unit 26, thence run North 90°00'00" East, along said South line, a distance of 15.00 feet to the Northwest corner of Lot 3, Block 553C of said Cape Coral Unit 26; thence run South 00°06'48" West, along the West line of said Lot 3, a distance of 125.00 feet to the Southwest corner of said Lot 3, being a point on the North right-of-way line of SE 27th Street (Lullaby Street on the Plat); thence run South 90°00'00" West, along said North right-of-way line, a distance of 15.00 feet to the Southeast corner of Lot 2, Block 553C, Cape Coral Unit 26; thence run North 00°06'48" East, along the East line of said Lots 1 and 2, a distance of 125.00 feet to the Point of Beginning.

Said Parcel Contains 1,875 sq ft. (more or less)

Bearings are based on the plat of Cape Coral Unit 26 (Plat Book 14, Pages 117 through 148) wherein the South line of SE 27th Street (Lullaby Street on the Plat) bears South 90°00'00" West.

THIS IS NOT A SURVEY	Description to Accompany Sketch Alley Vacation <i>A Tract of land lying in Cape Coral Unit 26 (P.B. 14, Pg. 117) lying in Section 36, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida</i>	<i>Not Valid without Sheet 1 of 2</i>
<i>Sheet 2 of 2</i>	 STOUTENCRAMER PROFESSIONAL SURVEYORS CERTIFICATE OF AUTHORIZATION: LB7922 324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991 Phone: (239) 673-9541 Fax: (239) 424-8181 www.scisurvey.com	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 2, 2017 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes. <i>See Sheet 1 of 2 for Signature and Seal</i>
JOB # 16-4264 PREPARED FOR: Creighton Companies, LLC SECTIONS 36, TOWNSHIP 44S, RANGE 23E		JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EXHIBIT "C"



Description

Walkway Vacation Description:

A parcel of land lying in Section 36, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida being more particularly described as follows:

Beginning at the Southeast corner of Lot 22, Block 553B, Cape Coral Unit 26 as recorded in Plat Book 14, Pages 117 through 148 of the Public Records of Lee County, Florida, being a point on the West right-of-way line of SE 1st Avenue (Chambers Place on the Plat), thence run South 00°06'48" West, along said West right-of-way line, a distance of 25.00 feet to the Northeast corner of Block 553C of said Cape Coral Unit 26; thence run South 90°00'00" West, along the North line of said Block 553C, a distance of 125.00 feet to the Southeast corner of Block 553D of said Cape Coral Unit 26; thence run North 00°06'48" East, along the East line of said Block 553D, a distance of 25.00 feet to the Southwest corner of said Lot 22; thence run North 90°00'00" East, along the South line of said Lot 22, a distance of 125.00 feet to the Point of Beginning.

Said Parcel Contains 3,125 sq ft. (more or less)

Bearings are based on the plat of Cape Coral Unit 26 (Plat Book 14, Pages 117 through 148) wherein the South line of Lot 22, Block 553B bears North 90°00'00" East.

THIS IS NOT A SURVEY	Description to Accompany Sketch Walkway Vacation <i>A Tract of land lying in Cape Coral Unit 26 (P.B. 14, Pg. 117) lying in Section 36, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida</i>	<i>Not Valid without Sheet 1 of 2</i>
<i>Sheet 2 of 2</i>	 STOUTENCRAMER PROFESSIONAL SURVEYORS CERTIFICATE OF AUTHORIZATION: LB7922 324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991 Phone: (239) 673-9541 Fax: (239) 424-8181 www.scisurvey.com	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented hereon, made under my direction on February 2, 2017 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes. <i>See Sheet 1 of 2 for Signature and Seal</i> JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 6584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

JOB # 16-4264

PREPARED FOR: Creighton Companies, LLC

SECTIONS 36, TOWNSHIP 44S, RANGE 23E



Description

Subject Parcel Description:

Parcel of land lying in CAPE CORAL UNIT 26 (Plat Book 14, Page 117, Public Records of Lee County, Florida), lying in Section 36, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida being more particularly described as follows:

A parcel of land bounded by and lying six feet (6') inside of (as measured on a perpendicular) the following described boundary:

Beginning at the intersection of the Southerly right-of-way line of Veterans Memorial Parkway as recorded in Official Records Book 2805 at Page 1226 of the Public Records of Lee County, Florida and the Westerly right-of-way line of SE 1st Avenue (Chambers Place on said plat), being the Northeast corner of Lot 5, Block 553B, CAPE CORAL UNIT 26 (Plat Book 14, Page 117, Public Records of Lee County, Florida), thence run S00°06'48"W, along the Westerly right-of-way line of said SE 1st Avenue, a distance of 575.05 feet to a point of curvature; thence run 39.22 feet along the arc of said curve to the right of radius 25.00 feet, concave to the Northwest, having a delta angle of 89°53'12", a chord bearing of S45°03'24"W and a chord length of 35.32 feet to a point of tangency lying on the Northerly right-of-way line of SE 27th Street (Lullaby Street on said plat); thence run N90°00'00"W, along said Northerly right-of-way line, a distance of 498.00 feet to a point of curvature; thence run 39.32 feet along the arc of said curve to the right of radius 25.00 feet, concave to the Northeast, having a delta angle of 90°06'48", a chord bearing of N44°56'36"W and a chord length of 35.39 feet to a point of tangency; thence run N00°06'48"E for 99.78 feet to a point of curvature, thence run 2.96 feet along the arc of said curve to the right of radius 25.00 feet, concave to the Southeast, having a delta angle of 06°46'44", a chord bearing of N86°36'38"E and a chord length of 2.96 feet to a point of cusp; thence run N90°00'00"W a distance 2.95 feet to the Southeast corner of lands described in Official Records Instrument Numbers 2006000158360 and 2015000057663; thence run N00°06'48"E, along the Easterly line of said lands, a distance of 409.48 feet; thence run N26°50'54"E, along the Easterly line of said lands, a distance of 73.44 feet to an intersection with the Southerly right-of-way line of said Veterans Memorial Parkway; thence run S90°00'00"E, along said Southerly right-of-way line, a distance of 514.96 feet to the Point of Beginning.

Said Parcel Contains 13,373 sq ft. (more or less)

Bearings are based on the plat of CAPE CORAL Unit 26 as recorded in Plat Book 14 at Page 117, Public Records of Lee County, Florida.

