

Cape Coral Special Planning & Zoning Commission/Local Planning

Agency



AGENDA

Wednesday, May 24, 2017

9:00 AM

Council Chambers

1. CALL TO ORDER

A. CHAIR READ

2. MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

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

5. HEARINGS

6. BUSINESS

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

A. Ordinance 23-17 (LU 17-0002)

WHAT THE ORDINANCE ACCOMPLISHES:

**An ordinance amending the Future Land Use Map from
Single Family and Multi-Family by PDP (SM) and Parks and
Recreation (PK) to Mixed Use (MX) for properties located at
106 Old Burnt Store Road North, 606 Old Burnt Store Road
North, and 4100 Tropicana Parkway West.**

8. OTHER BUSINESS

9. DATE AND TIME OF NEXT MEETING

A. June 7, 2017 @9:00 a.m. in Council Chambers

10. 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 1-239-574-0530 for assistance, if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8700 (v) for assistance.

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

Item Number:	4.A.
Meeting Date:	5/24/2017
Item Type:	ROLL CALL

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Hewitt, Kibitlewski, Marmo, Peterson, Ranfranz, Read, Schneider, and Alternates Robinson and Slapper

REQUESTED ACTION:

STRATEGIC PLAN INFO:

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

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:
WHAT THE ORDINANCE ACCOMPLISHES:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

Item
Number: 7.A.
Meeting
Date: 5/24/2017
Item
Type: PLANNING AND ZONING COMMISSION
/ LOCAL PLANNING AGENCY PUBLIC
HEARING

**AGENDA
REQUEST
FORM**
CITY OF CAPE
CORAL



TITLE:

Ordinance 23-17 (LU 17-0002)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

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

Planning & Zoning Recommendations:

SUMMARY EXPLANATION AND BACKGROUND:

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Future Land Use Map from Single Family and Multi-Family by PDP (SM) and Parks and Recreation (PK) to Mixed Use (MX) for properties located at 106 Old Burnt Store Road North, 606 Old Burnt Store Road North, and 4100 Tropicana Parkway West.

LEGAL REVIEW:

Brian R. Bartos, Assistant City Attorney

EXHIBITS:

Ordinance 23-17

PREPARED BY:

Division- Department- City
Attorney

SOURCE OF ADDITIONAL INFORMATION:

Wyatt Daltry, Planning Team Coordinator

ATTACHMENTS:

Description	Type
▣ Ordinance 23-17 (LU 17-0002)	Ordinance
▣ Staff Report	Backup Material
▣ Staff presentation	Backup Material

ORDINANCE 23 – 17

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP (SM) AND PARKS AND RECREATION (PK) TO MIXED USE (MX) FOR PROPERTIES LOCATED IN SECTIONS 12 AND 13, SECTION 44 SOUTH, RANGE 22 EAST, LEE COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT 106 OLD BURNT STORE ROAD NORTH, 606 OLD BURNT STORE ROAD NORTH, AND 4100 TROPICANA PARKWAY WEST; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

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

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

WHEREAS, the City of Cape Coral City Council has considered the testimony, evidence, and documentation for the Land Use Amendment initiated by the CITY OF CAPE CORAL regarding the below described property, and considered the recommendation of the Planning & Zoning Commission/Local Planning Agency and City staff.

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

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

FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP (SM) TO MIXED USE (MX)

- 1.) All of Lots 12 through 17, Block 6400;
- 2.) All of Tract "G" and all of Lots 1 through 5, Block 6401;
- 3.) All of Tract "F" and all of Lots 1 through 7, Block 6402;
- 4.) All of Tract "E" and all of Lots 1 through 4, Block 6403;
- 5.) All of Tract "D" and all of Lots 1 through 3, Block 6404;
- 6.) All of Tract "C" and all of Lots 1 and 2, Block 6405;
- 7.) All of Tract "B" and all of Lots 1 through 7, Block 6406;
- 8.) All of Tract "A" and all of Lots 1 through 8, Block 6407;

All as shown on the Plat of Cape Coral, Unit 76, The Islands, recorded in Plat Book 35 at Pages 121 through 129 of the Public Records of Lee County, Florida.

Subject to Easements, Reservations and Restrictions of record.

FROM PARKS AND RECREATION (PK) TO MIXED USE (MX)

All of Tract "I" and all of Lots 1 through 4, Block 6408, as shown on the Plat of Cape Coral, Unit 76, The Islands, recorded in Plat Book 35 at Pages 121 through 129 of the Public Records of Lee County, Florida.

Subject to Easements, Reservations and Restrictions of record.

SECTION 2. Severability. In the event that any portion or section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance which shall remain in full force and effect.

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

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

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI
BURCH
CARIOSCIA
STOUT

LEON
ERBRICK
WILLIAMS
COSDEN

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

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS
ASSISTANT CITY ATTORNEY
ord/LU17-0002



Case # LU 17-0002

REQUEST TO PLANNING & ZONING COMMISSION/LOCAL PLANNING AGENCY AND COUNCIL
FOR A **LARGE SCALE** COMPREHENSIVE LAND USE MAP AMENDMENT

FEE \$1,225.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). An initial payment of \$1,125 for advertising costs is to be paid at submittal. Additional advertising costs, if applicable, will be billed prior to hearing.

OWNER OF PROPERTY

See Attachment A

Address: _____

City: _____ State: _____ Zip _____

Phone: _____

Email: _____

APPLICANT

City of Cape Coral

Address: 1015 Cultural Park Boulevard

City: Cape Coral State: FL Zip 33915

Phone: _____

Email: _____

AUTHORIZED REPRESENTATIVE

Wyatt Daltry, AICP, Plng Team Coordinator

Address: 1015 Cultural Park Boulevard

City: Cape Coral State: FL Zip 33915

Phone: 239-573-3160

Email: wdaltry@capecoral.net

Unit _____ Block _____ Lot(s) _____ Subdivision Cape Coral

Legal Description multiple; see Attachment A

Address of Property See Attachment A

Plat _____ Page _____

Current Zoning R-1A, R-1B, RD Strap Number multiple; see Attachment A

Current Land Use Pk, SM Proposed Land Use MX

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

The owner of this property, or his authorized representative 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.

A. John Szerlag, City Manager
NAME (PLEASE TYPE OR PRINT)

AUTHORIZED SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF FL, COUNTY OF LEE

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

Exp. Date: _____ Commission Number: _____

Signature of Notary Public: _____

Printed name of Notary Public: _____

NOTARY & JAMP HERE



LARGE SCALE COMPREHENSIVE LAND USE AMENDMENT
APPLICATION CONTINUED

Parcel Size: Width _____ Depth _____ Sq. Ft. _____ Acreage 50.71
Soil Type: Multiple soil types

Urban Services Area: (check one) ☐ Infill ☒ Transition ☐ Reserve

Natural Resources: (state habitat type, e.g. high lands, wetlands, upland forest, oak hammocks, etc.):
undeveloped, vacant and forested unplatted tracts

Animal Species: (list any endangered, threatened, or species of special concern on-site)

Estimated Development:

Estimate total lot coverage: 25 %

Estimate total building floor area _____ sq. ft.

Estimate type of future development and percentages (e.g. business offices,
commercial retail, automotive repair, etc.