THIS IS NOT A SURVEY	Description to Accompany Sketch <i>A Tract of Land lying in CAPE CORAL UNIT 26 lying in Section 36, Township 44 South, Range 23 East, Lee County, Florida</i>	<i>Not Valid without Sheet 1 of 2</i>
<i>Sheet 2 of 2</i>	 CERTIFICATE OF AUTHORIZATION: LB7922 324 Nicholas Parkway West, Suite F, Cape Coral, FL 33991 Phone: (239) 673-9541 Fax: (239) 424-8181 www.scsurvey.com	I hereby certify that, to the best of my knowledge and belief, the sketch and description represented herein, made under my direction on May 12, 2017 is in accordance with Standards of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter SJ-17, Florida Administrative Code, pursuant to Section 472.027 Florida Statutes. <i>See Sheet 1 of 2 for Signature and Seal</i> JEFFREY D. STOUTEN (FOR THE FIRM) FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. 8584 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
PREPARED FOR: Crighton SECTIONS 36, TOWNSHIP 44S, RANGE 23E		

The News-Press media group

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TOLL-FREE
888-516-9220

Local #
239-335-0258

Email
FNPLegals@gannett.com

Customer: CITY OF CAPE CORAL_DEPT OF COM

Ad No.: 0002198730

Address: 1015 CULTURAL PARK BLVD
CAPE CORAL FL 33990
USA

Net Amt: \$385.76

Run Times: 1

No. of Affidavits: 1

Run Dates: 06/10/17

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: VP17-0004

REQUEST: The applicant requests to Vacate a 15-foot wide platted alley and all underlying public utility and drainage easements, Vacate a 25-foot wide platted walkway and all underlying public utility and drainage easements, and Vacate all lot lines, public utility and drainage easements in Block 553C, Block 553B, and Block 553D.

LOCATION: Southeast corner of Santa Barbara Boulevard and Veterans Memorial Highway

CAPE CORAL STAFF CONTACT: Kathy Eastley, AICP, Senior Planner, 239-574-0605, keastley@capecoral.net

PROPERTY OWNER(S): SB-Vets-1, LLC

AUTHORIZED REPRESENTATIVE: Banks Engineering

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 AM on Tuesday, June 20, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

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

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

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publ ichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the re-

cord. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

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

by order of
Rebecca van Deutekom, MMC
City Clerk
REF # VP17-0004
AD# 2198730 June 10, 2017

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: SB-Vets-1,LLC

APPLICATION NO: VP17-0004

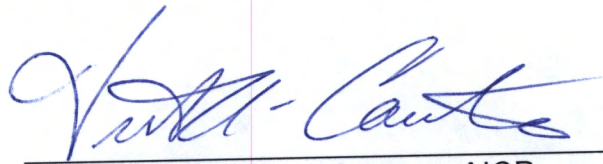
STATE OF FLORIDA)
) §
COUNTY OF LEE)

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

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

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

DATED this 12th day of June, 2017.

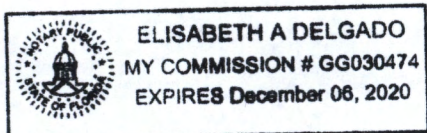


Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12th day of June, 2017, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 12/6/20 Commission # GG030474


Signature of Notary Public

Elisabeth A. Delgado
Print Name of Notary Public






CITY OF CAPE CORAL

Department of
Community Development
Planning Division

ZONING MAP 500 Proximity Boundary

Case No. VP17-0004

Legend

-  Subject Parcels
-  500' Boundary
-  C-1
-  R-1B
-  Canals/Lakes



JUNE 5, 2017

0 100 200 300 400 Feet

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

KRKA

Subject Parcels

SE 25TH TER

SE 25TH LN

RAMP VETERANS MEMORIAL PKWY

SE 26TH ST

SW 26TH LN

SE 26TH TER

SE 2ND PL

SE 27TH ST

SE 27TH TER

KAMAL PKWY

500' Proximity Boundary

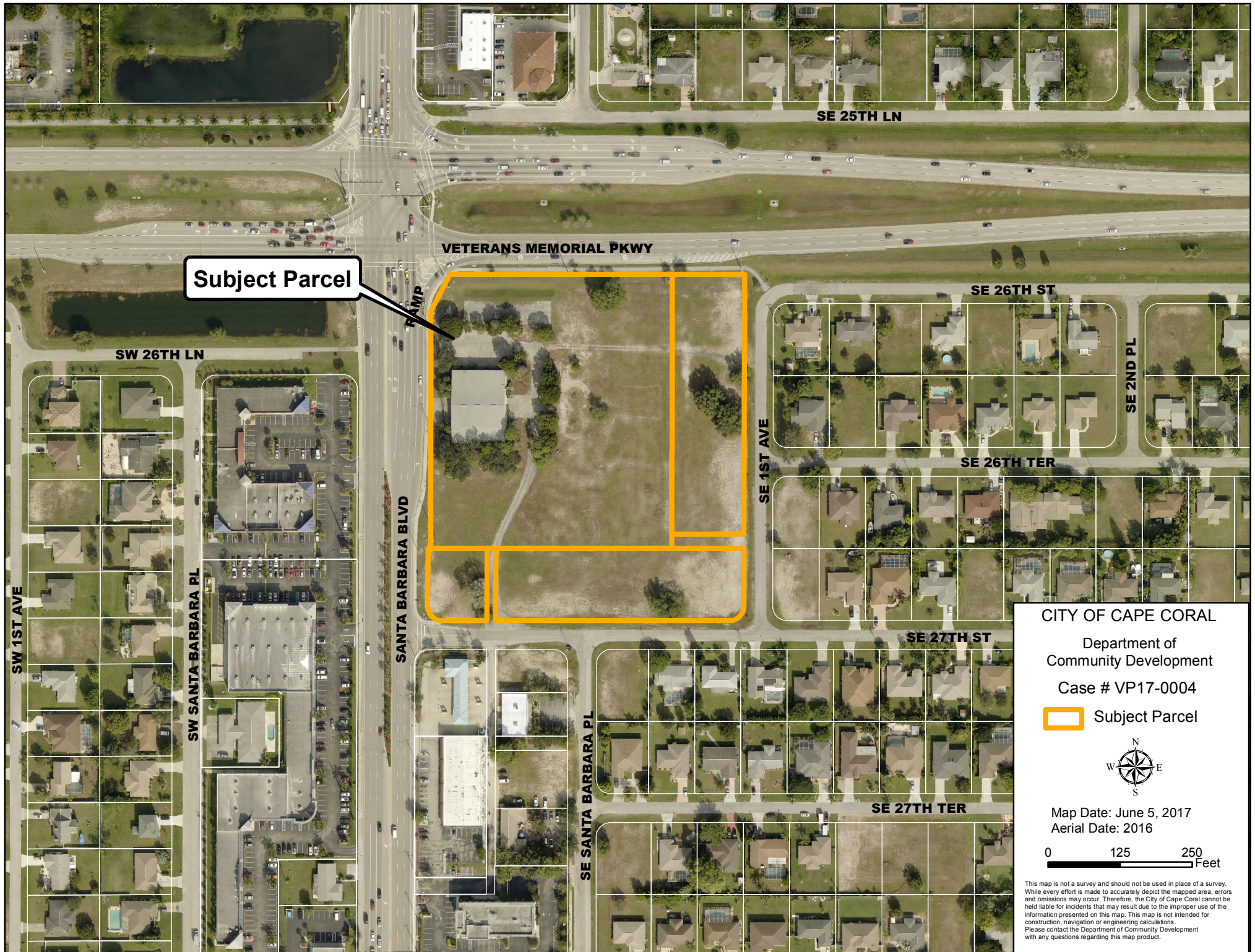
SW 1ST AVE

SW SANTA BARBARA PL

SANTA BARBARA BLVD

SE SANTA BARBARA PL


SE 1ST AVE



CITY OF CAPE CORAL

Department of
Community Development

Case # VP17-0004

 Subject Parcel



Map Date: June 5, 2017
Aerial Date: 2016

0 125 250
Feet

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

Item Number: 2.C.
Meeting Date: 6/20/2017
Item Type: HEARINGS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Case # SE17-0006*; Address 2605 Santa Barbara Blvd; Applicant: SB-VETS-LLC

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

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

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

The applicant requests a Special Exception for an Automotive Service Station Limited Use (a convenience store with fuel pumps) in the Pedestrian Commercial (C-1) District.

LEGAL REVIEW:

EXHIBITS:

See backup material.

PREPARED BY:

Shawn Baker Division- Planning Department- Community Development

SOURCE OF ADDITIONAL INFORMATION:

Mike Struve, Planning Team Coordinator, 239-242-3255, mstruve@capecoral.net

ATTACHMENTS:

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



DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

Case # SE17-0006

REQUEST TO BOARD OF ZONING ADJUSTMENT & APPEAL FOR A SPECIAL EXCEPTION

FEE: \$833.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising fees will be billed and must be paid prior to hearing.

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

OWNER OF PROPERTY

SB-Vets-1, LLC

Email: _____

Address: 900 SW Pine Island Road, Suite 202

City: Cape Coral State FL Zip 33991

Phone: _____

APPLICANT (if different from Owner)

Email: _____

Address: _____

City: _____ State _____ Zip _____

Phone: _____

AUTHORIZED REPRESENTATIVE

Banks Engineering

Email: nkoukos@bankseng.com

Address: 10511 Six Mile Cypress Parkway Suite 101

City: Fort Myers State FL Zip 33966

Phone: 239-939-5490

Unit 26 Block 553B, 553C, 553D Lot(s) 1-18 & 5-22 Subdivision Cape Coral

Address of Property 2605/2625 Santa Barbara Blvd, 119 SE 27th ST & 2614 SE 1st Ave.

Plat Book 14 Page 133 & 135

Current Zoning C1 Strap Number 36-4423-C1-00553.C010; .C030; .B050 & .D000

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.

G. Brent Evans - Manager

NAME (PLEASE TYPE OR PRINT)

SB-Vets-1, LLC

CORPORATION/COMPANY NAME

APPLICANT'S SIGNATURE

(SIGNATURE MUST BE NOTARIZED)



DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

Case #

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

STATE OF FL, COUNTY OF Lee

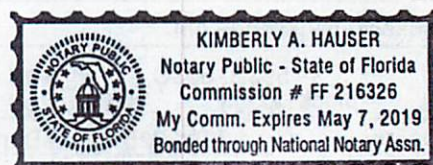
Sworn to (or affirmed) and subscribed before me this 12 day of May, 2017, by Grasart Enterprises who is personally known or produced as identification.

Exp. Date: 5/7/2019 Commission Number: FF216326

Signature of Notary Public:

Printed name of Notary Public:

Kimberly A. Hauser
Kimberly A. Hauser





DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

Case # _____

ACKNOWLEDGEMENT FORM

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

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

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

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

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

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

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

I hereby acknowledge that I have read and understood the above affidavit on the

10th

day of

May

20

17

G, Brent Evans - Manager

PRINT APPLICANT'S NAME

APPLICANT'S SIGNATURE

STATE OF

FL

COUNTY OF

Lee

Subscribed and sworn to (or affirmed) before me this

10th

day of

May

2017 by

Grayson Brent Evans

who is personally known or produced

as identification.

Exp. Date: May 7, 2019

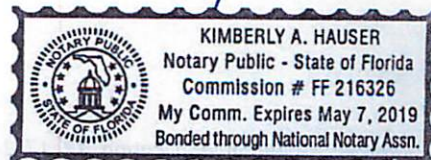
Commission Number:

FF 216326

Signature of Notary Public:

Printed name of Notary Public:

Kimberly A. Hauser
Kimberly A. Hauser





DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL EXCEPTION APPLICATION

Questions: 239-574-0553

Case # _____

AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT

Banks Engineering

(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST TO THE PLANNING & ZONING COMMISSION/ LOCAL PLANNING AGENCY, BOARD OF ZONING ADJUSTMENTS AND APPEALS AND/OR CITY COUNCIL FOR

Special Exception

(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT 26 BLOCK 553B/553C/ LOT(S) 1-18/5-22 SUBDIVISION Cape Coral
553D

OR LEGAL DESCRIPTION

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

G. Brent Evans - Manager

PROPERTY OWNER (Please Print)

PROPERTY OWNER (Please Print)

G. Brent Evans MEMBER
PROPERTY OWNER (Signature & Title)

PROPERTY OWNER (Signature & Title)

STATE OF FL, COUNTY OF Lee

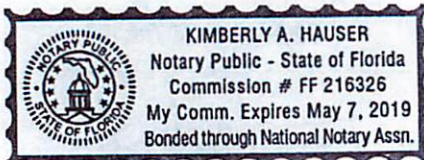
Subscribed and sworn to (or affirmed) before me this 10th day of May, 2017 by
Grayson Overstreet who is personally known or produced
as identification.

Exp. Date: 5/7/2019

Commission Number: FF 216326

Signature of Notary Public: Kimberly A. Hauser

Printed name of Notary Public: Kimberly A. Hauser



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



Professional Engineers, Planners & Land Surveyors



17 MAR 2 PM 7.63 *

March 1, 2017

City of Cape Coral
Department of Community Development
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

Reference: **24-HR CONVENIENCE STORE WITH FUEL
SANTA BARBARA & VETERANS
SPECIAL EXCEPTION - LETTER OF INTENT**

To Whom It May Concern:

It is the intent of the property owner, Stanley S. Teague Trustee, to request a Special Exception to allow for fuel sales for the above referenced project. This site comprises 7.52 acres and is located at 2605/2625 Santa Barbara Boulevard. The project will include 8 pumping stations for a convenience store operating 24 hours a day 7 days a week.