Mixture of Commercial retail, parkland/civic space, and Multi-Family residences

Estimated peak hour trip ends:

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

City Sewer: Yes ☐ No ☒
City Water: Yes ☐ No ☒



AUTHORIZATION TO REPRESENT PROPERTY OWNER(s)

PLEASE BE ADVISED THAT Wyatt Daltry, Planning Team Coordinator
(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

Large Scale Land Use Map Amendment
(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT 76-0 BLOCK multiple LOT(S) SUBDIVISION Cape Coral

OR LEGAL DESCRIPTION See Attachment A

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

A. John Szerlag, City Manager
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Please Print)

[Signature]
PROPERTY OWNER (Signature & Title)

PROPERTY OWNER (Signature & Title)

STATE OF FL, COUNTY OF LEE

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

Exp. Date: _____ Commission Number: _____

Signature of Notary Public: _____

Printed name of Notary Public: _____

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



ACKNOWLEDGEMENT FORM

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

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

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

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

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

_____ day of _____

, 20 17

NAME (PLEASE TYPE OR PRINT)

APPLICANT'S SIGNATURE

STATE OF FL , COUNTY OF LEE

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


Exp. Date: _____ Commission Number: _____

Signature of Notary Public: _____

Printed name of Notary Public: _____

W

CITY OF CAPE CORAL
DEPARTMENT OF COMMUNITY DEVELOPMENT
MEMORANDUM

TO: John Szerlag, City Manager 

FROM: Robert H. Pederson, Planning Manager
Wyatt Daltry, Planning Team Coordinator

DATE: April 12, 2017

SUBJECT: Seven Islands Work Plan - Future Land Use Map Amendment Request,
LU 17-0002

The City has initiated a large-scale future land use map amendment for the Seven Islands site, covering ± 50.72 acres. This request is the next step in the Council-approved work plan for development of the Seven Islands Vision Plan.

The proposed amendment includes the following:

Current FLU	Proposed	Acreage
Single Family/Multi-Family by PDP	Mixed Use	48.18
Parks and Recreation	Mixed Use	2.54

This amendment is necessary for the following reasons:

- Amendment would help implement the vision plan adopted by Council
- Amendment would permit a mix of uses
- Amendment would prepare area for rezoning; zoning district is being developed through the Land Development Code update

Additional activities and information undertaken by City staff during the process:

- City transportation staff will need to develop a Traffic Information Study (TIS)
- Environmental study to be conducted by City staff

As City manager, the application is attached for your signature. Thank you for your consideration of this future land use map amendment. Please contact Wyatt Daltry, Planning Team Coordinator, at 573-3160 if you have any questions.

RHP/wad(SevenIslandsFLUmemoofintent)
Attachment

C: Vince Cautero, Community Development Director
Kelley Fernandez, Business Manager

Attachment A to Application

Subject Property Addresses:

STRAP	Block	Lot	Site Address
134422C200801G000	6400	12	106 OLD BURNT STORE RD N
124422C200808I000	6408	TR I	4100 TROPICANA PKWY W
124422C200807A000	6405	TR C	606 OLD BURNT STORE RD N

STAFF REPORT

LU17-0002

City of Cape Coral

DOCKET/CASE/APPLICATION NUMBER

Wyatt Daltry, AICP, Planning Team

Coordinator (239) 573-3160,

wdaltry@capecoral.net

STAFF PLANNER

APPLICANT/PROPERTY OWNER

101 Old Burnt Store Road North

606 Old Burnt Store Road North

4100 Tropicana Parkway West

PROPERTY ADDRESS/LOCATION

BRIEF SUMMARY OF REQUEST

City-initiated Future Land Use Map Amendment to amend three properties (50.72 acres) from Single Family/Multi-Family by PDP (SM) and Parks and Recreation (PK) to Mixed Use (MX).



MAP SOURCE

EXISTING ZONING	EXISTING LAND USE	PROPOSED LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
Residential Development (RD)	SM and PK	MX	Undeveloped.	50.72 acres

STAFF RECOMMENDATION**APPROVE****DENY**

Compatibility with the Comprehensive Plan:	PROPERTY HISTORY Property purchased by City of Cape Coral in 2013. Site of future Seven Islands development. City Council identified preferred development option and adopted the Seven Islands Vision Plan on December 11, 2016. Purpose of amendment is to facilitate development option based on Council direction.
Positive Aspects of Application:	<ul style="list-style-type: none"> N2 UEP will bring utilities to area Amendment will implement adopted City Vision Plan A MX project can be a positive transformative project for NW Cape Coral
Negative Aspects of Application:	<ul style="list-style-type: none"> Nearby residents may have concerns with scale, noise, and traffic for project allowable in MX FLUC
Mitigating Factors:	<ul style="list-style-type: none"> Old Burnt Store RD is being widened, providing additional traffic capacity for area

Review Date: April 27, 2017

Case Staff: Wyatt Daltry, AICP, Planning Team Coordinator

Review Approved By: Robert Pederson, AICP, Planning Manager

Location: Northwest Cape Coral. Unit 76, Cape Coral Subdivision.

STRAP Number	Block	Lot	Site Address
134422C200801G000	6400	12	106 OLD BURNT STORE RD N
124422C200808I000	6408	TR I	4100 TROPICANA PKWY W
124422C200807A000	6405	TR C	606 OLD BURNT STORE RD N

Area: ±50.72 acres

Current FLU	Proposed	Acreage
Single Family/Multi-Family by PDP	Mixed Use	48.18
Parks and Recreation	Mixed Use	2.54

50.72 acres total

Subject Property:	Future Land Use	Zoning
Current:	Single Family and Multi-Family Residential by PDP (SM) and Parks and Recreation (PK)	Residential Development (RD)
Proposed:	Mixed Use (MX)	N/A
	Surrounding Future Land Use	Surrounding Zoning
North:	SM (Single Family proposed under currently reviewed case LU16-0012)	R-1B, and RD
South:	SM (SF proposed)	R-1B, and RD
East:	SM (SF proposed)	R-1B, and RD
West:	Natural Resources/Preservation (PRES)	Preservation – regulated by Preserve FLU (PRES)

Urban Service Area: Transition and Reserve (Areas in Reserve under consideration to be Transition per LU16-0012)

Type of Street Access: Seven Islands are accessible from Embers Parkway, Ceitus Parkway, Tropicana Parkway, and local roadways. Direct access to site will be from Old Burnt Store Road.

BACKGROUND

In 2013, the City of Cape Coral purchased 491 properties; most of which are north of Pine Island Road (SR 78) and have sizes from 0.25 acres to 50-acre tracts. Part of the Seven Islands were included in that transaction.

Cape Coral has long needed additional commercial and mixed use opportunities, particularly along the waterfront. The 2013 purchase provided the City with a unique opportunity to facilitate mixed use development on the waterfront. To accomplish this, the City contracted with CPH Engineers who, with sub-consultants, developed a Seven Islands and Northwest Cape Coral Vision Plan with assistance and input from city staff and the public.

In late 2016, the City Council evaluated several development options for the Seven Islands property. Council directed City staff to move forward with implementing a vision plan, which had the following development metrics:

1. 995 dwelling units with up to 3 multi-family residential structures up to 8 stories in height (including parking);
2. 70,000 square footage of commercial space, including restaurants and hotel (240 rooms);
3. A marina; and
4. Park uses.

Subsequently, staff reviewed the Comprehensive Plan and determined that the MX future land use map classification was the land use that would best accomplish Council direction to implement the newly-adopted vision plan. A new zoning district is contemplated for the site, to be adopted as part of the City update to the Land Use and Development Regulations.

Additional Site Information

Protected Species

Eagle nests are present in the vicinity. The City requires species surveys prior to issuance of City of Cape Coral permits or development approvals, in accordance with the Conservation and Coastal Management Element of the Comprehensive Plan. Furthermore, development within 1,100' of an active eagle nest is regulated by Chapter 23 of the City Code of Ordinances.

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

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

Utilities

The site is in the Urban Services Transition and Reserve area as designated by the City Comprehensive Plan. Utilities will be provided as part of the North 2 Utility Expansion Program, anticipated to begin in late 2017.

Soils and Drainage

The site has two soil classifications; Estero Muck and Matlacha Gravelly Fine Sand. These soils have various limitations for development, which are typically overcome using various engineering solutions such as importing fill. The soil types should not present an obstacle to future land development although special feasibility studies may be required.

The soil study for this area dates from a 1984 Soil Survey of Lee County, Florida performed by the Soil Conservation Service. The area has been modified significantly since the survey was undertaken; most of the area identified by Estero Muck has since been converted into the Northwest Spreader canal, or has had additional dredge spoil more consistent with Matlacha Gravelly Fine Sand.

REGIONAL PLAN ANALYSIS

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

This amendment is addressed by Economic Development Goal 1, Strategy: "Ensure the adequacy of lands for commercial and industrial centers, with suitable services provided."

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

This area is not addressed in the MPO's Long Range Transportation Plan.

COMPREHENSIVE PLAN ANALYSIS

Staff analyzed the Comprehensive Plan to evaluate the proposed future land use map amendment. Most direction in the Comprehensive Plan for complex, multi-use development is based in the Future Land Use Element.

Future Land Use Element

Policy 1.20: The City will promote the development of identifiable residential neighborhoods and commercial districts through the encouragement of more compact development patterns, the use of shared design and landscaping characteristics, and the development of landmarks and gateways.

Unlike many pre-platted, residential areas of Cape Coral, a mixed-use development such as the Seven Islands area has an opportunity to become an identifiable commercial district.

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.

the FLUMA site is located at two intersections of collectors and arterial roadways (Tropicana PKWY/Old Burnt Store RD and Embers PKWY/Old Burnt Store RD).

Policy 3.3: Application of the commercial areas along and proximate to commercial corridors at key locations is intended to address the projected demand for commercial development as summarized in the Table below, or other subsequent analysis.

Commercial Centers by Corridor					
<u>Corridor Name</u>	Total Projected Demand For Commercial Acres of Land	Neighborhood Shopping Center	Community Shopping Center	Power Center	Regional Shopping Center
Burnt Store Road	295	2	2*		
Del Prado Boulevard North	307	1	2*		
Del Prado Boulevard South	243	2	2*		
Chiquita Boulevard South	129	0			
Chiquita Boulevard North	129	2			
Cape Coral Parkway (east of Palm Tree)	144	1			
Cape Coral Parkway (west of Palm Tree)	94	1	1*		
Santa Barbara North	120	2	2*		
Santa Barbara South	56	0			
Santa Barbara (Formerly Juanita Boulevard)	79	1	1*		
Veterans Parkway	189	2	1*	1	
Kismet Parkway	151	1			
Skyline Boulevard	148	2			
Diplomat Parkway	136	2			
Tropicana Parkway	117	1			
Cultural Park Boulevard	109	0			
Hancock Bridge Parkway	85	0			
Andalusia Boulevard	75	0			
Embers Parkway	73	0			
Nicholas Parkway	50	0			
Viscaya Parkway	27	0			
Pine Island Road	399(1) 299	3			2
Source: Based on information from the Commercial Corridor Study, dated April 30, 2003, City of Cape Coral, Planning Division (2003)					
(*) Asterisk indicates that the center has a dual function as a community commercial center and neighborhood commercial center.					
There may be more than one Super Community/Power Center in the City of Cape Coral.					
(1) Adjusted on pro rata basis for incorporation of a regional commercial center on Pine Island Road					

Tropicana and Embers Parkway have 190 acres of commercial land identified in the table above. At present, approximately 90 acres along these roadways have been identified as commercial, thereby leaving a deficit of 100 acres and indicating that excess capacity for commercial development exists along these roadways.

OBJECTIVE 4: Location of Future Development: Future private development requiring public water and wastewater will be directed into the Urban Services Infill Area and the Urban Services Transition Area illustrated on the Future Land Use Map, unless specifically accepted by the provisions of this plan.

The site is in the Urban Services Transition Area. Utilities will be extended to this area as part of the North 2 Utility Expansion Project, anticipated to begin in 2017.

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.

Commensurate with a mixed-use development, transition buffering and site design will be implemented to reduce the impacts of development of the Seven Islands with surrounding residential neighborhoods.

Policy 8.5: The City encourages the use of multi-family residential, compound buildings, professional offices, and parks as transitional uses between commercial development and low-density residential neighborhood. Such development should include:

- a. Design elements such as: height and scale compatible with the surrounding residential uses:
 - b. Site design that is compatible with surrounding residential neighborhoods with consideration given to extensive screening, architectural features, building and parking orientation, and preservation of natural features; and
 - c. Primary site access provided from arterials, collectors or access streets in order to discourage traffic from directly entering residential areas.
-

Site design efforts shall be undertaken to reduce the effects of development on nearby residences. Extensive screening and buffering of the site has been identified by the City Council as part of the Seven Islands Vision Plan. Primary site access will be provided from Old Burnt Store Road which is being widened to 4 lanes.

Policy 10.1: Requests for development orders and building permits will be coordinated with governmental agencies including, but not necessarily limited to, Lee County, Charlotte County, the Regional Planning Council, the South Florida Water Management District, and other State and Federal agencies.

The City will implement this policy as part of the development review. The proposed FLUMA will be reviewed by the SWFRPC, SFWMD, and other state agencies.

Conservation and Coastal Management Element

Policy 1.1.8: The City will (as a cooperative effort with appropriate governmental agencies) continue to investigate the effectiveness and function of the spreader waterway systems in reducing the adverse environmental impacts of surface water discharge from Cape Coral into Matlacha Pass State Aquatic Preserve, and will periodically evaluate whether improvements are needed in the spreader system to reduce measurable negative impacts on the Matlacha Pass Ecosystem.

The City continues to abide by this policy.

Policy 1.3.9: Marina and boat ramp siting preference shall be given to areas where water depths can accommodate vessels with a four foot, or greater, draft, and to those facilities which are to be available for public use, and where economic need and feasibility can be demonstrated.

Depths of four (4) feet or greater are present at this location.

Policy 1.3.10: The City will consider consistency with the countywide marina siting plan, adopted on June 29, 2004, in the permitting of marinas. The City will also consider consistency with the general criteria of the Florida Fish and Wildlife Conservation Commission, Boat Facility Siting Guide, adopted August 2000:

- Expansion of existing facilities may be preferred over new facilities, if environmentally sound;
 - There should be no impact to seagrass;
 - Mitigation for seagrass destruction should not be allowed;
 - Areas with adequate depth and good flushing which require no new dredging are preferable;
 - Locations near inlets and popular boating destinations are preferable;
 - Piling construction is preferred over dredge and fill techniques;
 - Marinas should not be sited in essential manatee habitats; and
-

- Marinas should not be situated in areas with high manatee mortality occurrence.