Attached for your review is the following information:

1. One (1) Completed Special Exception Application
2. One (1) Authorization to Represent, signed by the City (Please see John Szerlag for document)
2. One (1) Check in the amount of \$1,827.40 for the Application Fee
3. One (1) copy of the Trip Generation Report
4. Twelve (12) copies of the Site Plan
5. Twelve (12) copies of the Landscape Plan
6. Twelve (12) copies of the Boundary Survey

Should you or your staff have any questions, or require additional information, please feel free to contact me at (239) 939-5490.

Sincerely,
BANKS ENGINEERING

Jennifer M. Sheppard
Permitting Coordinator

:jms

S:\Jobs\81xx\8100\Documents\Special Exception\8100_Letter of Intent-Special Exception.doc

• SERVING THE STATE OF FLORIDA •

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690



LAND DEVELOPMENT AREAS:

TOTAL PROJECT AREA	7.52 AC	322,448 SF
TOTAL BARN AREA	7.52 AC	322,448 SF (100%)
PARKING AREA (ON-SITE)	4.55 AC	198,119 SF (61.5%)
CONVENIENCE BUILDING	1.18 AC	6,119 SF (1.9%)
PREVIOUS AREA	1.87 AC	81,204 SF (25.3%)
IMPROVISED AREA	5.65 AC	248,119 SF (77%)

PARKING REQUIREMENTS:

5.1' OFF-STREET PARKING AND CIRCULATION FACILITIES
RETAIL USE (SAS 114.104)
RETAIL REQUIRED PARKING (1.18 SF PER 1,000 SF GROSS STORAGE)
4,119 SF/200 = 21 SPACES
TOTAL REQUIRED PARKING = 21 SPACES (INCLUDES 3 HANDICAPPED SPACES)
TOTAL PROPOSED PARKING = 28 SPACES (INCLUDES 3 HANDICAPPED SPACES)
RETAIL USE (1,000 STORES)
RETAIL REQUIRED PARKING (1.82 SF)
1,900 SF TOTAL FLOOR AREA PLUS 1,800 GROSS STORAGE
TOTAL REQUIRED PARKING = 211 SPACES (INCLUDES 3 HANDICAPPED SPACES)
TOTAL PROPOSED PARKING = 211 SPACES (INCLUDES 3 HANDICAPPED SPACES)

BUILDING SETBACKS:

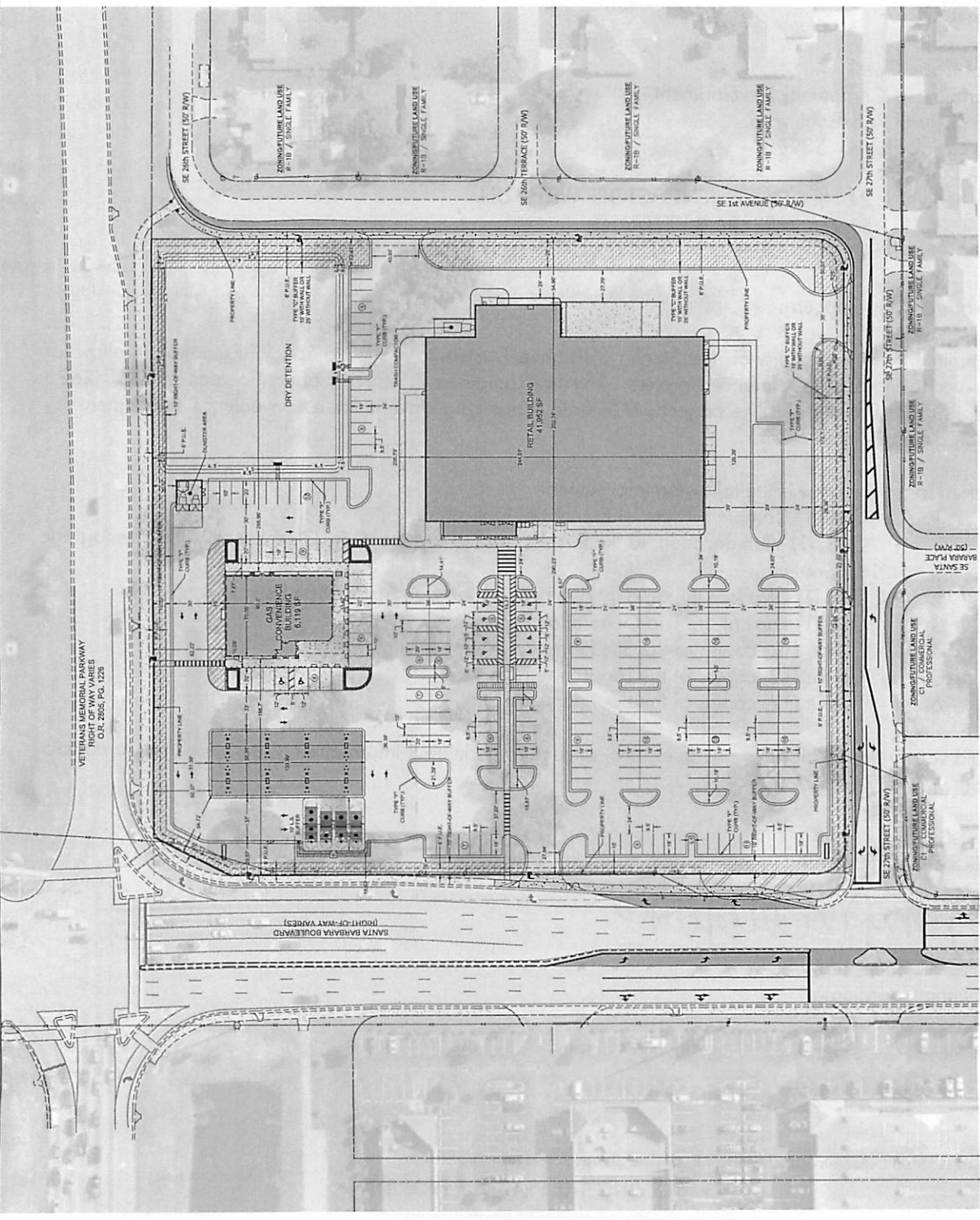
PROPOSED	25'
EXISTING	25'
MINIMUM	25'
MAXIMUM	25'

ZONING LAND USE:

EXISTING	RETAIL USE
SUBJECT PARCEL	CI - PROFESSIONAL
CL - PROFESSIONAL	CI - PROFESSIONAL
CP - COMMERCIAL PROFESSIONAL	CP - COMMERCIAL PROFESSIONAL
SP - SINGLE-FAMILY	SP - SINGLE-FAMILY

NOTE:

THIS SITE PLAN HAS BEEN PREPARED TO ACCOMPANY THE REQUEST FOR SPECIAL EXCEPTION APPROVAL FOR THE SITE. THE SITE PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THE ENGINEER HAS CONDUCTED A VISUAL ANALYSIS OF THE SITE AND HAS DETERMINED THAT THE SITE IS SUITABLE FOR THE PROPOSED DEVELOPMENT. THE ENGINEER HAS ALSO CONDUCTED A VISUAL ANALYSIS OF THE SITE AND HAS DETERMINED THAT THE SITE IS SUITABLE FOR THE PROPOSED DEVELOPMENT.



SPECIAL EXCEPTION SITE PLAN

SANTA BARBARA AND VETERANS COMMERCIAL

CAPE CORAL, FLORIDA

DATE: 2/19/2016

PROJECT: B100

DRAWING: 01

DESIGN: MFK

ENGINEER: SB VETS 1, LLC

SCALE: 1"=40'

SHEET: 1

BANKS ENGINEERING

REGISTERED PROFESSIONAL ENGINEER

FLORIDA LICENSE # 13,444

WWW.BANKSENG.COM

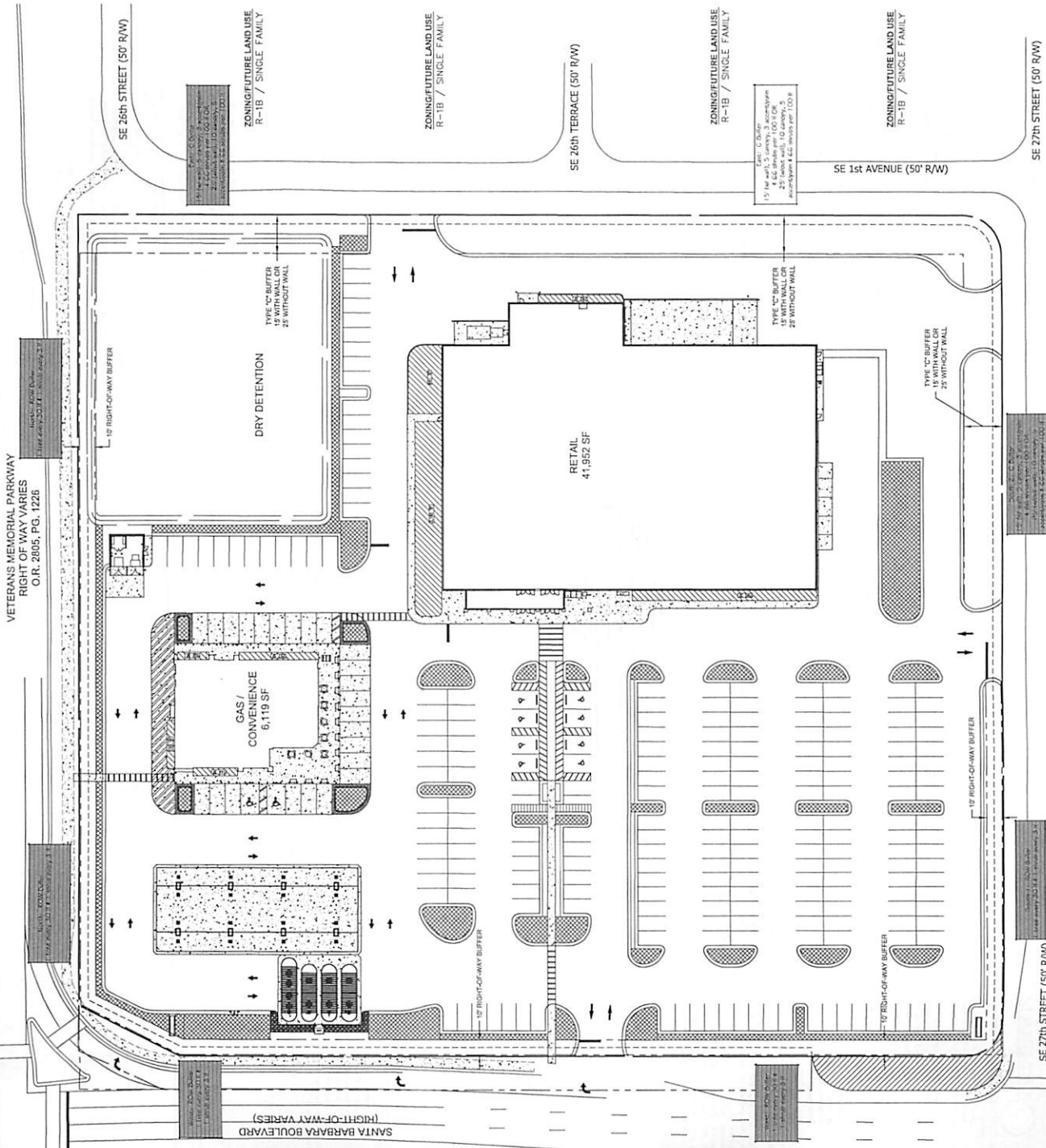
SB VETS 1, LLC

800 SW PINE ISLAND ROAD, SUITE 202

CAPE CORAL, FL 33901

PHONE: (239) 332-2525

FAX: (239) 423-7528

[illegible]

IFGND



अवधि	दिनांक	वर्ग/कक्षा	अंक
			1
			2
			3
			4
			5

Planning Division Case Report

SE17-0006

Review Date: June 2, 2017

Property Owner: SB-Vets-1, LLC

Applicant: SB-Vets-1, LLC

Owner Address: 900 SW Pine Island Road, Suite 202
Cape Coral, FL 33991

Authorized Rep. Banks Engineering

Request: The applicant requests a Special Exception for an Automotive Service Station Limited Use (a convenience store with fuel pumps) in the Pedestrian Commercial (C-1) District.

Address: 2605-2625 Santa Barbara Boulevard, 2614 SE 1st Avenue, and 119 SE 27th Street

Prepared By: Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator

Reviewed By: Robert H. Pederson, AICP, Planning Manager

Recommendation: **Approval with conditions**

Urban Service Area: Infill

Right of Way Access: The site has frontage on four streets: Veterans Memorial Parkway, a Principal Aerial; Santa Barbara Boulevard, a Major Aerial; and SE 1st Avenue and SE 27th Street, both Local Streets.

Site Visit: March 17, 2017

Site Description:

The site consists of four parcels ranging from 0.29 to 4.54 acres at the southeast corner of the intersection of Veterans Memorial Parkway and Santa Barbara Boulevard. These parcels collectively have ± 7.35 acres. A related public hearing case (VP17-0004) to vacate a platted alley and walkway would expand this site by an additional ± 0.11 acres.

The largest of the four parcels was previously owned by the City of Cape Coral and was home to Fire Station #4 that was constructed in 1986. This facility is no longer in operation and will be demolished to redevelop this site.