Impact to seagrass is anticipated to be minimal due to lack of seagrass present in area. The Spreader Canal has adequate depth during most of the year, and currently indicates sufficient flushing. Seven Islands is north of former boat lift, near the canal entrance to Matlacha Pass; a popular boating destination. Seven Islands is north of Manatee Park at Sirennia Vista, which is not designated an essential manatee habitat, but a popular location for spotting manatees.

Policy 1.7.16: Recognizing the importance of the Matlacha Pass Preservation Area, including the Matlacha Pass State Aquatic Preserve and the Matlacha Pass National Wildlife Refuge, as representing a unique and vitally important estuarine mangrove community, the City of Cape Coral will continue to abide by all rules and regulations imposed by state authorities to ensure the protection of this area. To implement this policy the City will prohibit all development within the Preservation Area, except for providing public access for enjoyment of the natural area, and will review adjacent applications for development orders to minimize adverse impacts of development upon this unique area.

This policy is best addressed during the development of the site; however, care will be taken to ensure protection of the adjacent Aquatic Preserve. No development within the Preservation area is anticipated.

Objective 2.1: Public Access to the coast. The City will continue to maintain and/or increase public access sites to the coastal zone.

The proposed marina use and public park will provide and improve public access to the Northwest Spreader Canal.

Policy 2.1.3: All coastal public access development will be done in accordance with the objectives and policies of Goal 1 so as not to destroy or damage coastal natural resources.

Acknowledged.

Policy 4.3.3: The City shall not approve any future land use map amendment that would increase the maximum residential density within the coastal high-hazard area, unless one of the following criteria is met, in accordance with Section 163.3178(9), F.S.:

1. The proposed amendment would not exceed a 16-hour out-of-county hurricane evacuation time for a category 5 storm event, as measured on the Saffir-Simpson scale; or
 2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or
 3. Appropriate mitigation is provided that will satisfy the provisions of either of the previous two paragraphs. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. For future land use map amendments initiated by a developer, the City and the developer shall enter into a binding agreement to memorialize the mitigation plan prior to adoption of the amendment.
-

The City will work with Lee County to meet the third criteria of this policy, to provide additional shelter space necessary to mitigate the proposed increase of dwelling units in the Coastal High Hazard Area.

Transportation Element

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.

As discussed in Policy 3.1, Future Land Use Element, the site is located at two intersections of collector and arterial roadways (Tropicana PKWY/Old Burnt Store RD and Embers PKWY/Old Burnt Store RD). Furthermore, the Seven Islands site is not representative of “strip-style” commercial development, given the mixed-use nature and waterfront focus in the vision plan.

In conclusion, the FLUMA meets the policies of the Comprehensive Plan.

Impact Assessment Summary

The following calculations summarize approximate conditions for each municipal service analyzed. To determine the impact assessment, staff utilized the adopted future land use and zoning designations to determine the existing impacts at buildout. Therefore, the impacts discussed in this assessment do not necessarily reflect the actual amount of dwelling units, population, etc.

Current Impacts: 48.18-acres of the 50.72-acre site is SM, and the analysis below assumes a density of 16 dwelling units per acre, consistent with the maximum densities permitted in the RD zoning district. The remaining 2.54-acres have the PK classification and are assumed to be used as open space.

Proposed Impacts: The impact assessment summary of the proposed use, a density of 16 dwelling units per acre for the future MX properties and a floor-area-ratio of 0.25 are considered for the non-residential aspects of the vision plan. Using this floor-area-ratio, a maximum of 552,341 square-feet of commercial space is possible.

Dwelling Units

Existing:	0 presently; 770 with existing FLUM
Proposed:	811
Net Change:	+41

Population*

Existing:	0 presently; 1,955 with existing FLUM
Proposed:	2,059
Net Change:	+104

* 2.54 persons/household = avg. household size; 2010 Census

Water Use

Existing: 0 presently; 154,000 gal/day total with existing FLUM (200 gal/day x 770 DU's)
Proposed: 327,902 gal/day total 162,200 residential gal/day (200 gal/day x 811 DU's) + 165,702 gal/day commercial (552,341 square feet x 0.3 gal/sq ft/day)
Net Change: +173,902 gal/day
Facility Capacity: 30.1 MGD
Permitted Usage: 16.9 MGD
Avg. Daily Usage: 9.4 MGD

Sewage

Existing: 0 presently; 154,000 gal/day total with existing FLUM (200 gal/day x 770 DU's)
Proposed: 327,902 gal/day total 162,200 gal/day residential (200 gal/day x 811 DU's) + 165,702 gal/day commercial (552,341 square feet x 0.3 gal/sq ft/day)
Net Change: +173,902 gal/day
Facility Capacity: 28.4 MGD
Avg. Daily Usage: 12.8 MGD

The wastewater generated by development permitted by future land use map amendments in the future would be evaluated as part of those later reviews and concurrency requirements would be required to be met at the time of those respective reviews.

Solid Waste

Existing Generation: 0 presently; 9,267 lbs. total/day with existing FLUM (4.74 lbs./person/day x 1,955 residents)
Proposed: 84,877 lbs. total/day 9,759 lbs/day residential (4.74 lbs./person/day x 2,059 residents) + 75,118 lbs/day commercial (552,341 square feet x 0.136 gal/sq ft/day)
Net Change: + 75,610 lbs./day
Facility Capacity: 1,836 tons/day
Existing Demand: 1,384 tons/day
Capacity Available: Yes

Traffic/Daily Trips

Existing Generation: 0 presently; 193 AM peak trips/hour and 239 PM peak trips/hour with existing FLUM
Proposed: 772 AM peak trips/hour and 2,323 PM peak trips/hour
Net Change: +579 AM peak hour trips and +2,084 PM peak hour trips
Facility Capacity: Old Burnt Store Road, a collector roadway, Tropicana Parkway, a minor arterial roadway, and Embers Parkway, a minor arterial roadway currently access the subject properties. All roadways meet or surpass the minimum acceptable Level of Service Standard of "D."
Capacity Available: Yes

The maximum density and intensity for the Seven Islands properties would create a peak volume of 772 trips during the AM peak hour, and 2,323 trips during PM peak hour.

Development Impact Analysis

Hurricane Evacuation

The site is in Evacuation Zone A (most vulnerable). The MX future land use could increase potential residential dwelling units by 41 dwelling units, thus causing an impact on hurricane evacuation times. The City will mitigate impacts of increased dwelling units within the Coastal High Hazard Area through an agreement with Lee County, to provide additional shelter space.

Park Lands

The level of service standard (LOS) for parkland and facilities is based on permanent population. Based on 41 additional dwelling units, there could be a maximum increase in park demand of 4.16 acres. 2.54 acres of PK property is to be removed and replaced with MX future land use, though the site is intended to be utilized with park uses under the MX future land use. In addition to the former 2.54 acres that are PK, the effects of the amendment on parkland is mitigated by the approximate 5 acres of parkland that is anticipated within the project.

Protected Species

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

School Impacts

There will be an increase in the potential number of dwelling units with a MX future land use, resulting in an increase in the projected number of students.