All four parcels have a Commercial/Professional Future Land Use (FLU) Classification and C-1 Zoning. All adjacent properties are separated from the site by public streets. Surrounding parcels have either C-1 (with Commercial/Professional FLU) or R-1B (with Single Family FLU) Zoning.

Table 1. Zoning Classifications, Future Land Use Designations, and Existing Uses of the Site and Surrounding Parcels.

Subject Parcel	Zoning	Future Land Use (FLU)	Existing Use
Current:	Pedestrian Commercial (C-1)	Commercial/Professional	Municipal Fire Station
	Surrounding Zoning	Surrounding FLU	Surrounding Existing Uses
North:	Veterans ROW/Pedestrian Commercial (C-1) and Single-Family (R-1B)	Veterans ROW/Commercial/Professional and Single Family	Veterans ROW/Retail, Single-Family Homes
South:	SE 27 th Street ROW/Pedestrian Commercial (C-1) and Single-Family (R-1B)	SE 27 th Street ROW/Commercial/Professional and Single Family	SE 27 th Street ROW/Car Wash, Single Family Homes
East:	SE 1 st Avenue ROW/Single Family Residential (R-1B)	SE 1 st Avenue ROW/Single Family	SE 1 st Avenue ROW/Single Family Homes
West:	Santa Barbara ROW/Pedestrian Commercial (C-1)	Santa Barbara ROW/Commercial/Professional	Santa Barbara ROW/Multi-Tenant Commercial Building

Project Description:

The Developer seeks an Automotive Service Station Limited Use on the site. The City defines an Automotive Service Station, Limited Use as *“an establishment primarily engaged in the retail sale of motor fuel and lubricants, but which may also include facilities for washing, waxing, detailing, polishing, greasing, tire repair (no recapping or vulcanizing) and other minor incidental repairs.”*

A 6,119-sq. ft. convenience store with fuel pumps is proposed near the northeast corner of the site. West of the convenience store, a detached fuel canopy will be parallel with Santa Barbara Boulevard. The fuel island will have eight fuel dispenser stations allowing 16 vehicles to refuel at the same time. Auto repair and car wash facilities are not proposed. The site will have single driveways along Santa Barbara Boulevard and SE 1st Avenue. Two driveways are proposed along SE 27th Street.

A 41,952-sq. ft. retail building is also proposed for the site. Retail is a permitted use in the C-1 District.

A site plan (SP17-0020) for this project is being reviewed by City staff concurrently with this Special Exception.

Zoning History of the Site

Blocks 553B, 553C, and 553D have had a Commercial/Professional FLU Designation since the adoption of the City Comprehensive Plan in 1989. Blocks 553B and 553C have always had C-1 Zoning. The zoning of Block 553D was amended from Parking to C-1 by Ordinance 61-90.

Analysis:

Staff reviewed this application based on the Land Use and Development Regulations (LUDR), Section 2.7.7, the C-1 District, and the five standards in Section 8.8.5a-e for Special Exceptions Uses.

1. Generally

The C-1 Zoning is consistent with the Commercial/Professional FLU Designation. Automotive Service Station, Limited Uses are allowed as a Special Exception in the C-1 District. The site has 7.35 acres. The C-1 District lacks a minimum area requirement for this use. The area and shape of this site is suitable for a gas station based on the recent history of permitting similar establishments in the City.

2. Compatibility

Commercial lands and uses are to the north, south, and west of the site. Single-family homes are to the east and south and are separated from the site by SE 1st Avenue and SE 27th Street, respectively.

The site is at the intersection of two, six-lane streets, Veteran's Memorial Parkway and Santa Barbara Boulevard. Such corner locations are usually considered desirable for gas stations as these streets carry heavy volumes of traffic and have good visibility. Corner properties typically provide opportunities for multiple driveways that can improve access to a site, enhance traffic circulation within a development, and facilitate the movement of delivery and service vehicles on these properties.

The 7.35-acre site is square-shaped. Besides the gas station, a 41,952-sq. ft. retail building is proposed. The retail use is a permitted use in the C-1 District and is not part of this request. Sufficient area exists for accommodating traffic circulation within the site, and for providing stormwater, parking, and landscape areas for both uses.

The gas station will be at least 300 feet from the nearest residential use. The nearest residential uses are to the east. Because of the distance between the convenience store and fuel canopy and the residential uses to the east, lighting and noise from the gas station use should have minimal impact on these residents. Conditions that will minimize light levels and noise associated with this use are recommended. Staff also recommends this use be restricted to the northwest corner of the site to maximize the distance between the gas station and residential uses to the east and south.

A Traffic Impact Study (TIS) showed the gas station will generate an estimated 310 p.m. peak hour trips. Of the total p.m. peak hour trips, 34% represent new external trips, with the remaining 66% constituting pass-by trips. The retail (grocery) use will add an additional 410 p.m. peak hour trips to the street network.

While the dumpster will be to the rear of the convenience store, this structure will be over 250 feet from single-family homes to the east. This distance coupled with low frequency of servicing this facility by the waste hauler should not be disruptive to residents.

3. Minimum Lot Frontage; Access

The site has over 500 feet of frontage along four streets: Veteran's Memorial Parkway, Santa Barbara Boulevard, SE 1st Avenue, and SE 27th Street. The site will have single driveways along Santa Barbara Boulevard and SE 1st Avenue, and two driveways along SE 27th Street. All three driveways along the two local streets will allow for full turning movements entering and exiting the site.

As part of the agreement to purchase Block 553D (the 4.54-acre parcel) from the City, the owner will install a traffic signal at the intersection of Santa Barbara Boulevard and SE 27th Street to assist both north- and south-bound motorists on Santa Barbara turning onto SE 27th Street. Motorists traveling west on SE 27th Street will have the option of turning left (heading south) or right (heading north) onto Santa Barbara.

The TIS was reviewed and found acceptable by the Development Services and Public Works Transportation Divisions. Levels of Service on streets adjacent to the site will not be adversely affected. Improvements to be made by the owner include construction of turn lanes and lane widening. These improvements will ensure that this use will not create operational deficiencies when traffic from the gas station (combined with traffic from the retail use on the site) is added to the surrounding street network.

4. Building Location; Setbacks

The convenience store and fuel canopy buildings will comply with the C-1 setback requirements.

5. Screening and Buffering

Landscaping is required around the perimeter of the site. A Buffer "C" is required along the east side of the site along SE 1st Avenue. A Buffer "C" is also required along the southern property line adjacent to Lots 1-6, Block 915. Elsewhere around the perimeter, a 10-foot wide landscaped area is required. Additional landscaping will include plantings associated with parking and vehicle use areas, and foundation areas.

Consistency with the Comprehensive Plan:

This use is consistent with policies in the Future Land Use, Intergovernmental Coordination, and Transportation Elements, as identified in Exhibit "A".

Recommendation:

This request is consistent with the Comprehensive Plan and the five standards for evaluating Special Exceptions. Staff recommends **approval** with the following conditions.

1. The fuel canopy and convenience store shall be located a minimum of 250 feet from the eastern property line and 350 feet from the southern property line of the site.
 2. Vehicle services provided at the site shall be limited to the standard convenience store services of fuel, vacuum, water, and air. Automotive repairs are prohibited on this site.
 3. To minimize light trespass on surrounding properties and to reduce glare from on-site lighting, lighting levels along the northern property line shall not exceed 0.5 foot-candles. Lighting levels north of the driveway along the western property line shall not exceed 0.5 foot-candles. The Developer shall submit a lighting plan demonstrating compliance with this requirement prior to site plan approval for the project.
 4. Lighting trespass and glare shall be limited to a reasonable level using shielding and directional lighting methods. All free-standing lights on the site shall be aimed downward and away from the property lines.
 5. Light fixtures mounted under the canopy shall be completely recessed into the canopy with flat lenses that are translucent and completely flush with the bottom surface of the canopy.
 6. Lights shall not be mounted on the exterior sides or face of the fuel canopy and the sides of the canopy shall not be illuminated.
 7. Any vending machines, automated teller machines (ATMs), or similar equipment or display items shall be inside the store.
 8. The outdoor storage of products and materials is prohibited. This provision, however, shall not apply to ice freezers that are used solely to store ice.
 9. All landscaping on the site shall be maintained in good condition throughout the life of the project. Dead or removed shrubs and trees shall be replaced in accordance with LUDR, Section 5.2.
-

SE17-0006
EXHIBIT "A"

Future Land Use Element

Policy 1.6

"The City shall develop regulations that establish enhanced landscaping, buffering and signage standards and develop architectural design guidelines for nonresidential development."

Policy 1.8

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

Policy 1.15.c.

"...The Pedestrian Commercial (C-1) District is designed to facilitate a broad variety of large or small commercial uses. Uses allowed in the C-1 District range from a variety of small or neighborhood-based commercial uses to large retail or service uses, which may serve a relatively large trade area and, which may be developed as major shopping facilities. As many commercial uses have the potential to generated relatively high levels of vehicular trips from customers and sometimes delivery vehicles, preferred locations for the C-1 District have direct access onto arterial or collector roads and adequate depth (a minimum of 250 feet) for larger-scale development..."

Policy 1.17

"Land development regulations, whether adopted or revised subsequent to the adoption of this plan, will address buffering and open space requirements, and will protect existing residential land uses from incompatible land uses."

Objective 2

"Location of New Commercial Development: New commercial development shall be so located to provide minimal vehicle trip lengths, at or near transportation nodes, and compatible with neighboring residential uses."

Policy 3.1

"The City of Cape Coral will encourage the development of future commercial (retail, office and/or services) areas at or near transportation nodes by assigning appropriate future land use designations."

Policy 4.1

"Future development requiring access or connection to public water and sewer facilities will be located within either the Urban Services Infill or Transition areas."

Policy 5.3

"New commercial development shall meet all of the requirements for adequate facilities based on the level of service standards adopted for roads, potable water and sanitary sewer, solid waste, storm water facilities and other services in this plan."

Policy 7.3

"The City will provide incentives to individual property owners, builders, and developers to assemble parcels of land for future private uses, and will encourage the use of zero lot line (ZLL) and cluster type of development to improve lot layout, drainage, and stormwater retention."

Policy 8.3

"Commercial developments shall be designed to minimize negative impacts on surrounding residential uses and the land development regulations shall provide for adequate buffering between commercial and residential uses. The design should ensure adequate screening of unsightly views of commercial development (such as loading docks, rooftop equipment, service entrances, trash containers, parking areas and exterior storage) through the extensive uses of landscaping, berms, fencing, concealment, architectural features, open space, setbacks, and/or building orientation. Ensure that the placement of any noise generating activities such as ingress/egress, parking, deliveries, air conditioning equipment and dumpster collections are designed to minimize any adverse noise effects. Traffic and parking should not adversely affect neighborhood quality. Noise, safety and overall maintenance of commercial properties should be carefully monitored."

Policy 8.4

"The City shall encourage transitions from commercial uses to less intensive land uses and site design that considers the following preferred characteristics to attain compatibility with adjacent residential uses:

a. Site Orientation

- i. Vehicular access should be from a collector, arterial, access street, or an alley if the subject uses are located within the Downtown Community Redevelopment Area.*
- ii. Pedestrian access should be designed to provide internal and external circulation from adjacent neighborhoods.*
- iii. Streets should be designed with elements to provide visual or physical buffering may serve as boundaries between different intensities of land uses.*
- iv. Site improvements within commercial areas such as lighting, signage and landscaping should be designed and coordinated in order to create a positive identity and visual image throughout the development area.*

b. Site design should promote the preservation and integration of mature trees, natural vegetation, natural and environmentally sensitive areas whenever feasible.

c. Screening and landscaping

- i. Creative and extensive use of landscaping and berming techniques for natural transitions between differing intensities of land uses is encouraged.*
- ii. Fences should not be used as a sole method of providing screening and buffering*

between differing intensities of land uses.

- iii. *The City shall review and revise landscaping and signage standards for commercial development to enhance the visual and physical environment to foster its integration of other land uses.*
- d. *Lighting used to illuminate parking areas, signs or structures should be placed and designed to deflect light away from adjoining property or public streets through fixture type, height, orientation and location."*

Intergovernmental Coordination Element

Policy 2.4

"The City of Cape Coral will communicate with Lee County to discuss the effects of new development upon major roadways, such as County roads, that serve both communities."

Transportation Element

Policy 1.1.1

"The City shall review professionally accepted studies and current traffic counts to determine levels of service standards within Cape Coral. The City hereby adopts the following peak hour, peak season Level of Service Standards for the following facilities:

- a) *Del Prado Boulevard (Cape Coral Parkway to SR 78) – LOS E*
Del Prado Boulevard (SR 78 to US 41) – LOS D
- b) *State Road 78 (Pine Island Road) West of Del Prado Boulevard – LOS C*
State Road 78 (Pine Island Road) East of Del Prado Boulevard – LOS D
- c) *Pondella Road – LOS E*
- d) *Hancock Bridge Parkway (City Limits to Del Prado Boulevard) – LOS E*
- e) *Cape Coral Parkway (Cape Coral Bridge to Pelican Boulevard) – LOS E*
- f) *Burnt Store Road/Veterans Parkway Corridor – LOS E*
- g) *All other local, collector, and arterial roadways – LOS D*
- h) *All other limited access facilities – LOS D*
- i) *All other roads within City jurisdictions – LOS D"*

Policy 1.1.11

Notwithstanding Policy 1.1.8 and Policy 1.1.9, all new development proposals that generate three hundred (300) or more cumulative trips in the peak hour shall submit a traffic impact study (TIS) in accordance with the City of Cape Coral Engineering Design Standards.