Existing dwelling units:	0 presently; 770 dwelling units with existing FLUM
Existing students:	0 presently; 70 (770 DU x .091 students per multi-family dwelling unit)
Proposed dwelling units:	811 dwelling units
Proposed students:	73 (811 DU x .091 students per multi-family dwelling unit)
Change:	+3 students

Recommendation:

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

ORDINANCE 23 – 17

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP (SM) AND PARKS AND RECREATION (PK) TO MIXED USE (MX) FOR PROPERTIES LOCATED IN SECTIONS 12 AND 13, SECTION 44 SOUTH, RANGE 22 EAST, LEE COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT 106 OLD BURNT STORE ROAD NORTH, 606 OLD BURNT STORE ROAD NORTH, AND 4100 TROPICANA PARKWAY WEST; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

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

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

WHEREAS, the City of Cape Coral City Council has considered the testimony, evidence, and documentation for the Land Use Amendment initiated by the CITY OF CAPE CORAL regarding the below described property, and considered the recommendation of the Planning & Zoning Commission/Local Planning Agency and City staff.

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

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

FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP (SM) TO MIXED USE (MX)

- 1.) All of Lots 12 through 17, Block 6400;
- 2.) All of Tract "G" and all of Lots 1 through 5, Block 6401;
- 3.) All of Tract "F" and all of Lots 1 through 7, Block 6402;
- 4.) All of Tract "E" and all of Lots 1 through 4, Block 6403;
- 5.) All of Tract "D" and all of Lots 1 through 3, Block 6404;
- 6.) All of Tract "C" and all of Lots 1 and 2, Block 6405;
- 7.) All of Tract "B" and all of Lots 1 through 7, Block 6406;
- 8.) All of Tract "A" and all of Lots 1 through 8, Block 6407;

All as shown on the Plat of Cape Coral, Unit 76, The Islands, recorded in Plat Book 35 at Pages 121 through 129 of the Public Records of Lee County, Florida.

Subject to Easements, Reservations and Restrictions of record.

FROM PARKS AND RECREATION (PK) TO MIXED USE (MX)

All of Tract "I" and all of Lots 1 through 4, Block 6408, as shown on the Plat of Cape Coral, Unit 76, The Islands, recorded in Plat Book 35 at Pages 121 through 129 of the Public Records of Lee County, Florida.

Subject to Easements, Reservations and Restrictions of record.

SECTION 2. Severability. In the event that any portion or section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this ordinance which shall remain in full force and effect.

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

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

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI
BURCH
CARIOSCIA
STOUT

LEON
ERBRICK
WILLIAMS
COSDEN

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

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS
ASSISTANT CITY ATTORNEY
ord/LU17-0002



NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: LU17-0002

ORDINANCE/ REQUEST: Ordinance 23-17; An Ordinance amending the City of Cape Coral Comprehensive Plan by amending the Future Land Use Map from Single Family and Multi-family by PDP (SM) and Parks and Recreation (PK) to Mixed Use (MX) for properties located in Sections 12 and 13, Section 44 South, Range 22 East; Lee County, Florida, as more particularly described herein; property located at 106 Old Burnt Store Road North, 606 Old Burnt Store Road North, and 4100 Tropicana Parkway West; Providing severability and an effective date.

LOCATION: 101 Old Burnt Store Road North
606 Old Burnt Store Road North
4100 Tropicana Parkway West

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

PROPERTY OWNER(S): City of Cape Coral

UPCOMING PUBLIC HEARING: Notice is hereby given that the Local Planning Agency will hold a public hearing at 9:00 AM on Wednesday, May 24, 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.

The City of Cape Coral Council will hold a public hearing at 4:30 PM on Monday, July 24, 2017.

All interested parties are invited to appear and be heard. All materials presented before the Local Planning Agency 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 Local Planning Agency 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

Department of Community Development
Post Office Box 150027 • Cape Coral, Florida 33915-0027
1015 Cultural Park Blvd. • Cape Coral, Florida 33990
Email: planningquestions@capecoral.net

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: Decisions of the City Council are final, unless an appeal is filed. Any such appeal must be filed with the local court of record seeking judicial relief, within 30 days of Council action. Any person who files an appeal will need a record of the proceedings, which must be a verbatim record and include the testimony and evidence upon which the appeal is to be based. This appeal procedure is codified in Article VIII, Section 8.9.5 of the City Land Use and Development Regulations.

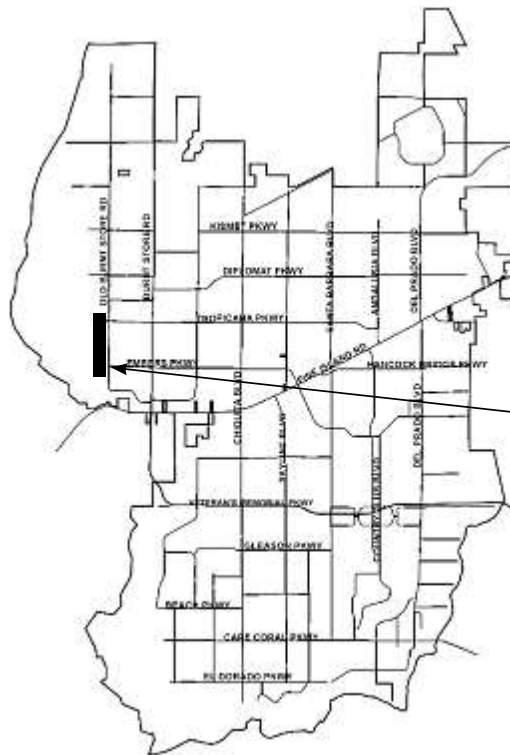


NOTICE OF CHANGE OF LAND USE

The City of Cape Coral proposes to adopt ORDINANCE 23-17, AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE FAMILY AND MULTI- FAMILY BY PDP (SM) AND PARKS AND RECREATION (PK) TO MIXED USE (MX) FOR PROPERTIES LOCATED IN SECTIONS 12 AND 13, SECTION 44 SOUTH, RANGE 22 EAST, LEE COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY LOCATED AT 106 OLD BURNT STORE ROAD NORTH, 606 OLD BURNT STORE ROAD NORTH, AND 4100 TROPICANA PARKWAY WEST; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

A public hearing on the ordinance will be held Wednesday, May 24, 2017 at 9:00 a.m. at the City of Cape Coral, City Hall Chambers, 1015 Cultural Park Blvd., Cape Coral, Florida 33990. At this public hearing, the Planning and Zoning Commission will consider the City's future land use map amendment request. Accordingly, members of the general public and real property owners in the community are invited to appear and speak at the public hearing. Written comments filed with the Director will also be entered into the record. A copy of the map and the proposed amendment under consideration will be available for inspection and will be provided to the public at cost at the City Clerk's office between 7:30 a.m. and 4:30 p.m., Monday through Friday excluding holidays. Any person who decides to appeal any decision made by the City Council at that meeting will need a record of proceedings, and that subject person 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. In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk no later than 4:00 p.m. on the day prior to the meeting.

Rebecca Van Deutekom, CMC
City Clerk



Ordinance 23-17
LU17-0002
SINGLE FAMILY AND
MULTI- FAMILY BY PDP
(SM) AND PARKS AND
RECREATION (PK) TO
MIXED USE (MX) FOR
PROPERTY LOCATED
AT 106 OLD BURNT
STORE ROAD NORTH,
606 OLD BURNT STORE
ROAD NORTH, AND 4100
TROPICANA PARKWAY
WEST

NP-0000936634

☐ PROOF O.K. BY: _____ ☐ O.K. WITH CORRECTIONS BY: _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

ADVERTISER: CITY OF CAPE CORAL_DEPT
SALES PERSON: Legal Display
PUBLICATION: NP-CAPE SUN PRESS
SIZE: 3 col X 9.25 in

PROOF CREATED AT: 5/9/2017 10:50 AM
PROOF DUE: -
NEXT RUN DATE: 05/14/17

NP-0000936634.INDD

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: City of Cape Coral

APPLICATION NO: LU17-0002

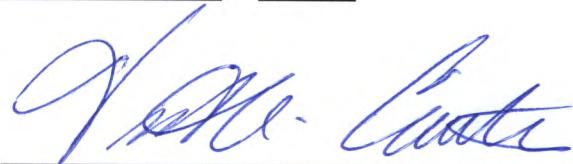
STATE OF FLORIDA)
) §
COUNTY OF LEE)

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 _____ day of _____, 2017 .



Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

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

Exp. Date _____ Commission # _____

Signature of Notary Public

Print Name of Notary Public



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




CITY OF CAPE CORAL

Department of
Community Development
Planning Division

CURRENT ZONING MAP 500 Proximity Boundary

Case No. LU17-0002

Legend

-  Subject Parcels
-  500' Boundary
-  C-1
-  PRES- Regulated by FLU
-  R-1A
-  R-1B
-  RD
-  Canals/Lakes