Policy 2.1.5

"The City shall continue to require new development to incorporate design elements to accommodate and protect bicyclists and pedestrians.

Policy 2.2.7

"The City shall discourage new strip style commercial development through efforts to promote the concentration of commercial development at the nodes of major intersections."

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Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: SE17-0006

REQUEST: The applicant, SB-Vets-1, LLC, requests a Special Exception for an Automotive Service Station Limited Use (a convenience store with fuel pumps) in the Pedestrian Commercial (C-1) District on property described as Lots 1-22, Block 553B, Lots 1-18, Block 553C, and Block 553D, Cape Coral Sub-division, Unit 26; property located at the southeast corner of Veteran's Memorial Parkway and Santa Barbara Boulevard.

LOCATION: 2605-2625 Santa Barbara Boulevard, 2614 SE 1st Avenue, and 119 SE 27th Street

CAPE CORAL STAFF CONTACT: Mike Struve, AICP, LEED Green Associate, Planning Team Coordinator, 239-242-3255, mstruve@capecoral.net

PROPERTY OWNER(S): SB-Vets-1, LLC

AUTHORIZED REPRESENTATIVE: Banks Engineering

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00 AM on June 20, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

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

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community

Development, Planning Division, P.O.
Box 150027, Cape Coral, FL 33915-0027.
The hearings may be continued from
time to time as necessary.

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

by order of
Rebecca van Deutekom, MMC
City Clerk
REF # SE17-0006
AD# 2198815 June 10, 2017

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: Stanley S. Teague

APPLICATION NO: SE17-0006

STATE OF FLORIDA)
) §
COUNTY OF LEE)

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

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

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

DATED this 12th day of June, 2017.

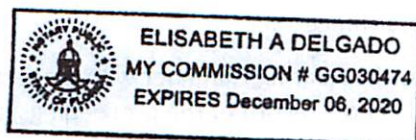


Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12th day of June, 2017, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 12/16/20 Commission # 66030474



Elisabeth A. Delgado
Signature of Notary Public

Elisabeth A. Delgado
Print Name of Notary Public



NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: SE17-0006

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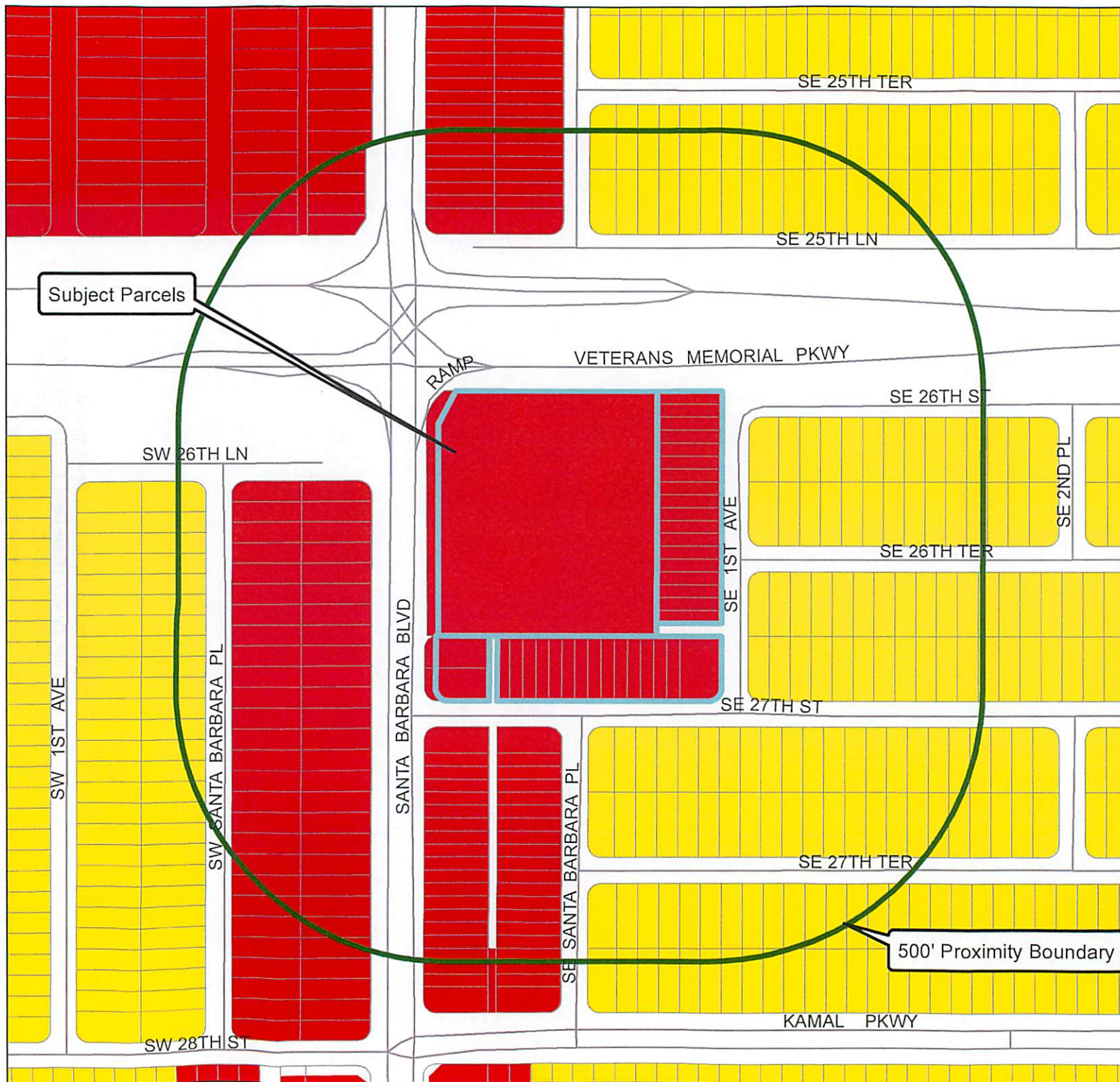
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APPEALS: If a person decides to appeal any decision made by the Hearing Examiner with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that,

for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.










CITY OF CAPE CORAL

Department of
Community Development
Planning Division

ZONING MAP 500 Proximity Boundary

Case No. SE17-0006

Legend

-  Subject Parcels
-  500' Boundary
-  C-1
-  R-1B
-  Canals/Lakes



JUNE 5, 2017

0 100 200 300 400 Feet

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

KRKA