MAY 4, 2017

0 410 820 1,230 1,640 Feet

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KRKA

Subject Parcels

500' Proximity Boundary

CITY OF CAPE CORAL

Department of
Community Development
Planning Division

FUTURE LAND USE MAP 500 Proximity Boundary

Case No. LU17-0002

Legend

- Subject Parcels
- 500' Boundary

Future Land Use

- SM
- CAC
- CP
- PF
- PK
- PR
- Canals/Lakes



APRIL 28, 2017

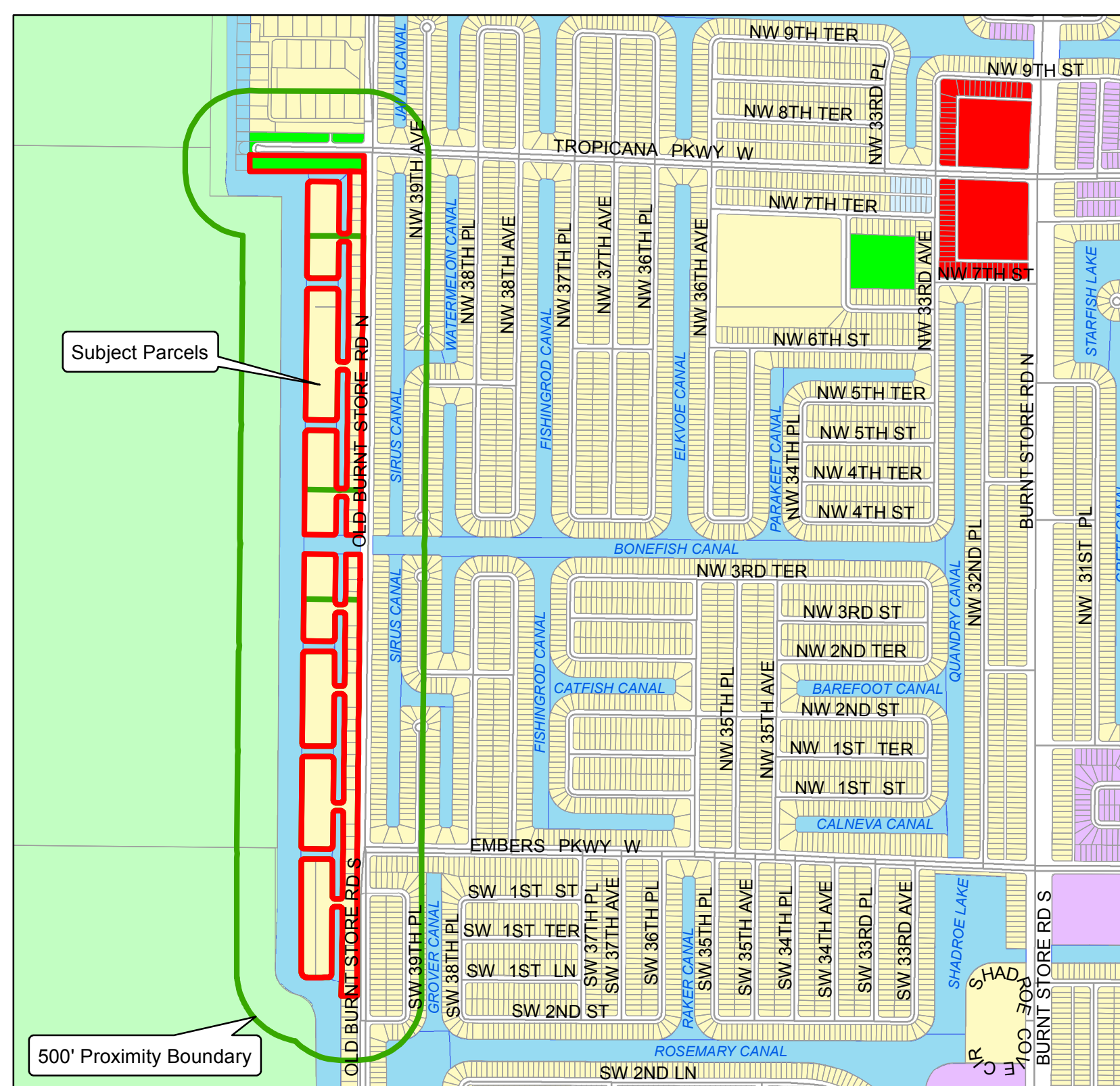
0 410 820 1,230 1,640 Feet

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KRKA

Subject Parcels

500' Proximity Boundary



CITY OF CAPE CORAL

Department of
Community Development
Planning Division

FUTURE LAND USE MAP 500 Proximity Boundary

Case No. LU17-0002

Legend

- Subject Parcels – MX
- 500' Boundary

Future Land Use

- SM
- CAC
- CP
- PF
- PK
- PR
- Canals/Lakes



MAY 4, 2017

0 410 820 1,230 1,640 Feet

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KRKA

Subject Parcels

500' Proximity Boundary



Cape Coral Planning and Zoning Commission

May 24, 2017

ORDINANCE 23-17

LU17-0002

Ordinance 23-17

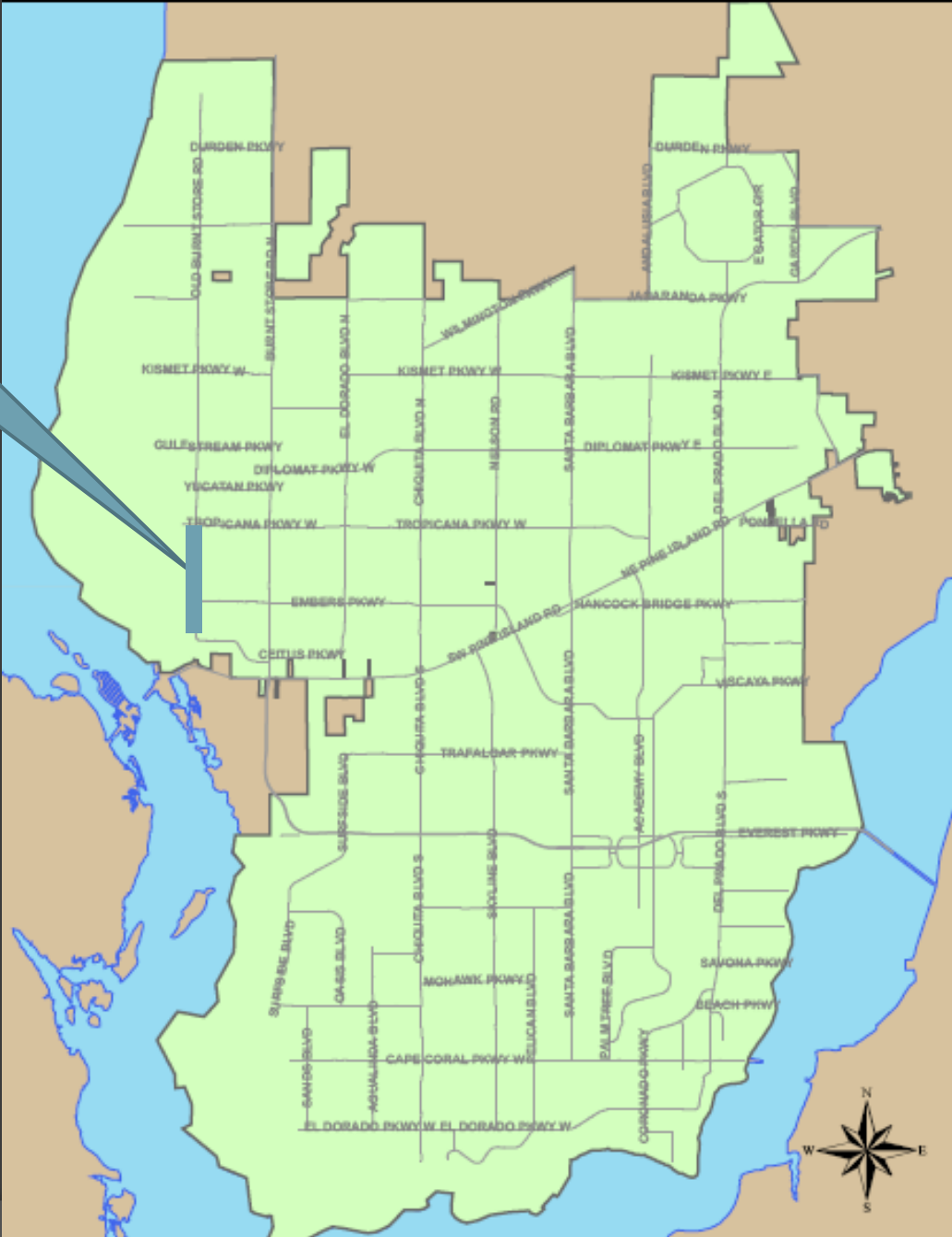
- **Applicant: City of Cape Coral**
- **Location: 50.72 acres in NW Cape Coral**
- **Urban Services Area: Transition and Reserve**

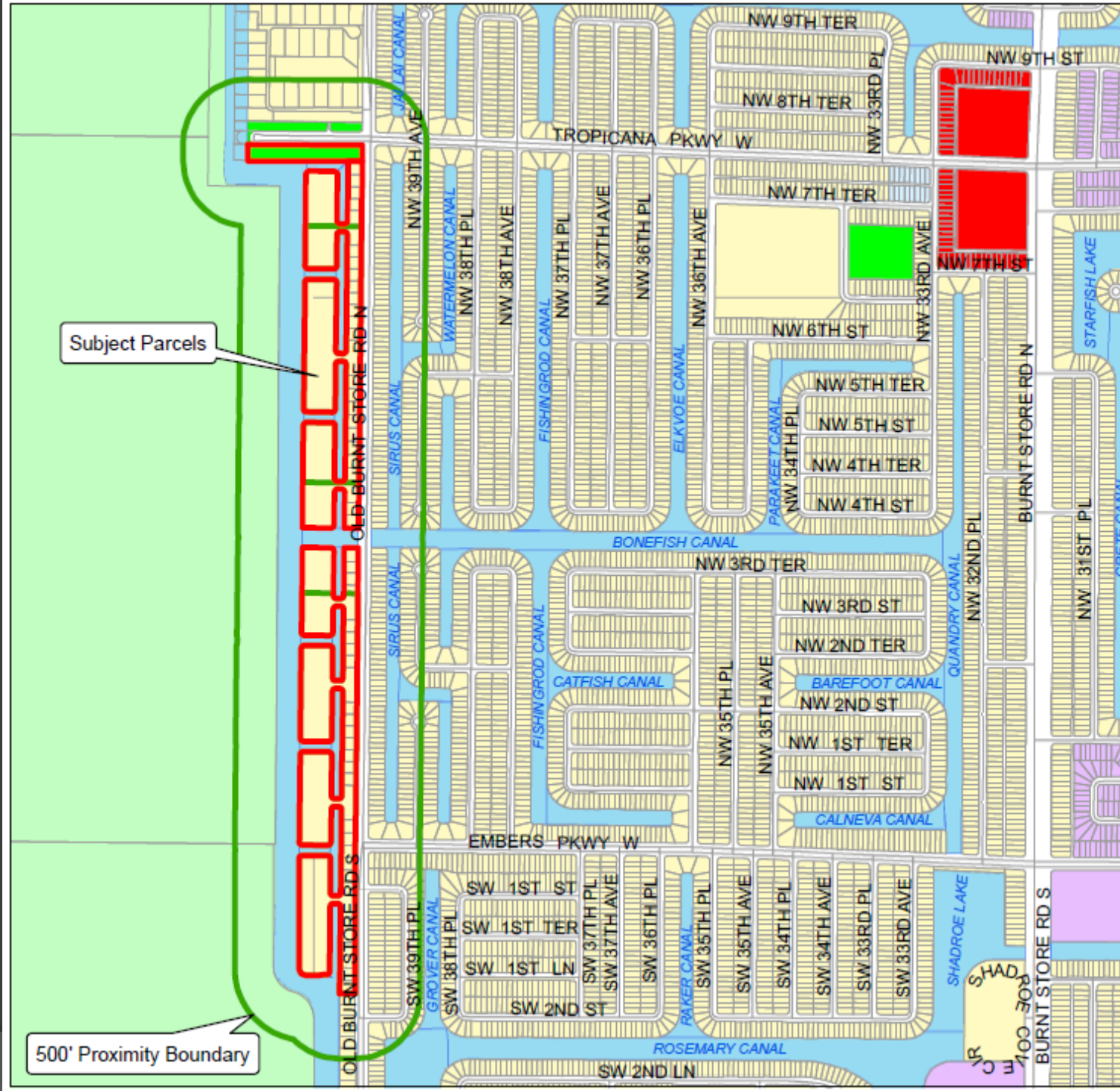
Ordinance 23-17

- Request:

Current FLU	Proposed	Acreage
Single Family/Multi-Family by PDP (SM)	Mixed Use (MX)	48.18
Parks and Recreation (PK)	MX	2.54

Area







CITY OF CAPE CORAL

Department of
Community Development
Planning Division








FUTURE LAND USE MAP
500 Proximity Boundary

Case No. LU17-0002

Legend

-  Subject Parcels
 500' Boundary

Future Land Use

-  SM
 CAC
 CP
 PF
 PK
 PR
 Canals/Lakes

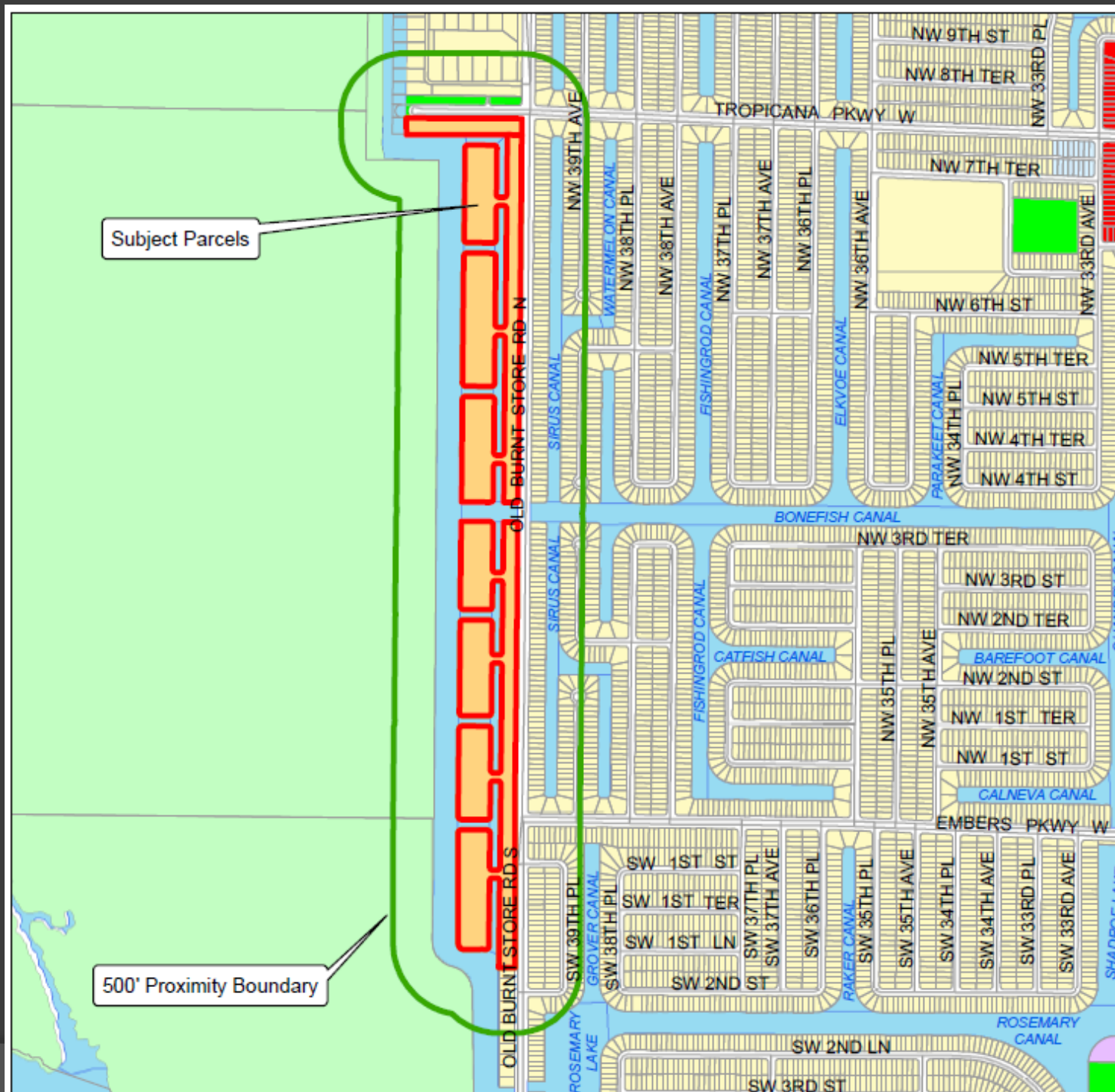


APRIL 28, 2017



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KRKA



CITY OF CAPE CORAL

Department of
Community Development
Planning Division

FUTURE LAND USE MAP 500 Proximity Boundary

Case No. LU17-0002

Legend

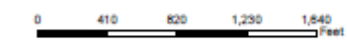
- Subject Parcels – MX
- 500' Boundary

Future Land Use

- SM
- CAC
- CP
- PF
- PK
- PR
- Canals/Lakes



MAY 4, 2017



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KRKA

Background

- **Affects two city-owned properties**
- **Located in NW Cape Coral, along 6,500 feet of the NW Spreader canal**
- **Utilities are to be made available by the North 2 UEP; Old Burnt Store Road to be widened to four lanes adjacent to the site**

Background

- In 2013, the City of Cape Coral purchased 491 properties; most of which are north of Pine Island Road (SR 78) and have sizes from 0.25 acres to 50-acre tracts. The site was included in that transaction.
- The City has long needed additional commercial and mixed use opportunities, particularly along the waterfront.
- To accomplish this, the City contracted with consultants who developed a Seven Islands and Northwest Cape Coral Vision Plan with assistance and input from city staff and the public.

Background

- In late 2016, the City Council evaluated several development options for the Seven Islands property based on the consultant's work.
- Council directed City staff to move forward with implementing a vision plan, which had the following development metrics:
- 995 dwelling units with up to 3 multi-family residential structures up to 8 stories in height (including parking);
- 70,000 square footage of commercial space, including restaurants and hotel (240 rooms);
- A marina; and
- Park uses.

Additional Considerations

- **Given the direction provided by Council, the MX future land use generally permits the range of uses**
- **Per Policy 1.15.f, FLUE, development within the Mixed Use future land use (>1 acre) requires a PDP; this applies to the Seven Islands site (approximately 51 acres)**

Additional Considerations

- **FLUMA discusses broad policy matters; is the proposal to MX appropriate**
- **Site-specific questions regarding uses, setbacks, building heights are addressed by the zoning district which would govern the site**
- **A new zoning district is being developed for the site; the creation of the district and subsequent rezone will take place months from now**

Considerations – Comprehensive Plan

- **Proposed amendment is consistent with multiple policies in the Future Land Use Element, Conservation and Coastal Management Element, and Transportation Element as discussed in the case report**
- **Policies of note include:**
 - **Policy 1.20 FLUE, which promotes the creation of identifiable commercial districts;**
 - **Objective 2.1, CCME, which promotes additional public access points to the coastal zone;**
 - **Policy 2.2.7, TE, which discourages strip-style commercial development; the Seven Islands would not be an example of such**

Recommendation

Planning Division staff recommends approval for the following reasons:

- **The request is consistent with the Comprehensive Plan**
- **The request's consistency with Council direction pertaining to the Seven Islands vision**

Planning Division has received no correspondence

